# Transforming Constraint: Transnational Feminist Movement Building in the Middle East and North Africa

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TRANSFORMING CONSTRAINT: TRANSNATIONAL FEMINIST MOVEMENT

BUILDING IN THE MIDDLE EAST AND NORTH AFRICA

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**Transforming Constraint: Transnational Feminist Movement Building in the Middle East and North Africa**

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## ABSTRACT

This dissertation focuses on the intersection of global and indigenous advocacy strategies in feminist women's movements in the Middle East and North Africa (MENA). I explore strategies of resistance and innovation in three contexts: (1) Globally, I analyze a sample of MENA NGOs in a transnational women's rights network, Women's Learning Partnership (WLP) and their interactions in the international funding sphere; (2) Domestically, I examine a local Moroccan NGO's strategy development process and their domestic and regional partnerships when organizing to reform the *Moudawana* (1999-2004); and (3) Regionally, I analyze inter-organizational collaboration and coalition building between three NGOs in the Campaign to Reform Arab Women's Nationality (2001-2008). I locate the dissertation in a feminist activist framework and draw from diverse data sources, including years of fieldwork with WLP (2004-2008); participant observation and notes from five transnational women's rights meetings (2005-2008); a content analysis of a sample of international funders' and MENA feminist NGOs' websites; and two in-depth case studies with data derived from historical analysis, three months of fieldwork in Morocco, interviews with Moroccan, Lebanese, and regional activists, and secondary document analysis. The findings provide deeper clarity into the strategic action of MENA feminist movements and the variety of social, political, and economic forces that shape their discourses and practices for achieving social change and gender equality. The findings contribute to the scholarly literature on transnational feminism and social movements and its intersection with the law.

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## Acronyms

| | |
|---|---|
| AIL | Afghan Institute for Learning |
| ADFM | Association Démocratique des Femmes du Maroc |
| AFCF | Association des Femmes Chefs de Famille |
| AWID | Association for Women's Rights in Development |
| AU | Aurat Foundation |
| BWA | Bahrain Women Association |
| CEDAW | Convention on the Elimination of All Forms of Discrimination Against Women |
| CIDA | Canadian International Development Agency |
| CRTDA | Collective for Research and Training on Development Action |
| FSWW | Foundation for the Support of Women's Work |
| FWID | Forum for Women in Development |
| GAD | Gender and Development |
| GFW | Global Fund for Women |
| INGO | International Nongovernmental Organization |
| MDG | Millennium Development Goals |
| MENA | Middle East and North Africa |
| NGO | Nongovernmental Organization |
| LTC | Leading to Choices |
| OSI | Open Society Institute |
| PAR | Participatory Action Research |
| PI | Personal Interview |
| PANIFD | Plan of Action for the Integration of Women in Development |
| PPT | Political Process Theory |
| SIGI | Sisterhood is Global Institute |
| SMO | Social Movement Organizations |
| UAF | Union de l'Action Feminine |
| UNICEF | United Nations Children's Fund |
| UNIFEM | United Nation's Development Fund for Women |
| UNDP | United Nations Development Programme |
| UNFPA | United Nations Population Fund |
| WATC | Women's Affairs Technical Committee |
| WID | Women in Development |
| WLP | Women's Learning Partnership |

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**PREFACE**

As a scholar-activist from the Global North, my entrance into the Women's

Learning Partnership (WLP) network came about through an invitation to apply my

technical evaluation and capacity building skills. I was responsible for developing a

participatory evaluation model for WLP's women's leadership program, *Leading to*

*Choices* (LTC), and for conducting a two-year, collaborative pilot evaluation in Morocco

with activists at Association Démocratique des Femmes du Maroc (ADFM).[1]

Having the privilege to engage in fieldwork since late 2004 with WLP and with

the research and evaluation work at ADFM in Morocco has allowed me the unique

opportunity to annually interact with high profile leaders in the Middle Eastern and North

African women's rights movement, such as Mahnaz Afkhami, Rakhee Goyal, Asma

Khader, Lina Abou-Habib, Sakeena Yacoobi, Amina Lemrini, and Rabéa Naciri. This

personal contact over an extended period of time has facilitated a distinctive learning

environment, which has offered me a unique and intimate lens into the successes and

struggles of an elite group of activists.

Over the years, I have learned of the diverse efforts of feminist strategizing and

implementing campaigns for gender equality. Some of the achievements of activists in

the WLP Partnership include the 2004 Islamic Family Law reform in Morocco, the

Nationality rights reform in Egypt in 2004, Algeria in 2005, and Morocco in 2007, and

the lifting of reservations on the Convention on the Elimination of All Forms of

Discrimination against Women (CEDAW) in Morocco in 2008. Yet, these pioneering

feminist efforts of reform are too often not the primary focus of Western public discourse

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[1] I was in Rabat, Morocco for three months of those two years.

and media accounts of women in the MENA. The public omissions and the gaps in the scholarly literature, particularly in the well-developed social movement area, led me to this study.

In my case, given my limitations as a Global North scholar without knowledge of Arabic (only French) and native knowledge and experience of the region, the type of engaged scholar-activist fieldwork, I carried out over four years (2004-2008) was the only way to get to the heart of my research questions. My fieldwork was driven by an activist research approach, which placed me in the WLP network and in the field in Morocco. Given my acute interest in better understanding the unique and innovative strategies of the MENA activists I was interacting with, I chose to utilize my existing connections, placement in the WLP network, and access to prominent activists as a resource in my studies. My ongoing interactions with NGO activists in the WLP network essentially socialized me into the world of activism in the region.

In this dissertation, I try to bring to life the experiences of activists in the field, attending to transnational and local feminist discourses and practices. From their diverse experiences, I attempt to draw out theoretical and practical implications, which could be of use to scholars and activists alike in the Global North and South. I draw from multiple methods of social scientific inquiry in order to gain deeper insight into the strategic interactions that activists encounter in their international, regional, and local contexts. At its heart, this study offers a snapshot of women's rights NGO activism, detailing MENA feminists' journey to affecting change in women's rights and status.

**Chapter 1: Introduction**

**Overview**

   This dissertation focuses on the intersection of global and indigenous advocacy

strategies in feminist women's movements in the Middle East and North Africa (MENA),

with a specific focus on Morocco.[2] I explore the nuances of nongovernmental

organization (NGO) advocacy strategy development for the purpose of gender equality,

largely through legislative reform.[3] NGO strategy is intriguing to study as NGO activists

provide a bridge between global spheres of interaction and local communities (Merry

2006). The study is grounded in an examination of the transnational organizing work of

the Women's Learning Partnership (WLP) and its local NGO allies. Within the WLP

network, particular attention is placed on a Moroccan NGO, Association Démocratique

des Femmes du Maroc (ADFM), and their engagement in the campaigns for Personal

Status Code reform (or *Moudawana*) of 2004 and the Nationality Code Reform of 2007;

Collective for Research and Training on Development Action (CRTDA), a Lebanese

NGO also involved in the regional Nationality campaign; and WLP International, the

coordinating NGO for the transnational network. The progressive feminist activists

involved in these reform efforts are often referred to as liberals in their contexts; they

most often subscribe to secularist democratic ideals.[4] However, the feminists draw from a

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[2] Social movements are no longer just local; instead, activists navigate complex global and political environments.

[3] This analytical focus is beneficial as legislative reforms provide concrete and measurable evidence of movement outcomes (Gamson 1990; Rochon and Mazmanian 1993).

[4] The term feminist is used in this case as the activists in the WLP network self-identify as such. It is important to note that there is a wide range of feminist positionings, which are explored later on in the chapter. The shorthand use of feminist is not meant to obscure the diversities that exist with this identity; rather, it is used for the sake of brevity.

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diverse set of secular and religious discursive principles depending on the goals of their campaign and their political positioning.[5]

The overarching goal of this dissertation is to show how global and local influences, both ideological and institutional, can shape and are shaped by feminist movement dynamics and synergies in reform contexts. I explore feminist NGO activists' global and local negotiations, translations, and adaptations to better understand how they navigate multiple contexts in the effort to increase women's status and equality. Of course, the exploration of MENA feminist social change work cannot be accomplished without attending to the cultural meaning making work of activists in movements; therefore, considerable attention is placed on the strategic actions that activists undertake to frame, communicate, and mobilize their messages for gender equitable reform.

Specifically, I focus on two major aspects of NGO advocacy—navigating international resources and implementing legislative advocacy efforts. At the resource level, I am particularly interested in how human rights and empowerment discourses are used and contextualized by NGOs and funders. The line of inquiry is appealing as often women's rights organizations using human rights discourse in the MENA face complications as local opponents paint human rights argumentation as conflicting with local cultural or religious values. Better understanding how activists negotiate these diverse challenges provides a foundation for the deeper exploration of activists' global-local strategy development in specific cases of legislative reform.

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[5] I attend to the diversity of activists' experiences throughout the analyses. Yet, I have struggled with how to best depict diverse feminist perspectives in a movement, given multiple and varied experiences, while also highlighting the collective movement strategy. I have resolved this conflict by doing my best to speak about activists as a collective when detailing movement decisions and strategy. I integrate individual activist's voices to explain, contrast, or further illuminate personal experiences related to movement decisions.

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At the advocacy level, I explore the varying discursive and mobilization strategies used by Moroccan feminist activists in a religious and a secular law reform effort. I pay attention to the ways that fragmentary binaries, such as "secular versus religious" and "Western versus culturally authentic reform," have been used by political actors in the Moroccan context and explore their influence on feminists in this sample. The first case study analyzes a domestic effort to reform the *Moudawana* as carried out by liberal Moroccan feminist NGOs and their allies from 1999-2004. I detail feminist NGO activists' efforts to formulate a comprehensive discursive strategy to argue for *Moudawana* reform in a contentious political setting characterized by a powerful religious countermovement. The case explores how global norms, such as human rights and democracy, were differentially drawn from and interwoven with local frames. The second case I analyze is a regional study of collaboration and coalition building between three MENA NGOs in the Campaign to Reform Arab Women's Nationality from 2001-2008. The Nationality Code, in contrast to the *Moudawana*, is a secular law, thus providing an interesting case for comparison. The aim is to highlight the role of movement learning and the cross-fertilization of movement strategy as an important, adaptive feature of movement building. I also analyze how negotiated sets of localized norms and movement practices travel back to influence transnational spaces of MENA feminist organizing.

There are multiple implications of this dissertation. In the feminist literature, this study adds to the increasingly diversified study of the transnationalization of feminist movements and the way in which global discourses are adapted and localized by NGOs (Alvarez 2000; Friedman 1999; Levitt and Merry 2007; Levitt and Merry 2008; Merry

2006; Tohidi 2002). The transfer of these localized movement strategies back to transnational spheres of influence also augments the literature and furthers our understanding of how transborder campaigns evolve (Alvarez 2000; Friedman 1999). This research contributes to the social movement literature on political opportunities and framing by highlighting important components of MENA feminists' strategies for navigating oppositional ideologies and constraints that stem from the politicization of the legal context (Alimi, Gamson, and Ryan 2006; Amenta, Carruthers, and Zylan 1992; Amenta, Caren, and Olasky 2005; Benford and Snow 2000; Gamson and Meyer 1996; Goodwin and Jasper 2004a,b). Finally, I hope that through this dissertation, public awareness of the unique and revolutionary strategies that MENA feminist activists are utilizing to mobilize for gender equality in their countries is heightened. The activists draw strength from global and local resources in order to mobilize against long-standing patriarchal structures and to innovate in the face of continually shifting political constraints and opportunities.

**Transnational Feminism in Focus: The Women's Learning Partnership**

Overall, I am interested in understanding how the feminist activists in the Women's Learning Partnership (WLP) strategize around multiple opportunities and constraints at the international, local, and regional levels. Specifically, how do activists negotiate global and local discourses and craft resonant discourses for women's equality? In what ways have feminist activists navigated increasingly contentious political spaces in calling for gender equitable legislative reforms? Finally, what practical lessons can we draw from activists' experiences of law reform and social change efforts in the MENA that further develop feminist and sociological theory on movement building? The data

collection process has been made possible through the phenomenon of globalization and

transnational knowledge exchange.[6] My fieldwork consisted of activist-scholar

collaboration, 15 in-depth semi-structured interviews with Moroccan, Lebanese, and

other MENA activists,[7] textual analysis of important legislation and activist campaign

material, and numerous informal conversations in a number of contexts over a four year

period. I have participated in and taken field notes at five internal meetings (2005-2008)

in which feminists across the MENA met to transnationally strategize: in Washington

DC; Maryland; Bangkok, Thailand; as well as Marrakech and Rabat, Morocco. Since the

focus of the study is on NGO strategies for social change, interviews are conducted with

the executive leadership of feminist organizations or close allies that played a role in

strategy development. Whenever possible, I have gone back to the activists that informed

this study for feedback and clarifications. Feminist activists agreed that their full names

and organizational affiliations could be used. However, I have not included information

that members of the WLP Partnership or I have assessed as posing a potential social,

political, or economic risks.

*The Women's Learning Partnership*

The Women's Learning Partnership (WLP) is a transnational women's rights

network with over 20 partners from countries in the Middle East, North Africa, Latin

America, Central Asia, and Sub-Saharan Africa. Collectively, the WLP Partnership aims

"to strengthen a feminist movement in order to transform power relations and promote

justice, equality, peace and sustainable development." The feminist grassroots

organizations in this sample are located in the Global South, in Muslim-majority

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[6] See Appendix 1 for a further description of the WLP Partnership (pp.200-204).
[7] See Appendix 2 for a list of the interviews.

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countries.[8] The NGO sample includes 11 NGOs in the WLP Partnership located in the

MENA region: Aurat Foundation (AF) in Pakistan, Afghan Institute for Learning (AIL)

in Afghanistan, Association des Femmes Chefs de Famille (ACFC) in Mauritania,

Association Démocratique des Femmes du Maroc (ADFM) in Morocco, Bahrain Women

Association (BWA), Collective for Research and Training on Development Action

(CRTDA) in Lebanon, Forum for Women in Development (FWID) in Egypt, Foundation

for the Support of Women's Work (FSWW) in Turkey,  Sisterhood Is Global Institute

(SIGI/J) in Jordan, and Women's Affairs Technical Committee (WATC) in Palestine, and

WLP International in USA. Particular focus is placed on the three NGOs described

below: WLP International, ADFM, and CRTDA.

**WLP International** is the liaison office of the WLP Partnership, based in

Bethesda, MD. They are one of the main actors in this study as they coordinate and

develop joint programs of women's empowerment and advocacy for gender equality

across the partner MENA NGOs. WLP International describes their mission:

> to develop and promote an alternative vision and practice of leadership by
> building the capacities of feminist women's rights organizations,
> increasing the number of women in decision making positions, and
> advancing strategic collaborations, cross-national dialogues and advocacy
> efforts, particularly in Muslim-majority countries, in order to transform
> power relations. We contribute to this mission in our role of capacity
> builder, bridge-builder and innovator, using state of the art information
> and communications technologies (WLP 2006a:3).

WLP International houses a small staff of eight, who act as the bridge among the partner

organizations. They play a critical role in increasing the visibility of national and regional

campaigns as seen in the case studies of *Moudawana* and Nationality reform.

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[8] WLP Partners include NGOs from Afghanistan, Bahrain, Brazil, Cameroon, Egypt, India, Iran, Jordan, Kazakhstan, Kyrgyzstan, Lebanon, Malaysia, Mauritania, Morocco, Nicaragua, Nigeria, Pakistan, Palestine, Turkey, and Zimbabwe as well as a liaison office in Bethesda, MD (WLP International).

**Association Démocratique des Femmes du Maroc (ADFM)** is an international human rights organization established in 1985 that is committed to advocating on behalf of women's rights in Morocco. It is one of the largest and most established NGOs in Morocco. ADFM is one of the main organizations studied due to their strategic influence in the Moroccan campaign to reform the *Moudawana* and their efforts in implementing and developing regional and local strategies for the Nationality campaign.

ADFM defends and promotes the human rights of women through fostering equitable social policies. ADFM's headquarters are in Rabat, Morocco. ADFM is an autonomous, non-profit, feminist NGO "which aims to promote women's rights in order to increase women's power and influence in the juridical, political, economic and social spheres to build an egalitarian society based on democracy and sustainable development."[9] The NGO uses four main strategies to achieve its objectives: advocacy, public awareness-raising, education and training, and legal advice.

**The Collective for Research and Training on Development Action (CRTDA)** is a Lebanese NGO founded in 1999. Based in Beirut, the NGO works across the MENA region, partnering with NGOs that share similar visions in order to more effectively implement change. CRTDA is an organization of analytical interest due to their coordinating role in the regional campaign to reform the Nationality laws. CRTDA serves as a capacity building resource for activists on a variety of issues, including poverty analysis and assessment, economic justice, gender equality, empowerment, and leadership.

> CRTDA endeavors to take actions of the highest international standards that reflect the needs and opportunities of a challenging and changing world. CRTDA aims to achieve this through conducting cutting-edge

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[9] Source: ADFM mission and vision statement. http://www.adfm.ma/spip.php?rubrique93&lang=en

action-oriented research, providing quality training, capacity building, and informational resources, and facilitating organizational development and dynamic community mobilization. CRTDA works with both local and international NGOs, development practitioners, and academics in order to create informed action and promote policy dialogue on issues of poverty, gender equality, social exclusion and sustainable development in the Arab Machreq[10] & Maghreb region.[11]

CRTDA is guided by their values of gender equality, accountability, responsibility, social justice, and efficiency.

## Vernacularizing the Global: A Basis for Global-Local Translations and Movement Mobilization

In order to better understand the creation of MENA feminist discourses and strategies for social change and legislative reform, first, I provide a brief overview of legal contexts in the MENA. Then, I review research from the social movement and law literatures, which together have been understudied (McCann 2006). Finally, I explore the MENA feminist literature and its unique contributions to the dissertation's main research questions.

### Islamic Family Law in the Middle East and North Africa

Legal structures in the MENA involve a complex blend of religious and secular codes. Most countries in the region have secular constitutions, labor, and penal codes, and religious, Islamic family laws (also called Personal Status Codes). There is considerable variation in Personal Status Codes across the MENA region. For that reason, I briefly describe important dimensions of Islamic family law as it relates to women's

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[10]The Machreq (also known as Mashriq) is a regional description of the area east of the Maghreb. It includes Arabic speaking countries from the Mediterranean Sea to Iran, including countries to the east of Egypt and above Saudi Arabia. The Maghreb is a regional description of North African countries. Typically, the Maghreb refers to the three countries of Algeria, Morocco, and Tunisia. Sometimes, Libya and Mauritania are also included.
[11] Source: CRTDA vision statement. http://crtda.org.lb/en/book/crtdas-vision.

rights and status. I attend to the national specificities of Islamic family law in the

Moroccan case in Chapter 4.

Women's rights and status in the MENA, excepting Tunisia and Turkey, are

primarily determined through the Personal Status Code. Issues of women's rights in

autonomy, household status, divorce, marriage, and inheritance are all detailed under this

legal structure. Women rights are not equal to men. Typically, men have primary

responsibility over the family, provide maintenance for their wives, and act as women's

legal guardians. Women often do not have equal rights to inheritance, to solely initiate

divorce, or to sign marriage or other legal documents.

Personal Status Codes are strongly inspired by Muslim rights, based on *fiqh* that

have been created and derived from the Quran and the *sunnah*, or the tradition of the

Prophet. *Fiqh* are social rules, as they have been independently interpreted by Islamic

jurisprudence scholars, *ijtihad*, which govern men's and women's behavior and rights

(Collectif 95 Maghreb Egalité 2003). These rules are interpreted diversely by different

schools or traditions of Sunnite Islam, i.e., in Malikism, Hanafism, Hanbalism, and

Shafeism and in Shia Islam.[12] Over time, *fiqh* has transformed from merely an

interpretive source to religious orthodoxy (Collectif 95 Maghreb Egalité 2003).

Islamic family law can be understood as a legal framework that produces "a

normative model of the individual, the family, the society, and the relationships among

them" (Charrad 2001:3). These laws place boundaries and restrictions on the choices that

women and men make within the private sphere (Charrad 2001). Islamic legal scholar,

Abdullahi Ahmed An-Na'im (2002) suggests that the existence and persistence of Islamic

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[12] In the dissertation, I place primary focus on describing trends related to Sunnite Islam and particularly the Malikite school as drawn on in the Moroccan case.

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family law is due to the political will of the state. He argues that the family law was the only set of religious principles that survived colonialist secularization pressures and as such represents the heart of Islamic identity (An-Na'im 2002). As a primary source of identity, the reform of the Personal Status Code is extremely contentious, fraught with strong emotional reactions and opposition. Thus, liberal feminist activists engaging in these reforms must be strategic in their modes of argumentation.

*The Interaction of Legal and Political Contexts in Social Movements*

Law is more than just a set of rules and regulations that societies use to structure efficient relations. Law is intricately connected to everyday meaning making and to how individuals understand social structure and relations (Ewick and Silbey 1998; 2002). Indeed, laws have both structural and normative qualities (Sewell 1992; 1996; Ewick and Silbey 2002). Law both shapes and is shaped by cultural and ideological interpretations (Ewick and Silbey 2001; 2002). These ideologies involve interpretations based on one's positioning and understanding of the law, which are also shaped by broader forces of political and social power (Silbey 1998). This meaning making process has been termed legality by Ewick and Silbey (2002:152). Legality embodies the "meanings, sources of authority, and cultural practices that are recognized as legal, regardless of who employs them or for what ends." But legality is also "a structural component of society. That is, legality consists of cultural schemas and resources that operate to define and pattern social life" (Ewick and Silbey 2002:155). The dual structural and normative levels of law can be drawn out using a simple example. Islamic family law is structural in the sense that there are institutions that ensure appropriate legal implementation and enforcement. But Islamic law is normative in the way that it shapes social relations and understandings of the roles and capacities of men and women. The legality of Islamic law is differentially

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interpreted, often based on social location, nationality, and political ideology, which further complicates the debates. The distinction and connection between the structural and normative dimensions of law and how it interacts in the social movement playing field, particularly in terms of activists' development of 'repertoires of contention' is an important focus of the study.

Taken together, I refer to these legal dimensions as the legal context. I suggest the legal context influences social movements in a variety of ways: (1) ideologically, laws can shape challengers and opponents' social and political alignments and (2) institutionally, the type of law (e.g., secular or religious) determines the mechanisms through which it can be reformed. This becomes particularly important when talking about reforms in the MENA, where there can be separate secular and religious courts that make decisions on distinct issues. For example, in Morocco, there are secular courts for violations of the penal code and courts with religious justices for family law cases.[13] Above and beyond, separate court systems, the process through which law reforms can be initiated (e.g., by the public, religious authorities, or the state) drastically differs as do the legal principles drawn from to justify reform.

These ideological and institutional distinctions have been parsed out in different ways by scholars and activists wishing to reform Islamic family law, including by making distinctions between the cultural and institutional influences of Islamic law (Ghazalla 2001; Collectif 95 Maghreb Egalité 2003). Abdullahi An-Na'im (2002:2) makes deeper differentiations between the legal aspects of Islamic law, separating between the religious juridical aspects of Islamic law and the legal instrumentation of the state, arguing that:

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[13] It is important to note that these family courts were developed due to the 2004 reforms. See Mir-Hosseini (2000) for a description of family court system before the reform and Mir-Hosseini (2007) for a review of courts after the 2004 reform.

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"…Shari'a principles are legally binding by virtue of state action, through either enactment as law by the legislative organs of the state or enforcement by its courts" and not by religious mandate. An-Na'im (2002:2) argues that as a state mechanism the only solution is to transform the content of Islamic law in alignment with modern legal systems:

> There are serious risks of distortion and stagnation in maintaining the normative authority of IFL [Islamic family law] on the basis of a pre-modern system that is becoming increasingly unfamiliar to legal professionals, policy-makers and the public at large, and applying it within the radically different constitutional and legal framework of the modern nation-state.

These legal factors shape the political context in which feminist movements are located. While exceedingly important, the literature on social movements historically has placed less attention on the role of legal contexts (McCann 2006).[14] The legal context and specifically its interaction with the political context has likely been taken for granted due to primary focus on Western, secular, democratic cases for social movement theorizing.[15] Instead, there has been a strong focus on political process theory (PPT) which highlights the central role of political opportunities on creating the conditions for social movement mobilization (Tarrow 1998).[16] PPT specifies causal mechanisms for determining social movement mobilizations with particular focus on a structural set of opportunities most often linked to the state. Political opportunities can have an influence

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[14] The political context includes the state, the political elites, the public opinion, the challengers, and the countermovement.

[15] See Kurzman (2004) on the bias of the social movement literature.

[16] See Meyer and Minkoff (2004) for as cogent review of the literature on PPT and areas for further development. For critiques of PPT, see Goodwin and Jasper (2004a) who argue the model is overly fixed, tautological, and structural, without integrating a focus on activists' agency and strategic control over movement resources and strategy development. Many theorists have suggested that by introducing activists' cultural meaning making and strategic decision making processes, the structural bias of PPT could be averted (Benford and Snow 2000; Gamson and Meyer 1996; Goodwin and Jasper 2004b; Kurzman, 2004; McAdam and Sewell 2001; Polletta 2004).

on the type of movement tactics activists select and impact how activists react to shifts in the movement context (Kitschelt 1986).[17] While I draw some inspiration from the idea of the political context as mediator of movement mobilizations, I also focus on drawing out the implications of the legal context and constraints in MENA efforts of secular and religious law reform. In particular, I am interested in the role of constraints on movement dynamics, which has been understudied and warrants further attention (Goldstone and Tilly 2001; King 2007; Steinberg 1999). Specifically, I aim to show that constraints can actually be powerful sources of strategic innovation for activists. This analysis will help to identify both the structural elements from which constraints flow and the agentic innovations and active resistance forged in light of constraining contexts.

Paying further attention to the normative dimensions of law, I explore the role of cultural or ideational forms of movement persuasion (Cress and Snow 2000). Specifically, I analyze the way that a movement's discursive framing and mobilization strategies respond to globalized political and legal contexts. To do this, I draw from the well-developed social movement literature on discursive framing. Framing is one component of effective movement strategy, where activists "assign meaning to and interpret relevant events and conditions in ways that are intended to mobilize potential adherents and constituents, to garner bystander support, and to demobilize antagonists"

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[17] The political mediation model integrates research on political opportunities (Amenta et al. 1992; 2005). The political mediation approach, developed by Amenta, Caruthers, and Zylan (1992) describes the interactive and dynamic influence that the political context has on shaping movement strategies and actions when law reform is sought. Amenta et al (2005:519) lay out guidelines for assessing what types and level of activist mobilization will be required given the political context: "In highly favorable political contexts, all that should be required is a certain threshold of resource mobilization and minimally plausible and directed framing and claims-making. In less favorable political contexts, more assertive strategies of collective action would be required for a social movement to have influence. In yet other political contexts, where powerful systemic conditions work against challengers, it may be impossible for the challengers to exert much influence. In short, the context must be extremely favorable and the mobilization and action extensive for challengers to achieve the most radical goals."
See Giugni 2008 for a more review of developments in PPT and political mediation approaches.

(Snow and Benford 1988:198). Ultimately, the persuasiveness of movement messages relies on the degree of cultural resonance frames have at the local level. Resonant messages often draw from shared local histories, cultural traditions, historical narratives, or other collective beliefs (Gamson 1998; Snow and Benford 1998). Ferree and Merrill (2004) outline a multi-layered model for understanding the relationship between ideology, frames, and discourses. "The framing process is the mechanism by which discourses, ideologies, and frames are all connected. Framing as a process is both strategic and social" (Ferree and Merrill 2004:250). Ideologies and values are the shared underlying principles that connect individuals to a movement and movements to each other, e.g., the transnational women's rights movement.

> Framing as a process challenges, even as it is constrained by, discursive logics. Movements confront meanings that are embedded in institutional discourses, but also use innovative framing tactics to challenge and change them (Katzenstein 1998). Such "new words" may lead to "new worlds". Successful reframing then constrains the options of other actors by introducing a new discursive logic (Ferree and Merrill 2004:259).

But discourse, framing acts, and their resonance are not unilaterally determined; rather, the framing and counterframing of the opposition or institutional elites has an impact on messages (Esacove 2004; McCaffrey and Keys 2000). This is evidenced as MENA women's rights NGOs face pressure to demonstrate their authenticity as legitimate actors of their cultural community, especially when receiving foreign resource support. Analysis of movement framing is then complemented by analyses of political opportunities (Kowlachuk 2005; Kubal 1998; Gamson and Meyer 1996; Kurzman 1996), which describes how framing efforts are influenced by cultural constraints and opportunities (Kubal 1998).

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Given international and domestic pressures, NGO activists seek out ways to process and translate global values, such as human rights or religious principles, into locally resonant packages. NGO activists have been conceptualized as the actors or translators who fashion bridges between global spheres of international human rights law and local spheres of cultural application (Merry 2006). A conceptually useful way to describe the translation and construction project activists undertake is vernacularization (Merry 2006; Levitt and Merry 2007, 2008). The vernacularization process describes how global universal human rights frameworks or religious frameworks get translated and used in the local context: "These people translate up and down. They reframe local grievances up by portraying them as human rights violations. They translate transnational ideas and practices down as ways of grappling with particular local problems" (Merry 2006:42). Merry (2006) has described vernacularization as occurring on a continuum which ranges from replication to hybridization. Replication occurs when a NGO takes on the same characteristics of the external international model without alteration. On the other end, hybridization occurs when external ideas and practices are integrated and refashioned with local norms.

However, power differentials are distinctly apparent in vernacularization processes and shape the discursive fields in which NGO activists aim to frame grievances (Merry 2006; Levitt and Merry 2008). Levitt and Merry (2008) focus specifically on women's rights NGO's use of human rights discourses in China, Peru, India, and the USA. The scholars argue that:

> … the spread of human rights is a fragmented and uneven process that often does not penetrate deeply into existing ideas and practices. Within the vastly unequal North/South power relations that shape the financial and organizational contexts of NGOs, individual leaders and workers

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creatively appropriate, reshape, and reject segments of women's human rights.

These pressures do not only come from the international sphere, but also stem from the local sphere where activists easily face local charges of the inauthenticity of their movement as explored in Chapters 2 and 4.

This vernacularization process is crucial for understanding the process by which global discourses are divided, drawn from, and adapted into resonant local messages. The importance of institutional power and context on activists' strategizing cannot be underestimated. Ann Swidler (1995:36) notes "individuals can then come to act in culturally uniform ways, not because their experiences are shared, but because they must negotiate the same institutional hurdles." The similarity in the types of institutional barriers that women across the world face when opposing discriminatory laws and policies may underlie the strategic decision by the transnational women's movement to formulate a collective discourse for framing women's rights issues. The following sections explore two global discourses that shape the MENA activists' strategies in this study: secular human rights and religious legal principles. These discourses are often unnecessarily positioned against each other in secular and religious debates. The activists in this study find alternative ways of addressing this debate.

## Human Rights as Women's Rights

The international movement for women's rights has had a significant impact on local women's advocacy NGOs due to its power in global agenda setting (Alvarez 2000; Friedman 1999; Tohidi 2002). In the early 1990s, transnational women's rights activists across the Global North and South met to strategize on ways to increase their political influence. One product of this global strategizing was a greater focus on using

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international human rights language and protocols to justify changes to discriminatory laws within a given context, i.e., the Universal Declaration of Human Rights (UDHR) and the Convention on the Elimination of Discrimination Against Women (CEDAW). The global frame was introduced by members of the transnational women's movement in preparing for the 1993 World Conference on Human Rights. Activists decided that a powerful way to argue for women's full social, political, and economic equality was by using a "women's rights as human rights" frame. Linking women's rights to human rights discourse was seen as a particularly effective means to transcend discriminatory practices on the domestic level. The collective nature of these claims could make it easier for local activists to leverage women's rights and equality using supranational principles of human rights (Keck and Sikkink 1998). In these cases, transnational social movements can often link local groups with international NGOs or advocacy groups to help redress local violations of rights (Smith 2002).

However, the collective human rights discourse is not always perceived as beneficial across all contexts (Elahi 1997). While some women's rights activists use the international norm framework as an opportunity to pressure states to align themselves with human rights standards that they have pledged to uphold, others may see the framework as a potential challenge to advancing their reform objectives, due to resistance from the state or other organized groups of opposition. For example, one of the primary barriers that reformist or secular women's rights campaigns face in the MENA is the opposition's charge that they are proponents of Western culture and that their goals of social change are unIslamic (Pittman and Naciri 2007). MENA women's rights activists may experience the brunt of this claim as there is strong sentiment regarding the Western,

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individualist, and secular influences embedded in the UDHR. This perspective is not only

distinctive to the MENA; rather, many activists in the Global South, among others,

believe that the human rights frame "privileges political and civil rights, to the exclusion

of economic, social, or cultural rights, and that in its excessive focus on the individuals

obscures structural inequalities among classes and states" (Keck and Sikkink 1998:184).

Thus, while rights-based discourse may be empowering for some activists in the Global

South, and in the MENA, it can also create additional challenges, particularly as

"resources and discourses become the object of struggle" in domestic settings (Sperling,

Ferree, and Risman 2001:1156). The dual nature of human rights as law and norms is

aptly described by Peggy Levitt and Sally Engle Merry (2007:30):

> Human rights law is embedded in documents, interpretation, processes of
> monitoring, while human rights social movements draw on the legality of
> human rights in a broader and more open way, focusing on how these
> ideas are adopted and transformed. Clearly, human rights law, particularly
> that part that emphasizes civil and political rights, is quite compatible with
> neoliberalism and privatization, with a focus on choice, autonomy, and
> individual agency. When social movements seize human rights ideas,
> however, they escape those textual constraints and become something
> else, more responsive to other sets of ideas about gender and justice. There
> is, in other words, a tension between human rights law as a set of doctrines
> and institutions for monitoring and pressuring governments and human
> rights as an idea mobilized in social movements.

Multiple re-shapings and re-writings of feminist meanings and practices occur as

human rights norms in different movement settings are developed and applied (Levitt and

Merry 2008; Sharify-Funk 2008).

*Universalism vs. Particularism*

Often, public debate over the relevancy of international human rights norms in the

domestic context revolves around notions of universality versus particularization, also

described as cultural relativism. Those taking a universalist position believe that universal

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human rights principles should be codified into law and serve as the standard across cultures, despite the secular (and paradoxically particular) mechanism for codifying these international human rights into law. On the other hand, the relativist or particularist position asserts that there is not one dominant and universal human rights framework due to the immense amount of diversity that exists in the practice and codification of law across the world.

The particularist perspective is often invoked by nation-states in which Islam is the explicit state religion as well as by Conservative or Islamist groups as a way to circumvent universal human rights. This position feeds off of stereotypes relating to conflict between the "East and West" and the "secular versus religious" (Baderin 2005). States often take an adversarial position by highlighting fundamental incompatibilities and conflicts between Islam and human rights (Baderin 2007). This is evidenced by MENA states' tendency to place reservations on human rights declaration, excepting them from following all articles. Another indication of this conflict is the Cairo Declaration, which was created as an alternative form of the Universal Declaration of Human Rights (UDHR) in 1990 by a group of Arab states. The Cairo Declaration highlights religious law, *sharia*, as the basis for all human rights.

Levitt and Merry (2008) suggest that hybridization of global-local norms can be a mechanism for negating the universal and particularistic divide. Since activists localize global norms, like human rights discourses, by piecing together resonant global discourses and melding them with local norms, they are no longer "foreign" or "imported," but rather localized cultural discourses.

**Diverse Feminist Positions on Law Reform in the MENA**

The secular-religious nature of different Muslim identities is stereotyped in the popular media, scholarly texts, and within Muslim and Western nation states. The public debate often focuses on the tensions between these two categories and their seemingly oppositional ideological positions. Muslims themselves may often feel pulled between modernity and secularism and traditionalism and religiosity (Sharify-Funk 2008). However, as Meena Sharify-Funk (2008) points out there are multiple overlapping identities that variably shape individuals' positionings. Sharify-Funk (2008:67) describes the "transnational dialogue" involved in negotiating Muslim identity, which includes spectrums of modernity and traditionalism, bisecting with spheres of religiosity and secularism. How these four spheres interact and are negotiated produces different permutations of identity; no one is fully determined by one sphere of influence. Moreover, these identities are constantly in flux and are shaped by broader transnational interactions. Fatima Mernissi (1987:ix) in *Beyond the Veil* highlights the tension between modernism and traditionalism:

> The fact of women's liberation is directly linked to the political and economic conflicts which are tearing apart modern Muslim societies. Every political setback generates a new necessity to liberate all the forces for development in Islamic nations. But, paradoxically, every political setback inflicted by infidels generates an antithetical necessity to re-affirm the traditional Islamic nature of these societies as well. In a single blow, both the forces for modernity and the forces for tradition are unleashed, and they then confront each other with dramatic consequences for the relation of the sexes.

Given these conflicts described by Mernissi, the legality of Personal Status Code reforms are particularly contentious and can be partially linked to colonial projects of secularizing Muslim legal systems  (An-Na'im 2002; Kandiyoti 1991; Mir-Hosseini 2000; Sonbol 2003a). The legacy of colonialism carries over in current arguments,

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particularly through the claim of cultural authenticity.  The notion of cultural authenticity

has been discussed in depth by Deniz Kandiyoti (1991), who highlights the way in which

Western colonial projects in Muslim societies created tensions around family and cultural

values, specifically those relating to women. Colonial efforts to modernize and liberate

women in the MENA were seen as attempts to dominate local populations and to erase

cultural traditions and histories. The one area in which religious law continued after

colonialism was through the Personal Status Code (Sonbol 2003a). Modern social change

approaches that draw from discourses of gender equality and the need to reform Personal

Status Codes is perceived by religious conservatives and traditionalists as culturally

imperialist projects.  The notion of cultural authenticity continues to have strength today

and feminist activists working toward Personal Status Code reform must address this

contentious discursive arena.

Sometimes for purposes of identity politics, or in the scholar's case for analysis,

distinct feminist demarcations are made (Badran 1999). Three of the most prominent

identities recognized include: secular, Islamist, and Islamic feminists.[18] Secular feminists

argue that nonreligious sources, including nationalist or modernist discourses that

highlight the role of international human rights or democratic principles, should form a

discursive strategy for arguing for social change (Badran 2005). On the other hand,

Islamist feminists believe that conservative interpretations of Islamic law appropriately

govern women's rights (Christiansen 2003). Moghadam (2003:165) notes that Islamist

feminists "… staunchly defend the veil as liberation from a preoccupation with beauty,

call for the education of women in order that they be more competent in raising

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[18] Although, it is important to note a wide spectrum of positions within each identity configuration ranging
from liberal, center, conservative to fundamentalist.

'committed Muslims,' and argue that Shari'a and women's emancipation are compatible." Often, these feminists see Western ideology as oppressing women and focus on the body and education as sites to seek and achieve gender equality (Karam 1997). The broader Islamist goal is to instate a form of political Islam. Finally, Islamic feminism has been referred to as the "third way:" a modern approach combining universal and humanistic ethics with the humanitarian ideals of Islam.[19] Islamic feminists look to the Quran as the ultimate source of equality (Badran 2005). They argue that there have been misinterpretations of women's rights that are a result of patriarchy. They argue for a re-reading of the Quran and religious texts and for *ijtihad* (the process of making an independent jurisprudent decision on the religious interpretation of Islamic law). This position is unique because typically the right to *ijtihad* can only be invoked by religious scholars.[20] Yet, Islamic feminists claim that *ijtihad* can be used by lay people, i.e., see Wadud's 1999 gender reading of the Quran.

While the use of these identifying terms is prominent in scholarly work, their demarcation has garnered considerable academic and activist debate (Abou-Bakr 2001; Ahmed 1992; Sharify-Funk 2008; Tohidi 2002). Many activists, including those interviewed for this study, reject these divisions. Scholars acknowledge that secular-Islamist feminist demarcations may merely serve heuristic and analytic purposes (Badran 2005). Other prominent feminist voices have been arguing for more nuance in describing women's rights in Muslim-majority countries (Ahmed 1992; al-Hibri 1999; Moghadam 2002; 2005; Sharify-Funk 2008; Tohidi 2002). Azizah al-Hibri (1999) argues that many

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[19] For a more detailed social and historical analysis of the foundations of the secular and Islamic feminist movements, see Margot Badran (2005).

[20] The "gates to *ijtihad"* were closed in Sunni *fiqh (rules)* in the 10th century. So these are provocative claims, which are discussed in more detail in later chapters. In comparison, in Shia Islam, the "*gates to ijtihad"* were never closed.

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activists in the MENA are developing strategies that aim to democratize reform processes within an Islamic law framework, drawing from tenets within the religion and the broader international policy spheres. As such, these feminist positions are neither Western nor secular in nature. Mehrangiz Kar (as cited in Moghadam 2002:1147) reiterates the importance of not demarcating feminist claims based on a secular/religious divide: "reformist or women-centered interpretation of religious laws should be considered not as an alternative to secular and democratic demands but as a component of more holistic social change." Moreover as Meena Sharify-Funk (2008:117) details in her work on transnational networks and Muslim women: "…Islamic discourse is not an inevitably conservative factor in the politics of their societies. By seeking to 'rediscover' Islamic texts and contexts, would-be reformers can establish social and political legitimacy through utilization of culturally appropriate vocabulary and values." Indeed, many MENA feminist activists, both secular and religious, aim to demonstrate that women's equal rights can be achieved in a Muslim society through Islamic law (Esposito and Delong Bas 2001; Lemrini 2005:Personal Interview (PI)).

Certain women's rights NGOs respond to the reform challenge by adapting and localizing human rights discourses to their context (DeFeyter 2006; Levitt and Merry 2008), at times, drawing from religious traditions and socio-historical legacies of equality within their region. Diane Singerman (2005) has studied the strategies associated with an Egyptian women's coalition's goal to reform divorce laws in 2000. Singerman (2005:167) describes the coalition's discursive strategy to reform the Personal Status Law article on divorce:

> Their position was simple: in Egypt, tradition and custom are stronger than religion, and a patriarchal Islamic tradition has deprived women of the

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protections and rights that Islamic law is supposed to give them. The coalition argued that Personal Status Law has already been distorted by secular, customary, Western, and Ottoman influences and that Muslim women should reexamine the historical record of this body of law and restore the rights that Islam really affords them.

The coalition was successful in initiating reform; although, it was a negotiated reform at a price. A woman could initiate a no-fault divorce (*khul*) in exchange for releasing the husband of his duty to provide financial support and her rights to the deferred dowry. However, the Personal Status Law reform demonstrates how the coalition "turned religion into an *asset*, rather than a liability, beating the religious traditionalists at their own game while engaging in civil, legal, rightful collective action that was acceptable within the constrained space of illiberal rule in Egypt" (Singerman 2005:165).

As noted, the strategy of reinterpreting Islamic law—*ijtihad*, is shared by other reformist activists in the MENA. These strategies can be very important legal resources to draw from in constrained movement contexts where the debate is shaped by religious ideology and politicized identities. Moreover, the process of religious interpretation can be used as an argumentative tool to uphold norms of gender equality and justice as they appear in the Quran (Mashour 2005). While secular and religious strategies for legal reform in the MENA can be used distinctively, this study aims to complicate this divide and explore more complex processes of adapting and vernacularizing global and local discourses.

**The Structure of the Dissertation**

The dissertation is divided into two substantive sections focusing on resources and reforms in globalized movement contexts. The resource section focuses on the bi-

directional influence of international funding on women's rights discourses and strategies for gender equality and social change. The reform section explores the interactive role of legal and political contexts in shaping global-local discourses and strategies in the Personal Status Code and the secular Nationality Code reforms in Morocco. These two aspects of NGO advocacy are complementary as they reveal how MENA activists must be fluent in translating resonant messages for social change and gender equality across multiple spheres, not only the domestic context.

Chapter 1 has introduced the main research questions and themes that guide the dissertation. Particular focus has been placed on the interactions between social movement theories and the law. I provided an overview of Islamic and secular law in the MENA region and highlighted a range of feminist approaches to arguing for changes in women's equality and status.

*International Resources and NGO Strategy*

This section analyzes the way that international funding resources present both opportunities and challenges to local advocacy and campaign efforts in the MENA. I introduce the main discursive themes that run throughout the dissertation, with a particular focus on global human rights, democracy, empowerment, and gender equality discourses.

In "Chapter 2: Human Rights Discourses in the NGO and International Funding Spheres: Areas of Coalescence and Convergence," I explore the different means by which a sample of MENA women's NGOs articulate and communicate their strategies for gender equality and social change to funders and vice versa. I content code the mission and vision statements of the top 17 international funders to women's rights in the MENA and 11 MENA NGOs in the WLP Partnership. The analysis reveals the shared

importance of human rights and gender equality frameworks for both funders and NGOs in the sample. The coalescence of these discourses for change is striking. But for NGOs, an additional layer remains of the upmost importance— relating the human rights discourse to the local setting in a culturally authentic manner. In order to bring to life diverse modes of discourse localization, I highlight a locally-developed curriculum, *Claiming Our Rights: A Manual for Human Rights Education in Muslim Societies,* to explore connections between Islamic texts and human rights.

In "Chapter 3:'Transnational Funding Reversed:' An Analysis of Funding Power in Women's Rights NGOs in the MENA," I analyze spaces of power and agency that exist between NGOs in the WLP Partnership and their international funding organizations. Using fieldwork and interview data, I explore the major enabling and constraining aspects of seeking international funds. Specifically, I investigate how activists strategize to retain power and agency in imbalanced funding relationships. I show how the MENA NGOs in the sample employ a variety of strategies to actively engage with, resist, and educate international funders in the development community.  I also aim to complicate and challenge the notion of funders' power by highlighting women's rights NGOs' agency and involvement in the funding and development process.

*NGO Legislative Reforms Efforts: Bridging the Global and the Local*

This section explores two cases of legislative reform, attending to the varying influences of the global and local spheres on activists' creation of culturally resonant mobilization strategies.

In "Chapter 4: Bridging Discourses: Moroccan Women's Rights Activists Framing the Necessity of Islamic Family Law Reform," I analyze the strategic and adaptive framing efforts of the Moroccan women's rights movement campaign to reform

the *Moudawana* from 1999-2004. The chapter is grounded in an examination of the Moroccan social and political context, with a particular focus on the historical development of the *Moudawana* and the women's movement.  The conservative religious and Islamist opposition was very successful in framing reformist activists as cultural outsiders. In order to overcome this significant constraint, activists crafted messages that supported the cultural authenticity and integrity of the feminist movement, while also re-appropriating constraining local discourses. The activists drew from multiple discourses, such as democracy, feminism, human rights, and religious principles in arguing for *Moudawana* reform. The diverse framing strategies crafted by Moroccan activists to bridge differences in ideological positions offers compelling theoretical and activist lessons. This case exemplifies the type of global and local discursive negotiations that occur in the process of vernacularization, as well as highlights the development of context-specific mobilization strategies.

In "Chapter 5: Beyond the Local: Cross-Regional Strategizing and Coalition Building for Nationality Reform," I explore the Campaign to Reform Arab Women's Nationality (CRAWN).  I analyze issues of regional strategy and discourse development and implementation. I profile a multi-lateral partnership and knowledge exchange between Association Démocratique des Femmes du Maroc (ADFM), Women's Learning Partnership (WLP), and Collective for Research and Development-Action (CRTDA). I assess the variety of local, regional, and international forms of transnational collaboration that have occurred from 2001-2008. From the case analysis, I highlight the importance of a movement's adaptive reactions to radically shifting global and local conditions. I also

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spotlight processes of innovative movement learning and cross-fertilization that occur

transnationally between NGOs.

"Chapter 6: New Paths and Resources for Transnational Movement Building"

integrates the findings of the dissertation. I pay particular attention to the adaptive

functions of NGO strategy and its links to movement learning and strengthening. I

highlight the diverse ways that the legal sphere can stimulate the formulation of

politicized identities for movement mobilization. This can be important for activists

particularly if the goal is to reduce ideological factionalism. I conclude by summarizing

important points and propositions gained from the findings that contribute to movement

building theory and practice.

**Limitations of the Study**

It is important to acknowledge that I am not an Islamic legal scholar and do not

speak Arabic. Yet, throughout my many years of fieldwork and collaboration with

scholars in the MENA and with Muslim feminist activists, I have gained knowledge of

important Islamic concepts, particularly as they relate to Islamic family law.  I use the

Anglicized transcription of Arabic terms, except in cases where I am quoting individuals

who use a different form. I use the French translation of *Moudawana* instead of the

Arabic *Mudawwana*, as the primary texts I read were in English and French.

The dissertation of course has other limitations. Primarily, I am studying the

framing efforts of one transnational women's rights network and in particular, three

specific NGOs in the USA, Morocco, and Lebanon. Due to the limited sample size,

generalizations about organizing in transnational settings cannot be made to other

organizations across the MENA women's movement. Moreover, in the reform section of

the dissertation, I primarily focus on organizing through the lens of ADFM. I assess

ADFM's discursive negotiations and networking strategies as they encountered various

constraints and opportunities in the political setting. While, the Moroccan political and

legal context differs from secular societies, in no way should their case be

exceptionalized.[21]

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[21] Framing contests involving religious discourses occur in contexts across the world and are by no means limited to the MENA region. This is most clearly evidenced by the primacy of religion in relation to women's reproductive rights.  For example, many Latin American countries have outlawed abortion due to the strong influence of the Catholic Church. On the extreme end of the spectrum, in 2008 Nicaragua outlawed abortion in all cases even to save the mother's life.  Reproductive rights' activists in the United States also respond to well-organized religious frames as the conservative right mobilizes Christian values to promote a pro-life stance. These examples reveal the universal importance of studies that focus on how religious argumentation becomes politicized and applied to women's rights issues across the globe.

**INTERNATIONAL RESOURCES AND NGO STRATEGY**

**Chapter 2:  Human Rights Discourses in the NGO and International Funding
Spheres: Areas of Coalescence and Convergence**

This chapter explores how Middle Eastern and North African (MENA) women's

nongovernmental organizations (NGOs) articulate and communicate their strategies for

change. These strategies are analyzed in relation to the broader international development

community, in particular funders. The international funding sphere is important to

analyze as interactions in this sphere diversely impact local level reforms; moreover,

interactions between NGOs and funders are often understudied. To that end, I aim to

show spaces of connection and disconnection between feminist NGOs' and international

funders' discourses of social change. I am particularly interested in the predominant use

of human rights discourses, in seeing how rights discourses are differentially addressed in

the public presentation of mission, and in understanding how rights language is adapted

to local NGO contexts. There are three main goals of the chapter: (1) to contextualize the

international funding contexts in which women's rights NGOs in the MENA work; (2) to

highlight the main philosophies of social change from an international funder and

women's rights NGO perspective, particularly attending to human rights and

empowerment approaches; and (3) to present examples of how global discourses, such as

human rights and Islam, get adapted to local settings by MENA NGOs.

In order to achieve these goals, I draw from a wide range of data sources

including participant observation, interview and archival data in order to explore the

opportunities and constraints in the international funding context.[22] Specifically, I analyze

a sample of MENA NGO (n=11) and international funder (n=17) mission and vision

statements to identify the main social change philosophies being used respectively by

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[22] For more detailed information on the methods, see pp. 204-206 in Appendix 1.

each group.[23] I also use interview data with prominent activists in the WLP Partnership,

participant observation of three international women's rights meetings from 2006 - 2008,

and textual analysis of a core human rights curriculum that the WLP Partnership uses,

*Claiming Our Rights: A Manual for Human Rights Education in Muslim Societies* to

explore discourse localization and vernacularization.

**The Funding Context in the MENA**

This analysis comes at a unique historical moment when the international funding

landscape for women's rights work is shifting. In the past several years, research has

demonstrated that funding for international women's rights work is decreasing (Clark,

Sprenger, VeneKlasen, Durán, and Kerr 2006). Overall, it appears that these decreases

are due to shifting international priorities, which include the integration of gender issues

into broader policy agendas along with increased pressure to show measurable forms of

organizational impact (Clark et al. 2006). Accountability pressures have intensified since

March 2005 with the signature of the Paris Declaration, which created an explicit

foundation for managing aid relationships with a strong focus on measurable outcome

management.[24]

In the MENA there are additional funding pressures.  At the domestic level, many

states have passed legislation that restricts external funding from being accepted in the

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[23] The women's rights NGOs in the sample are members of the WLP Partnership as described in Chapter 1. I selected the funding sample by drawing from a list of the top 20 global funders in the MENA region found in a recent report by Association for Women's Rights in Development (AWID) (Clark et al. 2006). The funding organizations included in the sample are The European Commission, United Nations Development Programme (UNDP), Canadian International Development Agency (CIDA), United Nations Population fund (UNFPA), European Youth Foundation, United Nations Children's Fund (UNICEF), United Nation's Development Fund for Women (UNIFEM), Open Society Institute (OSI), Sigrid Rausing Trust, Ford Foundation, Oxfam, HIVOS, CORDAID, Heinrich Boll, Equality Now, Global Fund for Women (GFW), and Mama Cash.
[24] For more information on the Paris Declaration see http://www.oecd.org/document/18/0,2340,en_2649_3236398_35401554_1_1_1_1,00.html.

nation-state boundaries. In Jordan, the *Regulation of Non-profit Companies (No. 60/2007)* law was passed in the fall of 2008. The law restricts foreign funding of NGOs and gives the government permission to grant or reject NGOs' foreign funds. Moreover, the law places barriers on free organizing and civil society by allowing ministry officials the right to refuse to grant an NGO organizational status. This trend is not only evident in Jordan, but is a reality in many other contexts, such as Egypt and Lebanon. Due to these domestic challenges, many women's rights NGOs seek resource support from the international development community.

However, international funding also carries its own set of advantages and constraints. In the international development community, there are sustained calls for drawing from human rights discourses to urge states to focus on increasing women's empowerment and status in politics, the economy, and communities, i.e., Millennium Development Goals (MDGs) and Beijing +10. Yet, the very receipt of international funds opens MENA women's rights NGOs up to critical accusations from domestic opponents of the Western-backed nature of their agendas. Regardless of the validity of these accusations, women's rights activists in the region often rely on international funding to survive and carry out their programs of social change; therefore, they must find ways to address issues related to the "cultural authenticity" of their change agendas. This chapter explores feminist discourses and programs for social change in relation to the international funding community, highlighting the complexities involved with cultural adaptation.

**International Development Frameworks and Women's Rights**

International funders of women's social change efforts are part of a global development process that has an impact on the social and political developments of nation-states and civil society. Due to the influence that development agencies can have on domestic settings and, in this case, women's rights NGOs in the MENA, it is important to review the major discursive trends in the development community in the recent past. In particular, the New Policy Agenda, stemming from the Reagan and Thatcher era of neoliberal politics and economics, moved multi-lateral and bi-lateral funding away from states and towards NGOs (Edwards and Hulme 1998). This agenda paved the way for the current context where NGOs have service delivery functions and contribute to civil society development. From a New Policy Agenda perspective, NGOs are thought to bring about more effective policy changes on behalf of marginalized populations in comparison to the state (Razavi and Miller 1995). For example, NGOs working in sectors such as education, health care, and other social service sectors are seen as more accountable and as more cost-effective than public organizations. Another important element of the New Policy Agenda is the idea that "good governance," i.e., democratic institutions, underlies a strong economy; thus, we find strong emphasis on democratic governance and accountability structures embedded within requirements for receiving development aid.

In the sphere of women's development specifically, a prominent discourse promoted in the 1970's was the Women in Development (WID) framework.[25] The primary focus of this approach was a push for gender equity in the economic, social, and political realms. At this time, there was a preference on equity instead of equality agendas

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[25] For a detailed socio-historical account of WID and GAD frameworks, see Razavi and Miller (1995) and for critiques see Cornwall (2003) and Parpart (2002).

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as these goals could be justified through economic arguments of efficiency. For many

activists, this approach did not sit well, given the excessive economic focus, and their

critiques led to a more nuanced development approach: Gender and Development (GAD)

(Razavi and Miller 1995). The GAD approach highlights the importance of participatory

development in contrast to top-down policy prescriptions. These changes are reflected by

the following shift:

> … from a focus on women-specific projects to mainstreaming
> women/gender at the programme and policy level; and more significantly,
> from a reliance on top-down planning to a growing emphasis on bottom-
> up or participatory development strategies signifying the growing
> politicization of the development agenda (Razavi and Miller 1995:7).

Eliminating systemic discrimination has been a primary focus of the GAD approach,

which is addressed through gender mainstreaming,[26] human rights, and empowerment

strategies. In this next section, the human rights and empowerment approaches are

outlined as they frame important issues throughout the chapter.

*Human Rights Approaches*

In the early 1990s, the transnational women's movement selected a new collective

discourse to be utilized across the globe in arguing against discriminatory norms,

practices, or laws (Keck and Sikkink 1998). The "women's rights as human rights" frame

became a primary global discourse for arguing for national and international policy and

practice changes. However, mutual agreement on the global frame was not easily

achieved. Friedman (1999) in her study of "transnationalism reversed," or the study of

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[26] Gender mainstreaming, which development agencies such as the United Nations (UN) employ, is defined as "…the process of assessing the implications for women and men of any planned action, including legislation, policies and programmes, in any area and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension in the design, implementation, monitoring and evaluation of policies and programmes, in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality (ECOSOC Agreed Conclusions 1997/2, UN document A/52/3, Chapter IV, par 4)."

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the impact of national organizations in transnational networks, notes tension leading up to

the 1995 Beijing conference on women's rights.

> By 1993-4, women's united efforts had begun to break down. The nearly inevitable tensions in agenda setting, leadership, and resource distribution of a now older movement became apparent in the face of an ever worsening political and economic situation. ...While a national preparatory process for the Beijing conference went forward, some activists were disillusioned with the degree to which the process diverted energy and resources away from pressing national problems (Friedman 1999:3-4).

Azza Karam (1997) further highlights some issues of concern to some MENA

activists during the meetings leading up to the Beijing conference in 1995. At this time,

the transnational movement was trying to choose between establishing discursive

strategies based on equity or equality. For many religious activists in Muslim countries,

focusing on equity was preferred because they felt it highlighted a "pro-family" approach

and supported women's different roles in the family, rather than the liberal feminist

approach to equality (Karam 1997).

Despite disagreements, the Platform for Action was created out of the Beijing

conference, along with the new "women's rights as human rights" frame (Elahi 1997).

Tsutsui (2006:335) highlights the effects that these global human rights norms can have

in broadening a movement.

> Diffusion of global human rights norms has produced common global understandings and identities among activists and citizens, enabling them to see various human suffering as human rights violations. This shared understanding facilitates construction of actorhood among those who were resigned to the status quo, encouraging them to engage in activism. Thus in addition to propelling existing movements further, global norms give rise to new social movements whose goals are in line with global norms.

The global "women's rights as human rights" frame was intended to have multiplicative effects, strengthening a fragmented women's movement and thus, facilitating strategizing for gender equality on a global level.

*Empowerment Approaches*

The Beijing Platform for Action created a more explicit market for funding global women's empowerment work (Moghadam and Senftova 2005). Yet, with the mainstreaming of this objective came diverse interpretations of what women's empowerment actually meant. Empowerment has been conceptualized in a variety of ways making it hard to consistently measure. Perhaps, the most well known conception of empowerment is women's autonomy and agency. Kabeer (2001:473) captures the agentic and institutional dimensions of empowerment: "The expansion in people's ability to make strategic life choices in a context where this ability was previously denied to them."

In order to quantify empowerment, global indicators have been developed to capture aggregate levels of individual empowerment as well as states' progress on gender equality dimensions, e.g., Gender and Development Index (GDI) developed by the UNDP or the Gender Empowerment Measure (GEM). The primary focus in these indicators is on the state and its progress toward achieving women's increased social, political, and economic status. These indicators closely align with Moghadam and Senftova's (2005:390) description of empowerment as a "…a multi-dimensional process of civil, political, social, economic, and cultural participation and rights."

A particularly defining aspect of women's empowerment is the distinction between individual and collective empowerment. Individual empowerment involves the realization of agency at the personal level, such as through re-conceptualizing one's

participation or role in the family, community, or political sphere; whereas collective empowerment focuses on the re-structuring of norms and regulations at the societal level for the benefit of all women and men in a given community or society, thereby providing women with the opportunity to access various forms of social power. While neither type of empowerment is mutually exclusive, particular social groups may favor a particular type of empowerment over another (Afshar 1998).

Yet, with so many different ways of describing empowerment, the term risks being so nebulous that it captures everything and yet nothing at the same time. Of course the vagueness has real implications on NGOs creating programs of empowerment. Moreover, some in the development community may take up the term and re-appropriate it for their purposes (Cornwall 2007). Cornwall (2007:1) refers to this as "empowerment-lite:"

> Talk of "empowering women" turns "power" into a transferable commodity rather than a structural relation. "Agency" becomes self-assertion - taking control of one's own life, making one's own decisions - through self-actualisation. Making "choices" says less about the capacity to determine the parameters of the possible than the possibility of selecting the options that development intervention makes available.

Cornwall's statement provides an important departure point for this chapter: Even though donors and NGOs may draw from similar language or philosophies as pathways for achieving gender equitable change, the way in which these discourses are understood, utilized, and implemented may greatly vary. The following sections more deeply explore prominent discourses used for arguing for social change from a funder and NGO perspective, paying particular attention to the cross-national resonance of global norms.

**International Donors' Philosophies of Social Change**

*Contextualizing Donor Giving*

Overall, development aid organizations disbursed 69 billion USD to issues related

to international women's rights in 2003 (Clark et al. 2006). Direct support to NGOs in the

Global South only consisted of 400 million USD. Of this aid, 17% of funds went to

NGOs in the MENA, 24% to Sub-Saharan Africa, 22% to Latin and Central America,

17% to the Asia Pacific, 12% to Eastern and Central Europe, and 12% to North America

and Western Europe (Kerr 2007). Since 2000, a majority of women's rights NGOs have

seen decreasing funds for their work (Kerr 2007). NGO activists attribute this downward

trend to: shifts in donor agendas and priorities (49%); the political and economic context

(34%); and less overall funds (22%) (Kerr 2007).

In this study's sample, the majority of funders of women's rights in the MENA

were bi-lateral and multi-lateral funders.[27] See Table 1 below for an overview of the

funders in the sample. International NGOs (INGOs) were the second most frequent

donors followed by private foundations, women's funds, and individuals. Bi-lateral and

multi-lateral development agencies offer aid between foreign governments, which are

then distributed to NGOs.  These types of organizations fund both local initiatives as well

as deliver their own programs. INGOs are large non-profit development and human rights

organizations that distribute aid, which has been donated from a variety of sources,

including governments, foundations, and other organizations. Private foundations are

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[27] This sample is composed of 17 international funders derived from AWID's list of the top 20 funders in the MENA in their 2005-2006 'Fundher' study. In my analyses, I only use 17 of the 20 as three donors did not meet inclusion criteria: individual donors were not included because they are not organizations; local donors were not included as they were too numerous and diverse a group to select a organization that was representative; and USAID was not included because most of the WLP partners do not accept funds from the US government.

those organizations founded by an individual, such as George Soros, Open Society

Institute. Women's funds, a relatively new development in philanthropy, represent the

marriage between funding institutions and social change movements. One of the first

international women's funds, Mama Cash, was founded in 1983. These funds aim to

strategically impact women's rights and lives in a sustainable manner and are financially

supported by the public, bi- and multi-lateral agencies, foundations, and international

NGOs, and corporations.

TABLE 1 ABOUT HERE

*Describing Recipients of Funds*

In order to gain deeper insight into how funders publically frame their relationships

with NGOs, I conducted an analysis of how funders depict fund recipients by analyzing

their organizational mission and vision statements. Analyses revealed a spectrum of

positionings, which ranged from neutral to agentic descriptions of NGOs. There were two

primary narratives related to NGO agency, those that characterized funding recipients as

already possessing agency and those that focused on increasing actors' agency and

overcoming their lack of power.

Three funders, both of the women's funds and the Ford Foundation, characterize

funding recipients as explicit agents of change. Mama Cash highlights investing in

women's futures as the major narrative. Their vision states:

> Mama Cash strives for a peaceful and just world where women are free to
> make their own choices, develop their talents and skills, and help shape
> the future of our societies. Mama Cash supports pioneering initiatives by
> women worldwide that contribute to strengthening the women's position
> and improving their rights.

Additionally, Global Fund for Women (GFW) highlights women's agency and choice.

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> We are part of a global women's movement that is rooted in a commitment to justice and an appreciation of the value of women's experience. …We believe that women should have a full range of choices, and that women themselves know best how to determine their needs and propose solutions for lasting change.

Ford Foundation focuses on grassroots' innovation, which includes the local development of strategies, as well as cross-sectoral and cross-national collaboration.

> We believe that the best way to meet this challenge[28] is to encourage initiatives by those living and working closest to where problems are located; to promote collaboration among the nonprofit, government and business sectors; and to ensure participation by men and women from diverse communities and all levels of society.

GFW has the only vision statement in the sample that claims a joint feminist identity with the funding recipient group. This approach highlights solidarity with the women's rights movement, which is a particularly intriguing development for the funding community.

The other form of agentic description was a dynamic "victim to agent" narrative. Specifically, Oxfam Novib describes the context and the organization's aims by starting with a victim narrative that shifts as individuals gain their rights. The vision states that poverty is caused by economic injustice.

> They [poverty and injustice] are the consequence of the work of people and come in all shapes and sizes, although they always affect the weakest in society. One thing that applies universally is that people who live in poverty scarcely have any say in their lives.

Oxfam then presents their work funding initiatives with a rights-based approach as the solution. "Oxfam Novib regards poverty as being equal to a lack of rights. Due to a lack of basic rights, people that live in poverty do not have (sufficient) access to power, material resources and basic services." The five areas that Oxfam focuses on are the right

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[28] Ford Foundation defines the challenge to "…create political, economic and social systems that promote peace, human welfare and the sustainability of the environment…"

to: a sustainable existence, basic social services, life and safety, social and political participation, and identity.

Overwhelmingly, the majority of funders (n=14) characterize NGO recipients neutrally, not attending to or reflecting on recipients' agency. A typical example of a neutral approach comes from Cordaid. While the donor highlights the marginalization of its recipients, they do not describe recipients as having a subjective, victim or agent status. Rather, they describe the social characteristics of the NGOs with whom they work:

> Cordaid chooses to work with poor marginalised groups deprived of rights, supporting them and their organisations regardless of their age, gender, sexual orientation, ethnic origin, belief or political conviction. From Cordaid's perspective, poverty alleviation, society building and lobbying are inextricably bound together. Improving living conditions and reinforcing society go hand in hand.

It seems that in these cases, there is not an explicit focus on shifting individuals' agency that are marginalized or on building the capacities and strengths of the grassroots; rather, focus is placed on improving the context, through the organization, in which poor people live.

This analysis uncovers some of the implicit power assumptions embedded in funder-NGO relationships, particularly given that grassroots' agency is not addressed by the majority of funders. Indeed, the way in which international funders characterize aid recipients may be related to the way in which they interact with NGOs, which is an explicit focus of the next chapter.

*Approaches to Funding Social Justice and Change*

This section analyzes the discursive mechanisms that international development funders employ to affect change at the domestic, regional, and international levels. These results were derived by thematically coding the mission and visions of funders. The three

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approaches that emerged from the analysis were human rights-based, good governance, and empowerment approaches. See Table 2 below for the frequency of funders' approaches.

A *rights-based approach* to change is characterized by its focus on human rights and rights-based argumentation as a means for achieving increases in women's status or participation. For example, Equality Now's mission centers on human rights. "Equality Now was founded in 1992 to work for the protection and promotion of the human rights of women around the world. Working with national human rights organizations and individual activists, Equality Now documents violence and discrimination against women and mobilizes international action to support their efforts to stop these human rights abuses."

A *good governance approach* is defined as those funders whose primary focus is on aid transfer to less developed nations. The emphasis of aid delivery is on poverty reduction, good governance, and on standardized, often internally produced, strategies for change. For example, the Canadian Aid Development Agency (CIDA) notes: "The purpose of Canada's Official Development Assistance is to support sustainable development in developing countries, in order to reduce poverty and to contribute to a more secure, equitable, and prosperous world."

An *empowerment approach* focuses on the empowerment of women through education, awareness-raising, participation, decision making, and leadership. UNIFEM's mission highlights empowerment as a central component of their work: "UNIFEM promotes women's empowerment and gender equality. It works to ensure the participation of women in all levels of development planning and practice..."

TABLE 2 ABOUT HERE

While these approaches are not mutually exclusive, only five of the funders, 29%, use diverse approaches in describing their funding missions. Of the organizations that integrate multiple approaches, the European Union (EU) describes its work in terms of empowerment and governance approaches; while the United Nations Development Programme (UNDP), United Nations Populations Fund (UNFPA), Heinreich Boll, and Open Society Institute (OSI) all pair rights-based and governance approaches to achieving gender equality and social change.

As seen in Table 2 above, the most prominent funding approaches to gender equality were rights-based and governance approaches. Both of these approaches focus more on the changing of social structures, such as through increased rights, socio-economic parity and participation, and through democratic governance. On the other hand, the normative dimensions of social change, which take more time to evolve and are more difficult to measure, more closely align with empowerment approaches, the least likely to be focused on.

These approaches to funding gender equality work have differential policy implications. Specifically, governance approaches typically prefer solutions that foster democratic institutions and public participation. Rights-based approaches tend to focus on ensuring the respect of human rights through the lobbying for or the monitoring of convention adoption or rights abuses and through broader domestic policy reform. Empowerment approaches most often address individual and collective awareness-raising efforts through increasing participation in social and political life and transformative change. The governance and human rights approaches could easily be conceptualized as

attempts to shifting social structures, whereas the empowerment approach typically

focuses on individual and collective level shifts in norms and attitudes.

**Women's Rights Organizations' Philosophies of Social Change**
*Contextualizing Women's Funding in the MENA*

As referenced, external and internal legislation and political and social

developments have had a substantial impact on women's organizing work. The most

profound funding challenges for the WLP Partnership over the past few years across the

MENA region have been restrictive domestic legislation, rising fundamentalist groups

that oppose women's rights work, and the increasingly restrictive provisions attached to

funding (WLP 2006b; WLP 2008 a,b). National laws are also having an adverse impact

on women's rights NGOs, such as in Jordan and Egypt. In Egypt, Enas Shafei (WLP

2006b) notes that: "NGOs receive external funding because they don't have the internal

resources. But the government doesn't like that, especially from human rights groups.

They have successfully shut down human rights NGOs that addressed victims of

violence, especially those with international connections." State restrictions on NGO

funds are also common in times of conflict. In Lebanon, the government severely

restricted emergency relief funding to NGOs during the July war of 2006. Afghanis and

Palestinians also have experienced strict limitations on funding during conflict periods

(WLP 2006b).

Above and beyond state limitations, considerable opposition to foreign funding

stems from local political or religious groups, who perceive external funds as threatening

to their interests. These cases have occurred in Mauritania, Morocco, and Lebanon. In

Morocco, during the *Moudawana* reform campaign, the conservative religious and

Islamist opposition charged reformist women's rights activists with being "puppets from

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the West" since human rights NGOs were taking foreign funds (Lemrini 2006:PI). In many cases, NGOs truly have no choice but to accept external funds in order to operate due to domestic restrictions. Aminetou Mint El Mokhtar, Executive Director of L'Association des Femmes Chefs de Famille (AFCF) in Mauritania, notes that almost all fundraising has to be conducted in foreign countries (WLP 2006b). Local donations are quite scarce and citizens are barred from donating to women's rights organizations. Therefore, the NGO has to seek resource support from foreign funders.

However, in the same context, domestic funding for religious organizations remains high. Religious and charity organizations primarily provide social services in place of the state in the MENA region, which heightens their importance and agendas in the community (Abou-Habib, WLP 2006b). Amina Lemrini, Founder of ADFM, notes the organizing disadvantages that religious service provision creates for the Moroccan women's movement: "When we organize a demonstration, we get 1,000 women and when the religious groups organize a demonstration, they get 20,000 because they provide services, free clinics, etc." Even after gains in equality have been made powerful cultural backlashes from the rise of conservative and fundamentalist forces threaten the implementation of progress. In Morocco, Nabia Haddouche (WLP 2008a), President of ADFM, notes the increasing tendency for women who do not usually wear the head scarf to cover when on public transportation or when in more conservative neighborhoods. This pressure is a recent social development likely linked to the rising growth of Islamist groups after the 2004 *Moudawana* reform. All of these cultural realities create resource and public mobilization disadvantages or feminist movements when mobilizing for social change or reform.

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Fundraising in the MENA has also become increasingly politicized since September 11. Internationally, the US government passed a new law related to international fund disbursement, known as the "terrorist clause." The United States government requires public and private foundations and government agencies to abide by the law in which grantees sign a disclosure agreement. However, many NGOs in the region are turning away any funds that have conditions placed on it. The impact on local women's rights NGOs in the MENA is extremely significant because the "terrorist clause" is being adopted in other funding sectors, such as by private and bi-lateral European donors, further limiting potential sources for financial support.

These are all significant challenges, which activists in the WLP Partnership address using a variety of institutional and non-institutional resources. These strategies for addressing constraints are addressed in latter sections of this chapter and in Chapter 3. For now, I shift attention to how NGOs in the MENA frame their missions for social change and the way in which they connect or depart from international funders' agendas.

*NGO Approaches to Social Justice and Change*

The MENA NGOs in this sample drew most heavily from the empowerment approach (n=9). There was also strong support for the human rights (n=6) and democratic governance approaches (n=5). See Table 3 for a frequency table of NGO approaches.

TABLE 3 ABOUT HERE

Interestingly, 72.7% or eight of the women's rights NGOs drew from more than one approach when describing their mission. This is a significant contrast from the 29% of funders who drew from diverse approaches. Specifically, Mauritanian L'Association des Femmes Chefs de Famille (AFCF) uses a human rights-based and empowerment framework in describing their work to promote and defend women's rights, to improve

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women's living conditions, and to bring together social classes for a solidarity movement for change. Women's Affairs Technical Committee (WATC), a coalition of Palestinian activists and NGOs, work together to increase women's participation and decision-making roles in society bringing together the rights-based and democratic governance strategies. Finally, Association Démocratique des Femmes du Maroc (ADFM) grounds their strategy in human rights-based and democratic governance strategies. ADFM weaves these perspectives to mobilize the grassroots and to lobby for democratic and transparent processes of legislative and policy reforms that increase women's equality in the family, community, and politics. Comparisons between NGO and funders' strategies for social change reveal the dynamic attention that NGOs place on reforming both social and political structures by drawing from structural and normative empowerment strategies.

*Comparing Funders' and NGOs' Missions and Visions*

The comparative analysis of keywords embedded in funder and NGO mission and vision statements reveals that human rights and women's rights are among the top five most frequently mentioned keywords in missions.[29] Human rights were mentioned by 35.2% of all funders (n=6) and 54.5 % of all MENA NGOs (n=6) in the sample. See Table 4 for a comparison of the frequency and incidence of the top keywords in funder and NGO missions.

TABLE 4 ABOUT HERE

Other similarities between the funder and women's rights NGO analysis include a significant focus on women and justice. However, this is where the similarities diverge

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[29] See Appendix 3 for an overview of all of the top keywords mentioned in mission/vision statements of both funders and women's rights NGOs. Keywords included in this table are those that had an incidence rate higher than one.

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into distinct interests. On the funder level, higher priority is given to issues of poverty, economics, and democracy. In comparison, NGOs highlight issues of participation, decision-making, and local community. Interestingly, if I were to construct a narrative based on the top words used by funders and NGOs, it would look like the following. (1) NGOs are focusing on women in society and their participation in developing rights' strategies that ensure equitable decision-making power in their communities as they work toward social justice. (2) Funders focus on women across the world particularly in situations of poverty where they are seeking rights and economic justice.

The confluence between funders' and MENA NGOs' strategies for framing social justice work is not surprising given the two parties' interactive relationship.[30] It is not within the scope of this study to suggest a directional or causal argument about why this relationship exists. However, one possible explanation for this comes from the world polity and neoinstitutionalist approach. This theoretical approach has developed macro-level theories describing how institutions across the world come to look like each other. Central to this process is institutional isomorphism or the replication of existing and successful structures of organization (DiMaggio and Powell 1983). Through this lens, INGOs are conceptualized as the "enactors and carriers of world culture," as they situate "transnational contextual knowledge" (Boli and Thomas 1997).[31] DiMaggio and Powell (1983) believe that it is not only about the diffusion of global norms and organizational models, but about coercive isomorphism, or the tendency for organizations to adopt norms and practices of a powerful organization since they depend on their resource

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[30] Findings are not generalizable based on the small sample size, however these intriguing findings warrant greater attention and analysis.

[31] Boli and Thomas (1997) argue that INGOs interests are constitutive of collective global interests and that specific strategies are enacted to achieve distinct and rationalized goals, similar to that of the resource mobilization theorists (McCarthy and Zald 1977).

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support. Yet, this perspective asymmetrically represents the global community's impact on NGO strategy since NGOs shape the discourses of the funding sphere as well. To date, this line of research is largely understudied, with a few exceptions (see Friedman 1999; Ostrander 2004; Ostrander, Silver, and McCarthy 2005). The next chapter focuses precisely on these issues and on NGO strategies for building collective power and agency in the funding process. However, even amongst these global polity descriptions, the findings from the mission and vision analysis have showed the multifaceted nature of NGO's public presentation of their social change agendas.

**Human Rights, Islam, and Feminism: Linking the Global and Local**

The difference in the ways that NGOs layer, connect, and frame their missions in relation to funders may point to local NGOs' complex attunement to both local and international realities. The distinction is likely considering that unique socio-cultural norms and practices may constrain or augment public support of their work. In many cases, discourses used with funders may not match traditional or modern ideologies, practices, and beliefs on the ground. For these reasons, NGOs diversely frame social change for women's equality to accommodate the local context.

*Adaptations of Human Rights and Empowerment*

The Sisterhood is Global Institute (SIGI) in Jordan provides an example of the way that language can be adapted to a particular context. The NGO draws from elements common in an empowerment approach, including the building of agency, but SIGI Jordan never uses the word "empowerment" outright in their public mission. In this case, the omission of the word empowerment and a strategic re-framing of the issues as agency and skill building are used to more fully resonate with public values in their context. The SIGI Jordan mission describes the following organizational goals:

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> The promotion of women's rights; the elimination of all kinds of discrimination and violence against women; to provide protection, support and solidarity among women, the development of women's abilities, skills and knowledge strengthening their abilities to acquire knowledge and various skills, provide opportunities for women to improve their skills, and particularly to enable women to identify their needs, know, claim, defend and protect their rights, to encourage women to participate in the decision making within the family and the community through the achievement of justice and equality as well as increasing women's participation in civil and political life.

These strategic framings do not only relate to the NGO mission, but more importantly are relevant on the ground when implementing programs and campaigns for women's empowerment and gender equality. In a campaign to ensure that women did not lose their nationality if they married a foreigner, activists in Collective for Research and Training on Development Action (CRTDA), along with a regional coalition of MENA activists, developed a frame that would highlight the law reform's impact on the family. The slogan "Nationality: A Right for Me and My Family" aims to reframe the debate in terms of the collective family unit and moves away from a sole focus on women's equality, which could prove to be more contentious.[32]

Of course, using explicit human rights language in certain contexts becomes complicated due to the way that countermovements link human rights with the Western world. Activists also may be cautious in situations where human rights discourse has been exploited by a state, which uses the language, but does not apply it (WLP 2006b). Rose Shomali, Executive Director of Women's Affair Technical Committee (WATC) in Palestine, reflects on rights discourse in her contexts: "One thing that hurt the woman's movement was that when we talked about human rights, we seemed to be linking ourselves with the powerful, not those oppressed or occupied" (WLP 2006b). The choice

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[32] The Nationality reform is explored in more depth in Chapter 5.

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of how a movement will define their social change agenda becomes increasingly intertwined with the socio-political structure and local cultural specificities.

As such, various civil society actors have staked out different positions on the domestication of human rights and have taken liberty in particularizing to different degrees: ranging from co-opting human rights in favor of Islamic law to localizing human rights principles within the history and culture. Recep Senturk (2005) argues that cultures that value universalism, regardless of their secular or religious nature, should agree on securing the 'inviolability' of human beings' rights. Moreover, Senturk (2005:2-3) suggests there are "various universalisms emanating from different cultures...There are in the world multiple discourses to talk about human rights and multiple grounds to justify human rights, reflecting the diversity of cultures on the globe."

This multivocal approach to human rights is used by the WLP Partnership in order to bridge global norms with the local context. The MENA NGOs and activists in this sample have responded to local tensions and charges that human rights and Islam are incompatible, by adapting human rights language. Mahnaz Afkhami (2009:PI), President of WLP and Coordinator of the WLP Partnership, highlights their unique working strategy across the transnational network:

> Generally what we have come to realize is our deep commitment to universal rights. That is, people have rights as individuals because they're individual human beings and not because they are Moroccan, Muslim or Lebanese, black or white, or women or men—so the universality of rights with no conditions. However, we also fully understand that people have different contexts. They have different histories. They are at different levels of exposure to change and they see things differently given the period in history. So, we have come to the idea of universality of rights, but with contextual implementations. What priorities are chosen at the ground level and the grassroots are totally up to the individuals who are going to be working on these issues. So, the cultural, socioeconomic, and

historical context impacts the prioritization of issues and the way in which implementation takes place.

This notion of universality with diverse local applications was particularly useful in Morocco during the *Moudawana* reform process. Amina Lemrini (2006:PI), Founder of ADFM, notes:

> Culture is not static, it is dynamic. We need to look for what is positive and not forget what is negative. Freedom, dignity, rights are universal because they fit all people. What is special is how they are applied. I have to look for strategies to secure the delivery of these values to all Moroccans…Our goal was to make men and women equal in terms of the family. If we were in Sweden, we would have chosen a different strategy…We looked for the best in the local context, but appealed to universal elements.

Just as human rights discourses can be adapted and changed depending on context, activists in the WLP Partnership highlighted the importance of recognizing the adaptability and the mutability of cultural practices over time, for better or for worse (WLP 2006b; WLP 2008a,b). Asma Khader (WLP 2006b), Founder of Sisterhood is Global Institute (SIGI) Jordan and former Minister of State and Government Spokesperson for the Hashemite Kingdom of Jordan, describes how Jordanian cultural and economic circumstances radically shifted the perception of women's roles and rights from the 1970s to the 1990s. In the 1970's, Jordanian women began entering the paid labor force. At the time, the national discussion was positive and there were no allusions to women's work damaging the family. However, after the Gulf Crisis in the 1990s, unemployment significantly increased after an influx of Jordanians returned home. Given the economic situation, a cultural backlash against women's work occurred, resulting in societal pressure on women to stay at home. Khader emphasized: "Traditions and cultures will change when we [women] become a political power." This example

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demonstrates how economics are interlaced with social and political power and how different environmental influences can elicit cultural norm shifts, further entrenching inequalities, regardless of past steps toward gender equality.

*Feminism and Islam*

The rejection of religious-secular binaries in describing women's rights work is indicative of a broader trend for many activists and scholars across the MENA. Many activists see the term Islamic feminism as constructed by Western or non-Muslim feminists, such as Rita Cook, Margot Badran, and Miriam Cooke, and as essentializing their faith and commitment to women's rights and not representing their diverse platforms (Abou Bakr 2001; Tohidi 2002). Nayereh Tohidi (2002:1) reiterates the potential pitfalls of this potentially divisive label cautioning: "To view Islamic feminism as the only or the most "authentic" path for emancipation of Muslim women may also imply a sort of orientalistic or essentialistic Islamic determinism manifested also in the views of those who see Islam either as the primary cause of women's subordination or as the only path for women's emancipation." Instead, Tohidi (2002) calls for more nuance as reinforcing a split between secular or Islamic feminist positions may only serve to further splinter diverse women's rights activists groups.

Mahnaz Afkhami (WLP 2008a) explains the consequences of the particularization of feminisms, such Western or Islamic feminism, and explores the possibilities for moving beyond identity politics in the feminist movement:

> There was a time when feminism was defined as purely Western and all those who sought rights for women were presented with a definition and a set of strategies for action that came from a Western context. Gradually, identity issues gained prevalence and groups defined themselves in narrower, more specific terms. Now there is the danger that a movement that has splintered into hundreds of sub-categories lacks a shared vision, which is one of the main requirements for creation of a strong movement.

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We feel it is time to reassert the common goal of our struggle. What better articulation of that common goal than the Universal Declaration of Human Rights that has been accepted and held up—at least as aspiration—by every nation on earth. However, prioritization of the various rights and design of strategies for implementing those rights will doubtless be dictated by the conditions on the ground and by the choice and will of the women who are living the reality of their socio-economic and cultural context and must operate within that context.

Amina Lemrini (WLP 2006b) reiterates the need not to distinguish feminisms; instead, she focuses on strategically analyzing pathways for achieving change:

I don't want to talk about Islamic feminism. What is that? Let's bring together these women activists who have achieved positions of power and talk about their strengths and challenges. Let's talk about these women activists who are in power in order to plan for the future. We can have a bigger role to play if we approach our movement as political.

Others in the WLP Partnership choose not to use the term feminist at all due to the reaction it produces in their local context. Asma Khader notes that SIGI Jordan uses words such as "women's issues," "women's rights," and "women's movement" rather than feminism, and "reforming," "amending," "developing" when talking about change. This cultural adaptation of language facilitates SIGI Jordan's work, which helps in "avoiding some confrontations which are not necessary" (WLP 2006b).

Mahnaz Afkhami (2009:PI) further contextualizes the feminism and religion debate by adding a third dimension to discussions that are typically concerned with the secular and religious positionings described in Chapter 1, e.g., Islamic, Islamist, Muslim, and secular feminists. Instead of having the starting point for explaining a feminist position be the secular and modern nature of the movement or the religious framework, the WLP network highlights individual choice and agency as the catalyst for achieving gender equality: Women as free and equal human beings are the architects of gender

equality, selecting the most relevant secular or religious principles for strategy development according to their unique beliefs, value systems, and contexts.[33]

Since the WLP Partnership is a unique transnational feminist network made up of multiple faiths, nationalities, and backgrounds, activists join together and find common goals and strategies in the pursuit of gender equality. Given the diversity, particularly in the different religious schools and sects represented in the network, selecting one school over another would be anti-democratic and not account for the collective's beliefs and practices. Indeed, the realities of organizing within such a network that bridges religious, nationality, and ethnic divides necessitates a broad range of strategies.

Afkhami (2009:PI) carefully describes the position of the WLP Partnership position on religion and feminism, using the example of Islamic law. She argues that a feminism that is entirely reliant upon religion will not be the most productive channel for achieving gender equality because of the patriarchal foundations on which it was based and due to the realities of modern living.

> If you are confined within Islamic law, there is a historical epistemological process by which Islam has been interpreted and practiced. And no matter how wonderfully knowledgeable feminists are in this interpretation, there are pieces of it which are going to be very difficult to explain in feminist terminology, and it's going to be very difficult to confront the interpretations of traditionally, more qualified interpreters that are within the epistemological hierarchy of Islam… It's extremely valuable to have modern interpretations and to have new interpretations. And it's true that originally texts were more egalitarian than the later interpretations… In all religions, patriarchal aspects have pushed back the original intent of the text. So in that sense it helps a lot to get new ideas and interpretations, but in reality, feminism, democracy, human rights are concepts which are relatively new –Mahnaz Afkhami (2009:PI).

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[33] See Appendix 1 pp. 202-204 for a description of the WLP Partnership's hallmark participatory leadership training program, which helps strengthen women's agency and capacity.

However, Afkhami (2009:PI) also stresses that religious strategies can be very effective

resources for mobilizing change.

> There is a nuance that is very important: we want to have religion valued
> and respected and also brought in to support our cause of equality as there
> are a lot of positive and important resources within religion that can help
> us. However, we don't want to imprison ourselves within the text of any
> religion because we want to leave societies open to people of different
> faiths, to respect other people's faith, and we don't want to have this
> ongoing war with the epistemological [and religious interpretive] process
> that is a historical reality.

Since feminism is based on the equality of all human beings, any Islamic text

that illuminates principles of equality and the spirit of justice can be used as resources in

the quest for feminist social change (Afkhami 2009:PI; Lemrini 2005:PI; Naciri 2007:PI).

Reinterpreted texts from the Quran, hadith, or Bible are useful strategies to draw upon in

certain contexts and circumstances.

In order to gain greater insight into how the WLP Partnership translates their

philosophy of agentic feminist practice to the individual level, the next section describes

a grassroots' education curriculum, *Claiming Our Rights*: *A Manual for Women's Human

Rights Education in Muslim Societies* (hereafter referred to as *Claiming Our Rights*).

Mahnaz Afkhami and Haleh Vaziri developed the empowerment program as a model for

exploring women's rights from Islamic and human rights perspectives.

## Contextualizing Human Rights and Religion: Claiming Our Rights

*Claiming Our Rights* was written in 1996 at Sisterhood Is Global Institute (SIGI),

where Mahnaz Afkhami was the Executive Director at the time. The interactive and

dialogic human rights training program was created through extensive collaborations and

feedback from prominent Muslim feminist activists, writers, and scholars, such as Fatima

Mernissi and Nawal Saadawi. *Claiming Our Rights* explores the connections between

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human rights and Islamic texts in order to make the largely inaccessible language of universal human rights relevant to grassroots, Muslim communities' lives. The empowerment program has been translated into eleven languages, e.g., Arabic, Azeri, Bangla, English, French, Hindi, Malay, Persian, Russian, Urdu and Uzbek.

*Claiming Our Rights* offers interactive and discussion-based scenarios for Muslims to explore gender equality within the family and the broader community. Drawing from international human rights declarations dating back to the Universal Declaration of Human Rights and founded upon the ideas set forth in the Beijing Conference in 1995, the manual covers issues such as a women's consent to marry, women's rights and responsibilities in the family, opposing forms of domestic violence and other forms of violence against women, equality in faith education, women's right to employment and fair wages, women's right to privacy, religion, and free expression, rights during times of conflict, right to political participation and organizing, and the universality of human rights. The manual concludes by detailing important resources related to gender norms and equality from the Quran, *hadith*, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, CEDAW, and provides contact information for global human rights and women's rights NGOs.

Afkhami and Vaziri (1996:3) recognize that:

Many Muslims believe that Islam contains the essentials of human rights and that its content, as God's revelation, is superior to ordinary law. Consequently, human rights documents must be presented in dialogue with Islamic tenets if they are to succeed in Muslim societies…A central premise of the human rights education model presented here is that universal human rights are consonant with the spirit of Islam.

Thus, the goals are to help raise individuals' understanding of the equality of women and men and to show the Quran, *hadith*, and *sunnah* all provide substantial support for this claim. The authors (1996:3-4) set the stage for Muslim women's analysis of key religious and human rights texts by distinguishing between god-given *sharia* and the *fiqh.* The authors describe how the *fiqh* have been developed through the Islamic jurisprudent process of human interpretation, thus, revealing the man-made nature of the law as opposed to the god-given *sharia*. Given this distinction, Afkhami and Vaziri (1996) illustrate how Islamic law or *fiqh* has been historically interpreted depending on the given time period, local context, and socio-political influences and developments:

> Because human society has been organized hierarchally and patriarchally across the ages, the shari'a, like all other religiously inspired laws, reflects the social realities specific to that age… The interpreters of the Qur'an and the sunna have been able to offer different interpretations during different epochs precisely because the original "Word" is infinite in depth and scope. Hence, it is applicable to innumerable circumstances and is able to define evolving conditions infinitely. (Afkhami and Vaziri 1996:3)

These premises challenge common conceptions and discourses about the reform of *sharia* put forth by religious conservatives, which more broadly are used as discursive justifications against calls for increased women's rights— namely through arguing that Islamic law is sacred and immutable. Thus, the human dimensions of religious interpretation and the separation of the religious, God-given *sharia* from the man-made and state-implemented Islamic law offer powerful counterpoints and possibilities for producing gender equitable reform in Muslim societies (Afkhami and Vaziri 1996; Collectif Maghreb 95 Egalité 2000, 2003; Mir Hosseini 2000).

In highlighting the interface between universal and Muslim rights, the manual details the ways in which religion can be used as a resource for gender equality. This is

done by involving women at the grassroots in the production of new meanings related to gender equality in their settings, drawing from religious and human rights principles.

Madhavi Sunder (2003) in a detailed analysis of the *Claiming Our Rights* manual describes how the awareness-raising program integrates diverse approaches in stimulating participants' cultural analysis of human rights, specifically through a focus on translation, textual interplay, constructivism, and reconstructivism. First, attention is placed on translating rights from the local to the global level by drawing from rich cultural traditions, regional and domestic histories, and religious narratives that portray global human rights ideas, e.g., using stories of Khadija, the Prophet's first wife, in exploring women's right to employment.[34] Second, in terms of textualization, particular passages from important religious texts, such as the *hadith* or Quran, are used to stimulate discussion around women's rights and equality. Both passages that support women's rights as well as some of the most contentious stories from the *hadith* or surahs are selected to generate debate. Additionally, human rights declarations are provided to explore rights-based issues.  The textual level of analysis largely helps to support secular, international human rights and demonstrates parallels between the religious and human rights level.  These analyses lead to increasing participant attention on how religious texts were interpreted based on particular historical realities and ultimately, aims to stimulate the challenging, reconstructing, or the rewriting of traditional women's rights and equality. Sunder (2003:1445) suggests:

> Faced with these 'bad texts,' women participants are not asked to choose either religion or rights in cases of conflict, but rather, are encouraged to discuss the texts and to critique them. Religious texts are revealed as, in part, human constructions that are historically contingent and biased. This is the constructivist mode. Revealing some religious truths as partial,

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[34] Facilitators often draw from the heroines of Islam, such A'isha, Khadija and Fatima.

women are empowered reconstruct religious and cultural norms in ways that reflect modern, international human rights principles and women's own current needs and aspirations."

Thus, it is in the analysis, construction, and reconstruction of these texts based on lived realties where primary challenges to both cultural and international meanings of rights are contested, explored, and re-crafted.

*Dialogically Exploring Connections between Islam and Human Rights*

The following description from the manual outlines the process through which the empowerment program can stimulate new understandings of women's rights in Muslim communities. This particular example was taken from *Session 3 Negotiating your Rights and Responsibilities within the Family,* which explores a scenario related to a woman's right to choose her spouse and the time of her marriage. The session begins with a reading of a text that describes Leila, a young woman, and her predicament. Lelia's father has arranged a marriage with Karim, a young businessman in his thirties. Leila likes Karim, but believes that women should be able to choose their own spouse. She is fine accepting the family's decision to marry, but would first like to meet with Karim in a social setting to learn more about him. Leila's father is worried about their family's reputation if he allows the meeting. The text ends with questions designed to stimulate a group discussion, particularly around issues such as the father denying Leila her rights and Leila's responsibility to her family.

After a short discussion, the facilitators present two verses from the Quran and ask the group to discuss the scenario further in light of the verses.

> 31, al-Luqman [Luqman the Wise]; Verse 14:And We have enjoined upon man (to be good) to his parents: In travail did his mother bear him, and in years twain was his weaning: (hear the command). "Show gratitude to Me and to thy parents: to Me is (thy final) Goal."

Sura 9, Tauba [Repentence] or Baraat [Immunity]; Verse 71: The Believers, men and women, are protectors of one another: they enjoin what is just, and forbid what is evil…

Following this discussion, individuals are then asked to reflect on the relationships between Leila, her father, and Karim in light of Article 16(2) in the Universal Declaration of Human Rights (1948), particularly attending to the cultural and religious sources that support women's rights in the family.

Article 16(2): Marriage shall be entered into only with the free and full consent of the intending spouses.

By engaging in reflection on women's rights in marriage from both a Muslim and human rights perspective, individuals are given time to reflect and discuss the familial responsibilities and duties outlined in Islamic law as well as the necessity of each parties' full consent to marry. The program neither dictates a human rights nor Islamic law approach to determining women's rights in a given situation. Rather, it presents multi-faceted approaches for interpreting women's rights. Ultimately, the program provides the necessary religious foundation for achieving women's full human rights and empowers women with the philosophical base to be their own agents of change.

*Claiming Our Rights* conceptualizes the agentic feminist perspective that NGO activists in the WLP Partnership espouse. Since individuals come from different economic, political, cultural, or educational backgrounds and vary in the extent to which they draw from secular or religious ideologies, the dialogue around human rights must be culturally adaptable to the given grassroots constituents' needs. Summarizing, Afkhami (2009:PI) reflects: "We don't have to choose between faith and freedom.  You keep your faith, if you have one. Those who have faith can also seek freedom and equality. This is a much more holistic and helpful approach in terms of lobbying, advocacy, and public

support…" Indeed, there is no need to battle over religious interpretation; instead, every woman has the right and agency to explore and choose what she feels is best given her situation.

The adaptive strategies put forth in *Claiming Our Rights* illuminate the importance of context when working on a grassroots level for social change. Women that participate in the empowerment program are provided with a wide variety of tools, ranging from international human rights instruments and excerpts from the Islamic texts, such as verses from the Quran and the *hadith*, from which they develop communication and mobilization strategies to alter their family, work, or political relations.

## Summary

In sum, NGO activists often find it beneficial to use international human rights discourses to leverage state commitments made to gender equality (Keck and Sikkink 1998; Alvarez 2000). The universality of human rights is often a contested concept in the MENA. There is a need to select relevant implementation mechanisms by contextualizing human rights concepts. NGO activists in the WLP Partnership use different variations of human rights terminology to more effectively mobilize support within their broader communities.

The comparative analyses revealed the shared importance of human rights approaches to funders and NGOs. The coalescence of these discourses for change is striking. But for NGOs, an additional layer remains of the upmost importance, relating the human rights discourse to the local setting in a culturally authentic manner. Here, the concept of adaptability in feminist strategy begins to emerge. In this chapter, NGO activists responded to different contextual nuances and adapted global human rights

language to fit their conditions. This adaptation process was based on their own unique local, cultural, or historical specificities.

The strategy of human rights contextualization presented in *Claiming Our Rights* provides important knowledge for understanding the WLP Partnership's foundation for feminist movement building. The analysis underscores the importance of individuals selecting the appropriate strategy in the quest for gender equality given the cultural realities. The activists in this study do not use a "cut and paste" model when drawing from universal human rights norms nor do they solely re-interpret Islamic texts; rather, they blend and adapt these two strategies based on historically situated contextualization. This theme of adaptability, inherently important in this study, weaves itself throughout each of the following chapters, albeit in very different ways.

**Chapter 3: Transnational Feminist Strategies for Increasing Funding Power**

This chapter explores the transnationalization of nongovernmental organizations' (NGO) practices, particularly in relation to asymmetrical power relations as navigated in the international funding sphere. The negotiation and collaboration between NGOs and funders is indeed critical to social change efforts (Keck and Sikkink 1998). Yet, often the literature does not account for grassroots activists' perspectives. Therefore, this chapter contributes to further theorization on the bi-lateral (NGO-funder) construction of the global advocacy sphere and its implications for effective social movement building.

I analyze NGO strategy development highlighting the role of professionalization and its connection to power and agency. I am interested in better understanding: (1) the opportunities and constraints of NGO partnership with international funders for activists in local contexts and (2) the ways in which NGOs exercise power and agency in the funding relationship. Through analysis of semi-structured interview data with the executive leadership of the Women's Learning Partnership (WLP) and analysis of interactions and dialogue in four meetings (2005-2008) of the WLP Partnership, I highlight a variety of practices and strategies that NGOs in this sample employ to actively engage with, resist, and educate international funders.[35] In these ways, activists influence the development of effective discourses, strategies, organizational practices, and modes of communication within the broader global advocacy community.

**Locating the Power and Agency in the Global Advocacy Community**

As previously discussed with the rise of the New Policy Agenda, NGOs have been favored to carry out particular social, political, and economic projects that

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[35] See pp. 206-207 in Appendix 1 for precise details on methodology.

governments were failing to do well or that were not being adequately implemented. This shift to NGO service provision greatly impacted women's organizations. As such, a broader funding sphere emerged where money for civil society, social welfare, and rights advocacy projects expanded. However, in order to gain access to these funds a variety of accountability processes had to be met at the organizational level. As part of meeting funder requirements, NGOs began to focus more heavily on institution and capacity building. While in and of themselves these accountability norms help to efficiently structure and track NGO outcomes, at the same time these norms may also have negative consequences. Some NGOs have taken on roles and responsibilities that fall outside of their missions in order to secure project funding from international funders as they feel it was the only way to continue their work. Whereas on the funding side, more stringent methods for evaluating a project's contributions can mire NGO activists down in funder specific requirements.[36]

The process of capturing a program's impact, on a sociological level, has been described as commensuration or the transformation of something with a qualitative nature into a numerical identity (Espeland and Stevens 1998). Espeland and Stevens (1998:315) argue that: "Commensuration changes the terms of what can be talked about, how we value, and how we treat what we value. It is symbolic, inherently interpretive, deeply political, and too important to be left implicit in sociological work." The commensuration process distills complex information into easily comparable and standardized set of numerics that can be used for decision making. In the process, meaning making and contextual nuances are nearly entirely left out or are positioned as less valuable (Espeland

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[36] This section has been developed based on conversations with Mahnaz Afkhami, Founder of Women's Learning Partnership (WLP) in 2009.

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and Stevens 1998). But, of course, from a funder perspective it is necessary to be able to comparatively capture the short- and long-term benefits of a project in order to more effectively determine impactful fund investment.

Typically in the academic literature, the relationship between NGOs and funders focuses on donor-driven prioritizations. Overall, NGOs are characterized as the recipients and replicators of the funding and international development spheres' priorities. The focus on NGOs as enactors of global values, such as in the case of human rights, generates a tendency to diminish the agency that local NGO actors actually have in the relationship as well as reify power differentials between funders and NGOs. The power and influence that international funders have on NGO structure often leads to discussions of institutional isomorphism and professionalization (Brilliant 2000; Jad 2003).

One of the underlying mechanisms that some researchers argue explains the confluence between Global North and Global South patterns of organizational structure and strategies is institutional isomorphism. In some circumstances, local NGOs may begin to replicate the organizational structure and strategies of larger and more established international institutions (Brilliant 2000; DiMaggio and Powell 1983). This occurs as "…highly structured organizational fields provide a context in which individual efforts to deal rationally with uncertainty and constraint often lead, in the aggregate, to homogeneity in structure, culture, and output" (DiMaggio and Powell 1983:147). Some researchers, such as Sally Merry (2003) reframe powerful international governmental and nongovernmental actors and their agendas as the new "colonizers," who are pushing global law as universal, autonomous, and transferable. Transnational governments, such as the European Union, nation-states and their aid organizations, such as the USAID, the

IMF, the World Bank, private foundations, and the United Nations, are all argued to pressure states toward globalized norms and laws. In this conceptualization, these organizations are perceived as successors to the colonial state (Merry 2003).

Neoinstitutionalists argue that isomorphism occurs through three different pathways—mimetic, coercive, and normative (DiMaggio and Powell 1983). Mimetic isomorphism leads to replicating organizing practices and norms due to organizational uncertainty. Coercive isomorphism is stimulated through more powerful political actors exerting their influence on NGOs. Normative isomorphism occurs through professionalization influences. Professionalization is the process that occurs as organizations rely on external funds for their survival and take on accountability processes set forth by powerful organizations. One implication of professionalization is that collective action can become institutionalized; therefore, mobilization may be limited to safe means (Lang 2000; Jad 2003; Sperling, Ferree, and Risman 2001). Research has shown that under certain conditions professionalization can lead to goal displacement (Zald and Ash 1965), to NGOs being less likely to utilize disruptive or radical tactics or engage in contentious politics (Lang 2000; Staggenborg 1988), and to the use of conservative strategies to enhance organizational maintenance (Staggenborg 1988; Zald and Ash 1965). As Islah Jad (2003:10-11) argues this process fragments movement building, replacing it with project roll out: "NGOization also limits the struggle for national causes to 'projects' geared towards priorities set by an international discourse without diversity, and fragments the accumulation of forces for social change." Projects are often preferred by funders as their impacts can be more easily empirically captured than longer-term efforts of radical norm change.

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On the other hand, formalization processes can have positive outcomes and increase the success for coalition work (Staggenborg 1988). Interpreting shifts to professionalization, Staggenborg (1988:604) notes:

> Informal SMOs,[37] with their more flexible structures, are more likely to innovate direct-action tactics. However, the institutionalization of movement tactics by formalized SMOs does not necessarily mean that movement goals become less radical; an alternative interpretation is that movement demands and representatives become incorporated into mainstream politics.

While professionalization is an issue that is increasingly important in the development sphere, primarily focusing on the implications of donor support can lead toward an over-simplification of NGO-funder communication in the global playing field. Ultimately, funders need local NGOs and their voice and action just as much as NGOs need funders—without local organizations, social change work would not get done.

Some researchers attend to these interactive nuances arguing that global society and neoinstitutionalist approaches essentialize issues of transnational norm negotiation and vastly overlook power differentials and local innovation (Merry 2003; Grewal and Kaplan 1994). Grewal and Kaplan (1994) critique such "transnational centrism" approaches, which present activists in the Global South as passive receptacles who take up global discourses and practices. Reiterating the bilateral and interactive relationship between funders and women's rights NGOs, Andrea Cornwall (2007:1) describes transnational feminists' role in shaping development discourse on empowerment, albeit somewhat misinterpreted:

> Development's emphasis on women's empowerment has been welcomed by some as a return from the fog of "gender equality" and the blind alley of "gender mainstreaming" to a sharper, clearer concern about the injustice, discrimination and lack of opportunities that women the world

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[37] Social movement organizations (SMOs)

over experience. But the straight talk about power that was once part of feminist discourses of empowerment has given way as development agencies have taken up the term.

Moreover, researchers such as Ostrander (2004) and Ostrander, Silver, and McCarthy (2005) add complexity to the field by introducing studies of feminist philanthropic foundations, such as women's funds. Susan Ostrander and colleagues (2005) highlight an alternative framework for understanding how funders and NGOs interact and how social change work gets negotiated. [38] Feminist philanthropic organizations aim to break down the traditional hierarchal relationships that exist between funders and applicants and involve grantees in shaping the funding process (Ostrander 2004). Yet, despite these laudable aims, in most cases research has focused on the efforts to redistribute power from the perspective of the funder, neglecting local NGO contributions.

In this next section, I present the main challenges related to professionalization and asymmetrical power relations highlighted by NGO activists in the WLP Partnership. In the following section, I highlight the overall strategy that the NGOs in the sample have developed to protect themselves against these challenges. In the final two sections, I explore the network's strategies developed to protect from coercive and normative isomorphism.

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[38] Specifically, the authors suggest a more nuanced approach to assessing the influence of funder-grantee relationships by re-conceptualizing funding dilemmas in terms of how much opportunity the NGO (or grantee) has in the relationship. The authors highlight four main points on their continuum, ranging from the greatest to the least agency: (1) Control- NGOs that have control over funding decisions; (2) Collaboration- NGOs that collaborate with funders in making financial decisions; (3) Representation-NGOs represented by foundation staff in decision making situations; and (4) Dialogue-NGOs that have dialogues with funders about funding issues and concerns (Ostrander et al. 2005).

**Power and Professionalization in Focus**

Knowledge of activists' roles in shaping global processes of advocacy and social change is particularly important and theoretically underdeveloped. This analysis sheds light on the strategies and practices that NGOs in the transnational WLP network have pursued to assuage potential threats associated with mission or goal drift and to leverage the opportunities to influence international funders. The two main themes that ran throughout NGO discussions of funding challenges were professionalization and power. Power has been described by Lukes (1974) as having three different aspects or "faces."[39] There is power in decision-making, agenda setting, and norm creation; these diverse forms of power have different levels of visibility.

Rakhee Goyal (2009:PI), WLP Executive Director, describes the fundamental asymmetries in decision making that exist between funders and NGOs:

> Individual organizations have limited power to impact people [funders] with a lot of resources that can define your work…They [funders] have the resources, they define what their priorities are…[decide] whether or not they choose to accept applications at a particular time and on specific areas of interest, and so there's very little leverage.

Power in terms of agenda setting is very important in this context, particularly as it shapes the global advocacy sphere and the priorities that NGOs then have to respond to in order to secure funds. At a basic level, donors can be out of touch with indigenous needs and realities, which can impact NGO strategy. Mahnaz Afkhami, Founder and President of WLP (2009:PI) notes: "There are international organizations with very little footing in indigenous activism or who will have their own definition of what issues are significant or important at the time." This lack of local knowledge, of course, has significant bearing on international agenda setting. Afkhami (2009:PI) reflects that lack

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[39] Thanks to Char Ryan for stimulating this line of analysis.

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of information about local and indigenous needs and priorities as well as lack of familiarity with the context leads to funders' disproportionate emphasis on issues that do not have priority or that do not impact large segments of the population. For example, sometimes issues such as female genital mutilation or stoning, because of their egregious and brutal nature, tend to receive disproportionate attention in comparison to the everyday basic survival needs of masses of people. Afkhami wonders why a stronger emphasis is not placed on creating a more balanced view of aid efforts and giving appropriate emphasis to policies or programs that fundamentally shift power relations. Ultimately, agenda setting power determines if relevant and effective programs are implemented in the local context.

Activists in this sample also highlighted challenges associated with commensuration. Increased accountability requirements, such as those established through the Paris Declaration as described in Chapter 2, means that primarily only professionalized NGOs with specialized staff will have access to international funds. In the Global South and the MENA particularly, this introduces significant biases to donor funding. Funding applications and requirements are often only available in English, which creates language barriers for NGOs in obtaining proper materials. Activists may have difficulty accessing website materials due to institutional constraints or lack of access to electricity. There may also be a general lack of understanding of the detailed requirements necessary to apply for funds (AWID and GFW 2008; Goyal 2009:PI).  In conflict situations, NGO funding may be thwarted due to the intense amount of paperwork and verification of program success that commensuration requires. Rose Shomali (WLP 2006b), Executive Director of Women's Affairs Technical Committee

(WATC) in Palestine, notes: "I feel like the international movement is very fragmented. I see that we compete and we should coordinate. We spend a lot of time satisfying donors' need for paper rather than actually acting." Indeed, inefficient documentation systems place heavy burdens on NGOs and can detract valuable time from social change and organizing work on the ground.

Additionally, a majority of the work being funded is programmatic in nature when NGOs really need support for core capacities (Goyal 2009:PI).[40] Mahnaz Afkhami (2009:PI) states "…that individual partners sometimes feel helpless. They feel that their work, individually, is not valued and that there is pressure to take on topics that are not necessarily a priority for them." Goal displacement, also conceptualized as coercive isomorphism, is one of the main challenges cited in the academic literature related to professionalization. More often than not, funding that is specified for programmatic initiatives of women's social change is directed toward specific projects and is not linked to strengthening the core functions of the organization— without which successful project implementation, let alone broader advocacy efforts, is impossible. The focus on project-based funding underlines some of the problems NGOs face in professionalizing.

While programs can be effective mechanisms for short-term change, normative shifts are often the result of longer-term advocacy or awareness-raising efforts, which are also more difficult to measure. These realities link to the discussions in the previous chapter related to funder and NGO approaches to gender equitable social change. As described, analysis of funder and NGO mission and vision statements showed that NGOs

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[40] Core funding supports the operation of a NGO, which includes support for core staff time, resources, rent, supplies, and so on. All of these aspects help ensure sustained functioning of the organization. Project funding, often that falls within funder priority areas, is allocated to particular projects with specific and measurable outcomes that can be monitored.

in comparison to funders are more often working toward goals of empowerment and awareness-raising, which take longer to produce "measurable" results. This difference in goals is significant and must be accounted for in commensuration processes.

Finally, institutional challenges are often amplified when NGO activists' experience great success in their work and as their contributions become more well-known in the international development sphere. When funders or others encounter these successful activists, they are often invited to make special conference presentations, to consult, or to engage in other activities in the international policy and advocacy arena (WLP 2008b). In these settings, local activists can become over-extended trying to raise the international profile of their local NGOs. While NGOs may reap the benefits of increased visibility, international engagements take activists away from local NGO involvement, impacting domestic work. This tradeoff often results in the cannibalization of NGO talent in the Global South (Afkhami 2009:PI). Amongst all of these challenges, how do NGOs stay true to their missions and continue to be effective implementers of social change?

**The Partnership as the Mediator of External Threats**

In order to mediate external and institutional threats experienced in the international funding sphere, the WLP Partnership has leveraged their solidarity and the collective power found in their network structure. The network protects against broader contextual threats posed by restrictive international and domestic legislation, conflict, and socio-economic turmoil. One solution to these challenges was the implementation of a collective fundraising strategy in 2006. For example, the WLP Partnership raised funds to support local NGOs involved in the Nationality campaign through online fundraising

tools. Collective fundraising has proved increasingly important over the past few years

with new domestic funding restrictions and the shifting funding landscape in the MENA,

as detailed in Chapter 2 (WLP 2006b). Moreover, activists in the WLP network have

expressed the importance of diversifying their funding bases (WLP 2005, 2006b, 2008a).

WLP International has introduced all partners to key donors in the region, such as

National Endowment for Democracy (NED), Ford Foundation, UNFPA, and several

family foundations and bilateral agencies. These meetings have led to some partner

NGOs gaining grant funding from NED, Sigrid Rausing, and Global Fund for Women.

This further broadens a NGO's resource base and supports the continued implementation

of its work. The network has also established an emergency reserve fund that individual

partner NGOs can use if faced with severe socio-political threats, such as conflict,

increasing fundamentalism, or legal restrictions (WLP 2006b, 2008a). All of these

collective funding strategies help to mitigate some of the individual financial risks that

NGOs face.

Additionally, the facilitation role of WLP International has been crucial in terms

of fund distribution. Mahnaz Afkhami (2009:PI) describes the benefits of the Partnership

structure:

> We have been, in some ways, a buffer between funders and partners…We
> can, in effect, accept funding from certain donors who are generally
> credible and looked upon positively, but even they would cause difficulty
> for some of the partners [in their domestic contexts].  But, coming through
> us, being sorted through us, it becomes less problematic. In general
> funding from international sources is politically challenging for many
> Southern NGOs. However, almost always these are the only sources of
> funding available for human rights and women's rights activists. This is a
> dilemma for our partners that we have been able to help in some measure.

In 2008, WLP International advanced funds to their partner in Jordan due to the likely

passage of the restrictive foreign funding law. The NGO has also facilitated cross-

national fund transfers between partner NGOs as in Nigeria and Kazakhstan. Often there

are even transfer difficulties between international funders to WLP partner NGOs, e.g.,

Sigrid Rausing to the Zimbabwe partner. Thus, WLP International's intermediary role is

extremely important in ensuring adequate flow of funds.

Moreover, WLP International assists partner NGOs, such as Afghan Institute for

Learning (AIL) in 2003-2004, in developing strong reporting techniques to meet rigorous

criteria set forth by funders. While it was an intense learning process, now the Afghani

NGO is equipped to meet the detailed reporting requirements set forth by funders.

The notion of building funding power and potential through collaboration and

partnership was also a key recommendation from the action research study on women's

rights funding from Just Associates and AWID. Specifically, Kerr (2007:102) suggests:

> This conceptual shift from fundraising to agenda setting and movement
> building is expressed schematically... It suggests that by moving away
> from one organization dealing with one funder at a time to movements of
> groups and organizations working with and influencing funding sectors,
> funding policies, or funding mechanisms we are more likely to shift more
> resources into women's rights work and influence agendas by
> demonstrating women's agency and collective power.[41]

Building on the collective power of networks in the face of significant bureaucracy is a

potent NGO practice designed to enhance political leverage (Keck and Sikkink 1998;

Alvarez 2000). In this case, the practice provides a safety net for the continued

organizational sustainability across autonomous partner NGOs.

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[41] See Appendix 4 for the model depicting this consciousness shift, developed by Lydia Alpizar Duran and
Ellen Sprenger.

**The Possibilities of Professionalization**

NGO activists in the sample outline a number of challenges associated with professionalization, but also contextualize these challenges and highlight some opportunities that professionalization may provide. Throughout the interviews with the leaders of WLP International, professionalization was not only portrayed as having negative consequences. They also underscored the possibilities and opportunities of professionalization, which ultimately can lead to strengthening the women's movement. For example, the benefits of professionalization include efficiency, credibility, effectiveness, and transparency (WLP 2008b). The transferable lessons and skills derived from project implementation that comes with needing to monitor and evaluate a project were also highlighted (Afkhami 2009:PI). Rakhee Goyal (2009:PI), Executive Director of WLP, highlights the positive aspects of professionalization, such as transparency, accountability, and rigorous analysis, which are also articulated in the public and government sectors. As such, Goyal sees NGO work as "…an important form of public service and should require the best talents and the best minds." This includes ensuring that accountability and transparency are as integral to civil society as they are in the public sector.

In addition, professionalization creates constancy in the movement that can be drawn from in organizing efforts. Afkhami (2009:PI) notes:

> If you want to make change, then you need to have a vision of where you're going, where you want to be, and have clear and workable steps and strategies towards achieving your vision. You also need the skills and the systems that are going to help you get where you want to be. …The fact that our partner NGOs are becoming more professionalized means that they are becoming more efficient and their capacities and skills are becoming more developed. Moreover, activists rely on this more constant base of well-organized support, which can be drawn from for mobilization purposes. This is helpful in carrying out the kind of collaborative effort,

alliance-building, consciousness-raising and collective work towards change that we see in the various arenas, such as changes in legislation or changes in resource provision by the government. We are increasing local capacities to be the engines of advocacy work…using social networking circles to bring about broader social change.

Professionalization in the women's movement has also changed how social change work gets conducted. Shifts from a volunteer-based movement to professionalized, paid staff for advocacy is all more common in the global women's rights movement. Some of these changes may be occurring to meet the evolving demands of women's lives including women's increased role in the labor force. The time it takes to support families, while also working in specialized careers leaves less time for volunteer work and involvement outside the workforce. These realities impact movement building by making it less likely that social change will be stimulated through volunteer driven sit-ins and mobilizations (Afkhami 2009:PI). Afkhami (2009:PI) describes the WLP Partnership's view of movement building in the 21st century as very different from the 20th century. She sees movement building as being stimulated from local to global process of consciousness-building and grassroots action in order to catalyze changes in families, communities, and politics. Reflecting on the changing dimensions of the women's movement, Mahnaz Afkhami (2009:PI) explains:

> I think that sometimes we, in the women's movement, tend to have a nostalgic idea of resuscitating the demonstrations, marches, consciousness-raising groups, and one-on-one kitchen meetings that took place in people's homes. But, I think we have to realize that was a different period all together and life is handled differently now, particularly in terms of the requirements of a women's working day and in the way that global connections and communications take place. In the WLP Partnership, we tend to believe that change does not come about decisively through organizing marches and typical organizing strategies. Rather, change comes through communication, through alliance building, through collaborative efforts, through small groups and communities working together for a given cause…Yet, more and more, women's NGOs

are run by paid staff with oversight from volunteer boards. Movement building is carried out increasingly through virtual associations around advocacy campaigns that communicate through the internet. Internet-based social networking tools more and more constitute the main vehicle for movement building and solidarity, supplemented by face to face meetings. But, I think that civic organizations becoming professionalized build stronger institutions and help to spur and nourish movements.

Movement building in this context reaches beyond specific projects that NGOs take on and instead is comprised of grassroots alliances and action on specific rights' issues. The example of the *Moudawana* reform in Morocco, the focus of the next chapter, is an example of what feminist movement building in the region looks to be moving towards. The reform movement was largely led through the institutionalized support of NGOs and through the multitude of local and regional alliances that Moroccan women's rights NGOs created within the civil society, political, and public sectors.

*Professionalization as Capacity Building*

An example of the positive aspects of professionalization is exemplified by the WLP Partnership's capacity building program.[42] The capacity building process was initially stimulated through a specific foundation grant and was reluctantly accepted by WLP. At the time, the WLP Partnership preferred core funding and felt the investment in time and resources could be better spent on existing programs. However, as they began planning, the program quickly became a major project of the organization and was collectively selected by partner NGOs as a priority area for 2008. The WLP Partnership sees the capacity building program as an important component in strengthening the women's movement, using their philosophy of culturally adaptable language and strategy. The capacity building program honors the local relevance and specificities of

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[42] From August 30-September 4, 2008, 18 women leaders from Afghanistan, Jordan, Lebanon, Morocco, Nigeria, and Palestine met to co-create this strategic planning and capacity building curriculum.

each organizational context, while drawing from cutting-edge organizational development techniques (WLP 2008b). Specifically, the training process includes setting up a mentorship program where local NGOs pair up and exchange strategies and expertise as they facilitate each other's strategic planning processes (Afkhami 2009:PI; Goyal 2009:PI; WLP 2008a; WLP 2008b). The WLP Partnership's experience demonstrated that the kind of in-depth brainstorming and exchange that occurs in strategic planning and capacity building processes, involving staff, constituents, and the board, requires a familiarity with the culture and the use of a common language that is lacking in the case of most external consultants (at this time, they are most often from the West). The pairing of partner NGOs was developed so organizations could get feedback from a neutral and unbiased perspective similar to that of an external consultant. The model of partner-driven strategic planning and capacity building is a revolutionary new way to conceptualize and implement sustainability practices in a participatory manner. With the help of funders, WLP ensured that capacity building would be a relevant process not just something imported from a Western consultant model (Afkhami 2009:PI; Goyal 2009:PI). This peer-to-peer strategic planning and capacity building process reinforces shared values amongst the Partnership and facilitates enhanced collaboration and cooperation across partner NGOs.

The capacity building project was useful because it fit within their collective mission and focus on organizational sustainability. However, making decisions on what kinds of funder stimulated projects to implement can be difficult. In order to ensure the continued authenticity and sustainability of their work, the WLP Partnership has developed collective strategies to ensure the consistency of their values and philosophy

when working with donors (WLP 2008a). Specifically, NGO activists in the network highlighted three different practices for ensuring against value or mission drift. These include placing precedence on the NGO's strategic priorities as conceptualized in the strategic plan, only accepting funding if the program falls within these priority areas, and establishing strong relationships with funders based on mutual respect and communication (WLP 2008a). All of these partnership practices help to protect against the possibilities of donor-driven goal displacement or normative isomorphism.

For the activists, the importance of establishing and maintaining the shared values of the WLP Partnership cannot be overstated. NGO activists cite shared values as a buffer against international and domestic challenges (WLP 2008a). The WLP Partnership uses shared values to guide their vision and mission achievement and to form a common base for building strategic alliances.

**Strategies for Asserting Power in Funding Relationships**

Power and agency are intimately related to issues of professionalization. As described, NGO activists in this sample outlined specific practices to ward against normative isomorphic threats. This very process of strategy development points to how NGOs' agentic innovations can mediate constraining conditions. This final section highlights the WLP Partnership's main strategies for asserting power in funding relationships, which include: rejection of funds that were not in alignment with NGO goals, collaboration between NGOs and funders, and training funders in issues of NGO concern (WLP 2006b).

*Rejection of Funds*

In the sample, the most prominent reasons NGO activists rejected international grants were due to: (1) the political ideology or practices of the funder; (2) differing

ethical foundations; (3) the project falling outside of the NGO mission and objectives; or (4) the unsustainability of the program or project. Overall, across the WLP Partnership, the majority of NGOs have rejected funding from an international donor.

Many NGOs in the sample have rejected money with conditions; namely, funds that required alignment with the requirements set forth in the "terrorist clause." Lina Quora (WLP 2006b), Past Director of SIGI Jordan, explains: "We don't want conditional money. There should be no interference in our work. We don't want people to impose anything on us." Similarly, Lina Abou-Habib (WLP 2008a) the Executive Director of the Lebanese, Collective for Research and Training on Development Action (CRTDA) notes: "Compliance with US demands make things extremely problematic. You talk about an egalitarian relationship [between funders and NGOs]; but in reality, the powerful partner is thinking their ideas are much more relevant. Recently, the government mandates on preventing terrorism have become very difficult for both donors and NGOs to implement."

Another reason NGO activists in this sample have decided to reject funds is when the donor demonstrates a lack of knowledge about the local context and past socio-political developments. Lina Abou-Habib (2008:PI) describes a case in which a prominent funder of global women's rights reproduced an existing, successful campaign implemented by CRTDA and other regional partners. The funder mistakenly sent Abou-Habib an email offering to fund another NGO to duplicate a program on nationality rights. CRTDA initiated the original Arab Women's Right to Nationality Campaign in 2001 and has been the regional coordinating organization since the campaign's inception. The funder was in effect asking another organization in Lebanon to replicate the exact

steps and strategies that CRTDA had already successfully implemented over the past seven years. Lina Abou-Habib (2009:PI) notes the irony in this situation as it relates to indigenous versus international agendas.

> It is that kind of behavior that has negative effects, because before that [funder request for another nationality campaign] there was absolutely no doubt that the Nationality campaign was "indigenous," led by local groups and so on. But now you have Big Brother with all their money onboard and they are actually paying loads of money for I don't know what…

The lack of funder attention to the developments on the ground, in this case, resulted in a gross overspending of resources. Moreover, with the international push for another nationality program, it opened up the possibility that campaign opponents could falsely implicate the original Nationality campaign as Western-initiated. CRTDA no longer accepts funds from this donor, despite their powerful presence in women's rights work in the region, given their disregard of local activist developments and progress.

All of these examples provide evidence of the veto-power that NGOs possess in the funding process. When funders make poor planning decisions or try to push dissonant philosophical agendas, NGOs have the power to push back. The rejection of funds is an important pathway through which NGOs may exercise agency in the funding relationship and communicate their preferences to donors. Over time, and particularly if NGO opposition is coupled with collective calls for reform, there may be potential to broaden spaces for equal relations where NGOs can have an impact on donor practices.

*Collaboration, Negotiation, and Strategic Influence*
Another strategy in which NGOs actively shape and educate funders is through collaboration and strategic influence. The WLP network is able to exert more influence over the funding process by using strategic interventions in highly visible positions (Goyal 2009:PI). For example, Mahnaz Afkhami, sits on several advisory boards, among

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them funding agencies, where she has the opportunity to interact with those influencing development and funding policies. Afkhami (2009:PI) notes that partnership has been a mutually empowering process, both for WLP International and the autonomous WLP partners, particularly in raising the visibility of their work.

> When I am asked to serve on the international advisory board of a funding organization it is in great part due to the fact that I'm seen as representing a partnership of autonomous organizations [in the Global South and particularly in the MENA]. That helps build my credibility as being able to bring information from a variety of Global South organizations that are usually not heard from outside their own borders. At the same time my being present in these places helps the partnership a great deal because I can make the efforts of the partners more visible. I have a chance to bring attention to their extraordinary work and the importance of what they're doing as moderate, progressive democrats and human rights activists. This is particularly important coming from societies that are usually portrayed as radical and violent, where moderate forces and perspectives, like the partners, are often left invisible and unheard.

Another example of strategic influence and partnership is evident in Palestine, where Women's Affairs Technical Committee (WATC) is forming a partnership with funder organizations in order to build a broad-based group of supporters around the NGO's mission (WLP 2008a). This type of collaboration involving funders in the missions and visions of an NGO supersedes the traditional funding relationship and has the potential of transforming interactions into a true partnership.

In other cases, negotiation with funders is explicit. As described in Morocco, during the campaign to reform the *Moudawana,* a powerful charge deployed by the countermovement was that Association Démocratique des Femmes du Maroc (ADFM) and the reformist women's rights movement were influenced by Western agendas due to their receipt of international funds. This claim was aimed at branding the *Moudawana* reform as an "inauthentic" brand of cultural change. Due to the critical nature of the

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reform and the intense contention that existed between movements in Morocco, ADFM explained the stakes to their funders. They asked that funders allow them not to use their name in publications and events, as they felt it may fuel the countermovement's claims (Lemrini, WLP 2006b; WLP 2008a). The funders agreed to be anonymous partners given the contextual realities. The communication, collaboration, and respect between ADFM and their funders are evident, particularly as visibility is one of the most basic requirements that funders place on fund recipients.  These examples demonstrate how NGOs can effectively leverage the power of negotiation in funding relationships.

*Training and Awareness-raising*
The final and less frequently utilized strategy identified from the data was training and awareness-raising. One way to raise funder awareness is through better educating them on the NGO's ideological and philosophical base. This helps facilitate better communication and understanding in the funding relationship. In this case, the WLP Partnership has a very explicit philosophical agenda of participatory leadership and has developed a dialogic leadership model designed to increase individual's awareness of alternative forms of political and social leadership. The *Leading to Choices* (LTC) program aims to "empower" participants and to foster leaders who aspire to create more egalitarian, democratic, and pluralistic societies based on collaborative decision making and coalition-building. The participatory model of leadership values participation, equality, power sharing, and diversity.

WLP International learned that Oxfam Novib had committed to a multi-year mandate designed to instill transformative leadership within the institution. Taking advantage of this significant opportunity, WLP lent its expertise on participatory

leadership by training some members of the Oxfam Novib staff using the LTC model (WLP 2008b). Additionally, in January 2008, the executive leadership from WLP International participated in a dialogue and brainstorming session that Oxfam Novib organized in the Netherlands. The focus of the discussion revolved around how civil society actors can contribute to decreasing the democratic deficit in the global playing field. WLP presented successful grassroots campaigns of advocacy, from Moroccan and Iranian experiences of law reform, as potential models that could contribute valuable lessons to the public dialogue.  These are important examples of a NGO taking the opportunity to raise awareness and shape the public discourse in the international funding community.

**Summary**

International funders of women's social change efforts are part of a global development process, which has an impact on the social and political developments of nation-states and civil society. NGO activists operate within a sphere of asymmetrical power, particularly in terms of financial resources and the restrictions attached to gaining those funds. At the same time contextual influences, such as restrictive domestic legislation on NGO formation or the US "terrorist clause," have profound implications on the way that NGOs in the MENA do business. Since many of the NGOs in the sample will not accept conditional funding as it sets up a parochial relationship when they would rather enter into a partnership of mutual respect, it also limits the potential pool of donor money.

The analyses showed that while the literature on funding primarily highlights international funders as the main actors and drivers of social change efforts, NGOs also

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hold and exercise power in the relationship. The three strategies of rejection, negotiation and collaboration, and training have the potential to maximize the power that NGOs have in the funding relationship. It is evident that these strategies address power on multiple levels. NGOs in this sample are trying to shift agendas through being strategically included as advisors and consultants to funders. They are rejecting funds that do not align with their values. Moreover, they are instating new norms for respectful communication and collaboration through training on participatory leadership and processes of inclusion.

The academic literature highlights the impacts of coercive and normative isomorphic shifts that lead to more project-based funding and toward funding programs with empirically verified impact. While the activists in this sample acutely describe the ramifications of these isomorphic processes, they also speak of important "survival" strategies for navigating these conditions. Specifically, the findings reveal the counterintuitive strategy of turning constraining conditions related to professionalization into opportunities for the women's movement. Since professionalization is not "going away," activists in the WLP Partnership re-interpreted constraining conditions and strategically assessed the ways that the movement could be strengthened by professionalization.[43] Activists optimized the strengths of a professionalization model and work to prevent weakening through innovative strategizing to deflect contextual challenges. This is an adaptive strategy given the existing realities and power differentials in NGO-funder relations. The strategy of leveraging constraints and turning them into opportunities is more deeply explored in the following chapter.

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[43] Certainly, there are multiple potential reactions to constraints that can range from inaction, finding strategies for navigating around obstacles, leveraging elements of shapeable substance within the constraint context, and attempting to subvert the obstacle. Yet, the way that constraints or opportunities are interpreted and responded to can ultimately facilitate or hinder a NGO. Tajfel and Turner (1986) highlight similar strategies when individuals' experience threat to their identities.

**NGO LEGISLATIVE REFORM EFFORTS:  BRIDGING THE GLOBAL AND LOCAL**

**Chapter 4: Bridging Discourses: Moroccan Women's Rights Activists Framing the Necessity of Islamic Family Law Reform[44]**

This chapter explores the organizing strategies of Moroccan liberal feminist activists[45] in the campaign to reform the *Moudawana* (also called the Personal Status Code) [46] from 1999 to 2004.[47] I focus on the advocacy and lobbying strategies of a particular feminist human rights nongovernmental organization (NGO) in Morocco, Association Démocratique des Femmes du Maroc (ADFM) and its allies. I pay specific attention to the social, cultural, and political circumstances that influenced the development of the feminists' reform discourses. In the Moroccan context, throughout the 1990s and early 2000s, the conservative and Islamist discourse was incredibly persuasive in garnering public support for opposing *Moudawana* reform (Buskens 2008). Those that supported the feminist reform agenda were modernist movements in Moroccan politics and civil society, while the countermovement (or opposition) primarily consisted of religious conservatives, Islamists, and some moderates. The goal of this chapter is to identify how Moroccan feminists organized given constraining social and political conditions, paying particular attention to the creation of discourses on the necessity of reform.

In order to achieve this objective, I analyze data from years of fieldwork with WLP (2005-2008), three months of fieldwork with ADFM in Rabat, Morocco in 2005-

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[44] Small portions of this chapter are reproduced from a project with the Institute of Development Studies.
[45] Sadiqi (2008:327) uses the term liberal feminists to denote of cadre of activists that "readily embraced 'modern' ideas and practices without rejecting their local specificities, including being Muslim." For simplicity, I will refer to the Moroccan NGO activists as the liberal feminists or feminist activists.
[46] Throughout this chapter, I refer to the old *Moudawana* (1957/8-2004) as the Personal Status Code and the 2004 reformed *Moudawana* as the Family Code.
[47] Initial attempts of feminist activists to reform the *Moudawana* occurred directly after it was instated in 1957/58. However, the strongest and most organized waves of protest and mobilization occurred from the 1999 to 2004. Therefore, I have chosen to focus on this latter movement period.

2006, historical and textual analysis of legal and policy documents, and semi-structured interviews with women's rights activists and strategists across the Maghreb.[48]

The results demonstrate that the Moroccan feminists used a bridging framing strategy, interweaving global and local discourses and re-appropriating religious legal constraints. In order to counter the opposition, activists vernacularized global discourses, such as human rights and democracy with Islamic principles, localizing the issues with the intent to bridge the framing divide. The study offers a compelling addition to the feminist and social movement literature, highlighting the role that structural opportunities and developments in the legal and political context play in agentic movement innovations, while also underscoring the importance of discourse adaptation and vernacularization.

First, I theoretically locate this case study drawing from the social movement and law literature. In order to contextualize the analysis of the Moroccan feminist campaign, I provide an overview of the Moroccan context, with a brief historical summary of Morocco since the 1950s. I pay particular attention to the 1999-2004 time period and the emergence of the independent women's rights movement.  I then move on to analyze the framing contests and discursive negotiations that occurred in the Moroccan campaign.

**Framing the Reform**

As a law that was derived from Islamic legal principles, the *Moudawana* (1957/58-2004) reform was very contentious in the public sphere. This was the case as the countermovement framed the *Moudawana* as a sacred and unchangeable religious law in the public sphere (Lemrini 2005; 2006:PI). Moroccan women's rights activists were positioned between an emerging transnational women's movement, their national context

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[48] For more detailed notes on methodology see pp. 207-208 in Appendix 1.

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in which a diverse public and state weighed in on issues of religiosity and secularism, and their own ideological stances of human rights, justice, and gender equality.

There were two fundamental contrasting frames related to the actual goal of Personal Status Code reform in the early campaign years. The feminists argued for secular reform efforts based on human rights, democracy, and societal realities. The countermovement opposed secular reform, arguing that *Moudawana* reform was antithetical to Islamic law; as such, those who called for its reform were unIslamic and not culturally authentic. These contrasting frames formed the discursive field and set up a framing contest between the women's reformist movement and the countermovement. The discursive field is the arena in which social meanings are constructed, negotiated, and even contradicted (King 2007; Spillman 1995). In this case, the discursive field represents the realm within the public sphere where multiple discourses on the legality of Islamic family law reform exist. Illuminating the importance of shifting interactions with the countermovement or other hegemonic actors on the framing process, the literature show that social movements often create "competing discourses" (Ryan 1991) in their framing contests, particularly in cases where critical social issues or cultural norms are being negotiated. Discourses and frames can evolve based on the interactions between movements and countermovements (Esacove 2004; Ferree and Merrill 2004; McCaffrey and Keys 2000). In this dynamic relationship movements and countermovements shape, respond to, and negotiate the means and communication channels for social action and normative influence (Esacove 2004; Meyer and Staggenborg 1996). In these cases, the cultural resonance of a movement's or countermovement's messages are of the utmost importance (Conway and Schaller 2007; Snow and Benford 1988).

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Researchers have highlighted a variety of movement framing strategies, which generally focus on a clear distinction between one's own movement and the countermovement's strategy, e.g., the secular-religious divide (McCaffrey and Keys 2000; Meyer and Staggenborg 1996; Snow and Benford 1988; Taylor and Whittier 1992). The literature suggests that actors may likely (and perhaps strategically) choose to place their tactical framing efforts in a different substantive area from that of the countermovement (Evans 1997; Taylor and Whittier 1992). This tendency to distinguish may lead social movement actors to craft strategic messages that more highly resonate with their base (Snow and Benford 1988), which likely excludes more diversified constituency organizing.[49] These framing distinctions were particularly apparent in the Moroccan sphere.

However, sometimes movements craft frames that have similar resonance in order to more effectively reduce the significance of a particular frame or to attract a more diverse group of constituents (Evans 1997). Research by Evans (1997) has shown the successfulness of this strategic approach when a religious pro-choice movement framed messages to be more inclusive of potential target groups, not only current organizational constituents. The attempt to bring together two issues (or groups) that are ideologically consistent, but that have been previously unconnected has been called *frame bridging* (Benford and Snow 2000). Frame bridging can help to build commonalities across groups and potentially reduce conflict in framing contests. Frames within this context take on a more nuanced and less ideologically rigid nature. Instead of conceptualizing messages for

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[49] Meyer & Staggenborg (1996:1652) reiterate this normative tendency of movements to discursively 'divide and conquer:' "as conflict between opposing movements heightens, coupling around certain issue areas, activists with a wide variety of claims cluster around each side." Such framing attempts would push a singular message in response to opposition groups, rather than focus on messages to diversify their base.

a singular purpose, movement actors realize that frames can have multiple meanings (or are multivocal) and different layers of meaning that can shift over time and according to the audience (Steinberg 1999). Ultimately attention on more multivocal approaches to discursive framing may be connected to appealing to a broader range of constituents.

However, messaging does not happen in a vacuum. Political and socio-cultural factors play an influential role in framing strategies and the way in which messages are understood, interpreted, and accepted in the public sphere. The discursive field is mediated by broader contextual and historical events, shaping how meanings are understood and constructed as well as which messages more broadly circulate (Alimi et al. 2005; Amenta et al. 1992, 2005; Gamson and Meyer 1996; Goodwin and Jasper 2004b; King 2007; Kurzman 2004). The discursive field in the Moroccan case was filled with both global and local discourses that limited and opened spaces for reform. Given the global discourses of human rights, democracy, and Islam, the goal of this chapter is to explore how these discourses were adapted, localized, and vernacularized throughout the law reform campaign (Merry 2006; Levitt and Merry 2007; 2008).

**The Social and Demographic Context in Morocco**

Morocco has a population of approximately 33.4 million.  The capital city of Morocco is Rabat, with a population of 1.7 million.  Most of the population (58.7%) lives in urban areas. Islam is the state religion with the majority of the population following the Maliki school of Sunni Islam.[50] Arabic is the official language of Morocco; however, the French language is often used in education, business, and diplomatic affairs. Berber dialects are also prominent. In fact, Berbers are currently petitioning to amend the constitution so that Berber languages are also official languages of Morocco.

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[50] Muslim 98.7%, Christian 1.1%, Jewish 0.2%

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Politically, Morocco is a constitutional monarchy with a King, who has the

ultimate decisive authority. According to the constitution, the King is the religious

authority in his role as "commander of the faithful" (*Amir al-Mu'minin*). While the King

is the ultimate arbiter and religious authority, the state also has a democratically elected

parliament that shapes the political realm. This simultaneous blending of state and

religion forms the basis for the opportunity and constraint structure, which is a crucial

element to be considered in social movement developments.

Morocco has a democratically elected bicameral parliament. There are 29 official

political parties in Morocco. The parties range from leftist socialist parties to far right

Islamist parties. The major parties include: Istiqlal or Independence Party (nationalist),

Parti de la Justice et du developpement (PJD) or the Justice and Development Party

(moderate Islamist),[51] Rassemblement National des Independents (RNI) or the National

Rally of Independents (business), Union Socialiste des Forces Populaires or the Socialist

Union of Popular Forces (USFP) (socialist), Mouvement Populaire (MP) or the Popular

Movement (traditional/Berber). The most recent 2007 elections were considered free and

fair. However, it was the lowest turnout since the 1996 constitutional referendum, at

around 37%.[52]

The King appoints the Prime Minister as well as the other four head ministerial

positions. The King has the power to dissolve Parliament, excuse cabinet members, and

sets the national and foreign policy agendas. As such, it is not surprising that the Freedom

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[51] Political groups that are critical of the monarchy, such as Al Adl Wal Ihssane (Justice and Spirituality), remain banned by the government and are unable to participate in politics because they do not recognize the King as 'commander of the faithful'. The Islamist group is considered a threat to the monarchy since they seek to establish a theocratic state.

[52] The previously leading party, the left leaning USFP, lost almost 25% of its seats, leaving it with only 38 seats. Whereas, their conservative counterparts Istiqlal gained a majority with 52 seats. Other parties also gained seats. There was speculation that the Islamist PJD may take the majority, but their gains were more moderate. They took 46 seats.

House Index rated Morocco as only partly free, with a civil liberties score of 4 and a political rights score of 5.[53] Additionally, the judiciary is not entirely independent and rarely counters official policy.

Morocco is a medium development country.[54] The GDP per capita in 2005 was 4,555 (PPP US$). Nineteen percent of Moroccans live under the poverty line.[55] Unemployment is quite high in the country. In urban areas, the average unemployment rate in 2006 was 15.5% (20.9% for women and 13.9% for men). In rural areas, unemployment in 2006 stood at 3.7% (1.8% for women and 4.6% or men). Many youth movements in the country are organizing to raise the state's and political parties' attention to the issue of unemployment. Even despite the high levels of unemployment and poverty, there is a small burgeoning middle class in Morocco.

Women's economic participation in relation to men's is 33%, which means that 33 women work out of every 100 men that work.[56] Typically, women participate overwhelmingly in the agricultural (38.7%), industrial (31.7%), and service (18.4%) sectors.[57] A higher number of women with lower than secondary educations are active, 70.7%, in the labor force than those who have completed secondary education, 14.9%, and those who have gone on to tertiary education, 14.4%.[58] This likely contributes to the significant gender wage gap; the estimated percent of women's to men's earned income

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[53] According to Freedom House rankings, 1 is fully free and democratic and 7 is not free or democratic at all.

[54] Over the past 30 years, the country has progressively increased its ranking in the HDR Index. In 1975, the HDR was 0.435; 1980-0.483; 1985-0.519; 1990-0.551; 1995-0.581; 2000-0.613; and 2005-0.646.

[55] Source: United Nations Development Programme (UNDP). Human Development Report (HDR) 2007/2008. http://hdrstats.undp.org/countries/data_sheets/cty_ds_MAR.html

[56] Source: Haut-Commisariat du Plan (HCP). Royaume Du Maroc. 2008. « La Femme Marocaine en Chiffres. Tendances d'évolution des caractéristiques démographiques et socioprofessionelles. »

[57] Source: ibid. For all Moroccans, the largest paid work sectors include the service (42.3%), the industrial (24.2%), public works (18.9%) and agricultural (14.5%) sectors, according to national statistics of the HCP (2006).

[58] Source: Haut-Commisariat du Plan (HCP). Royaume Du Maroc. 2008. « La Femme Marocaine en Chiffres. Tendances d'évolution des caractéristiques démographiques et socioprofessionelles. »

is 25%. Specifically, data shows that women's estimated earned income is 1,846 (PPP US$) on average, whereas the estimated earned income of men is 7,297 (PPP US$).[59] The earnings ratio for women to men who work in similar professions is 61%.[60] According to the most recent statistics, the average rate of women's participation in the labor market is 27.8% and men's participation is 76.4%.[61]

The 2005 Arab Human Development Report (AHDR) notes that across the MENA region, women's education remains among the lowest in comparison to other regions in the world, particularly in terms of female literacy levels. These lower education levels extend to Morocco as well. Education is free and mandatory until the age of 15 (primary school) in Morocco and is highly attended at 83%. Secondary school rates precipitously drop with only 23% of girls continuing their education. Women's higher education remains quite low at 10%. Literacy rates for men and women in the country are 53.9%. However, these rates are much lower in rural areas, 37.4 %. Women's literacy rates rose to 41.7% in 2006 from 28.7% in 1994, according to official Moroccan estimates. Men's literacy rates rose to 67.1% in 2006 from 55.2% in 1994.[62] In 2006, the Prime Minister Driss Jettou noted that efforts since 2002 had been successful in reducing illiteracy by 39%, although it has been difficult to statistically confirm this estimate.

In terms of household status, the average age of marriage for Moroccan women is 27.2 years and 31.8 years for Moroccan men.[63] Contraceptive use has increased over the

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[59] Source: UNDP. HDR 2007/2008. 2005 statistics.
[60] Source: The Gender Gap Index. 2007. World Economic forum.
http://www.weforum.org/pdf/gendergap/ggg07_morocco.pdf
[61] Source: Enquête Nationale sur l'Emploi, Royaume du Maroc. Haut-Commisariat du Plan (HCP) 2007. (The Moroccan National Survey on Employment 2007).
[62] Source: HCP 2004 data in « Les Indicateurs du Maroc en 2006. » Haut-Commisariat du Plan (HCP). ISBN: 9981-20-146-4.
[63] Source: Haut-Commisariat du Plan (HCP). Royaume Du Maroc. 2008. « La Femme Marocaine en Chiffres. Tendances d'évolution des caractéristiques démographiques et socioprofessionelles. »

past ten years from 41.5% in 1992 to 63% in 2003/2004 for married women aged 15-49.[64] The average fertility rate of Moroccan women is 2.5 children.[65]

Moroccan women gained the right to suffrage in 1963. The country is signatory to international agreements that have the potential to impact women's status, such as the Universal Declaration of Human Rights (UDHR), the International Pact of Civil and Political Rights in 1979, and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1993. After ratifying conventions such as CEDAW, the Moroccan state placed reservations on a number of articles that conflicted with Islamic legal codes. These reservations essentially negate compliance with women's equality as set forth in the treaty. Placing reservations on convention articles is a common occurrence in many states not wishing to give up legal sovereignty. Wassila Ltaeif (2005:345) remarks on this trend: "It makes no difference whether governments base their reservations on the Sharia or on their internal legal codes (which are anyway religiously inspired). The end result is the same: by acting in a manner counter to the convention's main objectives they render it meaningless." It is precisely the large number of reservations to International Human Rights protocols, such as CEDAW in the MENA that prompt some Western advocates of human rights to perceive incompatibilities between human rights and Islamic law, however distorted or conspicuous these perceptions may be (Mayer 2005).[66] However, on December 10, 2008, the Moroccan

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[64] Source: ibid.
[65] Source: UNDP HDR 2007/2008.
[66] Countries that have reservations on CEDAW include: Algeria, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Saudi Arabia, Tunisia, and Yemen. The following articles are the target of reservations as states have conceptualized them as incompatible with Islamic law: Article 2, on national legislation and constitution; Article 7, on public life and political rights; Article 9, on citizenship law; Article 15, on equality in legal and civil rights; Article 16, on Family Law (marriage and family relations including marriage, divorce, and inheritance related to Islamic *sharia*); and Article 29, on dispute settlement between parties to CEDAW (Kassem 2005).

government lifted the reservations they had placed on CEDAW at the time of ratification.

This landmark victory for feminists was initiated through a regional alliance of Arab

feminists, including ADFM, to lift the reservations on CEDAW.[67] Through this reform,

the Moroccan state is expressing full commitment to eliminating the discrimination of

women and ensuring their equal rights.

The primary document that has influenced women's rights and status in Morocco

since the country's independence in 1956 is the *Moudawana*. The next two sections of

this chapter focus on the history of the *Moudawana* and the main players in the Moroccan

feminist movement that led the campaign efforts.

## The Promulgation of the *Moudawana*

Morocco gained independence from France in 1956. The country had been a

French protectorate since 1912. The nationalists that led the revolution were interested in

creating an Islamic state, which would restore the cultural disintegration they had

experienced under French colonists. They drew strength from the regional Salafayyist[68]

movement that was prominent across the MENA at the time (Buskens 2008).

After independence, Sultan Mohammad V was chosen to lead due to his

influential and symbolic role in the nationalist movement. He relinquished the title Sultan

and became King and head of state. King Mohammad V reigned until 1961. The

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[67] See the campaign website:
http://www.blog.ma/cedaw/index.php?subaction=categorie&id_categorie=8250

[68] The Salafiyya movement was a pan-Arab nationalist movement in the 19th and 20th century that aimed to stimulate a religious revival, bringing together modernist ideals with the religious and cultural assertions of Islam (Buskens 2008). Ultimately the goal was to instate a truer form of Islam without the differentiation of Islamic schools. This would be achieved by focusing on the reinterpretation, *ijtihad*, of Islamic texts. Sunni Muslims who were members of the movement argued that the gates to *ijtihad* were not closed. In Morocco, the Salafiyya principles took the form of a pan-nationalist movement that aimed to free the country from colonial powers. For more detailed information on the Salafiyya movement, see Abun-Nasr, Jamil. "The Salafiyya Movement in Morocco: The Religious Basis of the Moroccan Nationalist Movement." *Middle Eastern Affairs,* no. 3, *St. Antony's Papers,* no. 16, edited by Albert Hourani (1963).

Moroccan nationalists wanted their legal system to be based on a newly interpreted *sharia*. However, their demands were only partially met through the abolishment of the customary law for the Berber population and the development of the Islamic Personal Status Code in 1957/1958 (Buskens 2008). In fact, the new Moroccan legal structure was largely a continuation of colonial legal practices, with the exception of the *Moudawana*.[69] Other Moroccan legal codes that are currently still in practice are primarily secular, such as the penal code and the constitution. Both of which were derived from French and European legal practices. In the constitution, women and men are afforded equal rights.

However, women's status has been primarily determined using an Islamic legal framework. In 1957/1958, a commission of *Oulema*, religious scholars and interpreters of Islamic doctrines and laws, underwent a process of debate, negotiation, and consensus on the contents of the Personal Status Code, or *Moudawana* (or in Arabic *Mudawwanat al-ahwal al-shakhsiyya*).[70] The legislation was strongly inspired by Muslim rights within the Malikite tradition of Islamic jurisprudence based on *fiqh*. As noted earlier, there are four schools of Islam which differentially interpret women's rights. The Malikite school is predominant in Morocco and tends towards more conservative and literal interpretations. Mounira Charrad (2001) argues the degree to which Maghrebian nation-states institutionalized conservative interpretations of the Personal Status Code depended on the extent to which the state relied on the tribes (or kin-based networks) for political support after independence. States that relied more heavily on tribes for social control, such as Morocco, instated more conservative family laws based on tribal norms, than states that

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[69] "The codifications of criminal law and criminal procedure in 1962 and 1959, respectively, contained virtually no references to the classical Islamic law, but instead drew inspiration from French law" (Buskens 2008:7).
[70] See Sadiqi (2008:329) for a description of the feminists' hopes for a liberal *Moudawana* in 1957.

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did not rely on tribes, such as Tunisia, where the Personal Status Codes are among the most liberating for women (Charrad 2001).

The *Moudawana* was seen by the public as the symbol of Moroccan national unity (Buskens 2008). This was particularly important given that under colonial rule there was a pluralist legal structure, divided into French and Spanish codes and Sharfian codes. The Sharfian code consisted of Moroccan Islamic law with judges who made rulings based on the Maliki school; separate Berber laws for those specific areas recognized as Berber; [71] Jewish law for judgments administered through the rabbinical courts; and *makhzen* law, which were laws decreed by the Sultan before the protectorate and mostly dealt with administrative matters.[72]

Interestingly, the French legal influence was not only apparent in Moroccan secular law, but the French also played a role in reforming elements of Islamic law (Buskens 1993, 2008). Specifically, the French influenced the textualization and formatting of Islamic law, not its substance (Buskens 1993). The structure and content of the law shifted when Islamic law was written down and recorded in accordance with French legal standards. One of the most profound shifts stemming from textualization was the loss of many of the oral interpretations of *fiqh*. In the traditional European and French model of legal documentation, only textual references of law were considered valid (Buskens 1993). In the textualization process, variation and historical interpretations of *fiqh* were lost.

Shifts in Moroccan Islamic law due to the colonial influence differed from other countries' experiences where more substantial and direct shifts have been documented.

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[71] Referred to as *dahir berbère.*
[72] For a more detailed history of the legal structure during the French protectorate, see Buskens (2008).

For example, there was a more in-depth blending of colonial and Islamic legal influences in Egypt. Amira El-Azhary Sonbol has explored the colonial influences on shaping and deepening discrimination against women in Islamic law. Sonbol (2003a) shows how colonial law deepened discrimination against women in Egyptian Islamic law. Specifically, Egyptian Islamic law was impacted by colonial laws through the establishment of different courts for distinct classes of people, nationalities, and religious affiliations. In fact, a "hierarchy of 'guardianship' and dependents—guardians being adult males, dependents being females and minors" was established under these reformed courts (Sonbol 2003a:87). The notion of personal status was derived from the Italian language and had nothing to do with Islamic law. In fact, it was adopted to distinguish between property laws and laws related to personal relations. Interestingly, personal status laws in the colonial homelands were being abolished due to their latent sexism. Nonetheless, the discriminatory laws and practices were exported to the colonies, where they were adopted and accepted (Sonbol 2003a).

**The *Moudawana* and Women's Rights**

The old *Moudawana* (1957/58-2004) legislated women's and men's roles and obligations and women's rights within the family. The man was deemed the head of the household, the wife's guardian, and financial provider, establishing patriarchal relations within the family sphere. Moreover, women were not autonomous decision-makers in legal settings and were required to have a male family member, *wali,* sign legal documents, such as marriage certificates, on her behalf. Other restrictions on women's rights included the right to unilaterally divorce, to share head of household responsibilities, and to gain equal inheritance.

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These laws set up a normative system for interactions within the family, which differentially valued men's and women's contributions. Leila Ahmed (1992:242) highlights the way in which these laws are based on patriarchal systems of social organization: "Family law is the cornerstone of the system of male privilege set up by establishment Islam. That it is still preserved almost intact signals the existence of enormously powerful forces within Middle Eastern societies determined to uphold male privilege and male control over women." These discriminatory national contexts are the historical result of an amalgamation of traditional and patriarchal practices, including feudal, colonial, and national legacies, which aim to control and legislate women's lives and bodies (Moghadam 2003; Mashour 2005). Feminist activists in the Maghreb detail the various influences on Islamic law:

> Historically, Islamic law has been shaped on the Arabian peninsula in a tribal and patriarchal society, structured on the preeminence of agnatic lineage groups (i.e. kinship through male descent) and the preeminence of the father within that group. As with any other historical production, Islamic law was formed through the intertwining of that which was newly established (Islam and its text) and that which was handed down from the past or borrowed and adapted to the needs of the growing community...This complex and progressive construction, based on the interpretation of sacred sources, as well as on awareness of the special circumstances that brought about this law's birth and development was abruptly halted in the fourth century of the Hejrah (10th century A.D.). This was based on "the theological and political" grounds that the door of *ijtihad* had been closed, which meant ending the legislative effort and halting doctrinal interpretation. Since that time, Islamic law has become ossified under the weight of theological dogmatism and legal scholarship (Collectif 95 Maghreb Egalité 2003:13-14).

Reformist feminist activists in the Maghreb have argued that the Quran, the *hadith*, and the tradition of the Prophet, the *sunnah* has been subject to a masculine and conservative interpretation (Collectif 95 Maghreb Egalité 2003). Moroccan activists are careful not to refer to the *Moudawana* as *sharia*, but rather as Islamic law due to the

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underlying ideological implications of these terms. Hirsch (2006) explains the very important distinction between the terms *sharia* and Islamic law, as the two words are often used interchangeably, particularly in the West. Islamic law is seen as being derived from the holy texts of Islam and often from other secular and tribal influences as well. However, *sharia* denotes a religious and sacred legal perspective: "Islamists in particular would argue that *shari'a* invokes the divinely inspired dimension and not the creations of humans, such as the Islamic legal principles of current legal systems or even, for some, the schools of jurisprudence (*madhhab*) that have figured so prominently in Islamic legal scholarship" (Hirsch 2006:167). This difference is paramount to the feminist activists' reform agenda and to the creation of politicized identities and discourses as seen later in the chapter.

**The Emergence of Civil Society and the Women's Movement**

It was in the climate of state-sponsored democratization in the latter years of King Hassan II and with the opening of political spaces that a strong civil society base for the women's movement began developing. After the death of King Mohamed V, his son Hassan II ruled Morocco until 1999. There was a great degree of political repression under King Hassan II's rule, particularly in the earlier years. This time period was characterized by the imprisonment, torture, and the arrest of political opponents. These massive human rights abuses are still being investigated today.[73] Periods of heightened repression occurred during failed coup attempts in 1971 and 1972. King Hassan II also marched into Western Sahara annexing this land as Moroccan and stimulating a conflict with the Algerian pro-independence forces, the Polisario Front.

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[73] In 2004, King Mohamed VI set up the *Equity and Reconciliation Commission (IER),* a truth and reconciliation commission to explore the human rights abuses made by authorities between 1956 and 1999. This was the first human rights commission of its kind in the Arab states.

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In the 1980s, the country undertook a structural adjustment program (SAP) under advisement of the World Bank and IMF to eliminate debt and begin working toward a free market economic structure.[74] Some of the political and economic policy shifts were due to the King's desire to maintain close ties with Europe, which included a 1987 bid for European Union membership that was rejected on regional grounds. During the latter part of King Hassan II's rule in the 1990s, he began a gradual process of political liberalization reforms aimed at democratizing some of the political processes through constitutional reform. Among some of the reforms, the King separated the power between the legislative and executive system and, through constitutional reforms in 1996, established a bicameral parliament.

In the 1990s after international criticism regarding past human rights violations, King Hassan II established a human rights council. Concurrently, more voice was allowed from opposition groups to the King through the established political party system. Yet, King Hassan II was criticized by international actors as not truly instilling democratic structures, since he still retained ultimate authority over political and legislative decisions.[75]

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[74] For a discussion of the legacy of the SAP on Morocco's economic condition through the 1990s to 2001, see Denoeux (2001).

[75] Denoeux and Maghraoui (1998:130) highlight the paradox of state sponsored democratic opening and its impact on legislative and policy negotiations that occur in the country: "The move toward a more democratic, participatory and accountable form of government - one that tolerates an expanded role for civil society and is better capable of satisfying part of its demands - may even be predicated on the system's ability to resort to royal arbitration. In part, this is because royal arbitration becomes the only mechanism available to settle potentially polarizing issues on which there is considerable disagreement within civil society or between civil society and the state. Similarly, the authority and legitimacy of the king were instrumental in making possible such significant steps toward democracy as the 1992 constitution and the 1996 constitutional amendment. Ironically, therefore, further democratization in *Morocco* may depend, for a while at least, on the occasional resort to nondemocratic ways of exercising authority".

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While evidence of a Moroccan women's movement dates back to the 1946 at independence,[76] these new political and economic shifts ushered in the rise of women's advocacy groups. In the early 1980s, human rights advocacy organizations were limited due to government pressure. However, more groups gradually began to emerge in the next decade (Buskens 2003). In this next generation, feminist associations began to play a central role in shifting dominant socio-legal norms.  While some of these organizations were closely affiliated with political parties at their founding, over time the associations evolved to be partially or completely autonomous from partisan structures. Examples of such organizations are Association Démocratique des Femmes du Maroc (ADFM) established in 1985 and Union de l'Action Feminine (UAF) established in 1987.  These NGOs focus on matters of gender discrimination, civil rights, violence against women, and sexual harassment (Naciri 1998). ADFM was a central part of the reform efforts and an organizational hub for bringing together a number of NGOs and creating joint coalitions and networks, such as the *Printemps de l'Egalité* (Spring of Equality Coalition) and the regional, *Collectif 95 Maghreb Egalité*. The strategies that these organizations developed in light of political openings and closings in the *Moudawana* reform efforts are the focus of the rest of this chapter.

The feminists' objective was to demonstrate that gender equality could be reached in a Muslim country (Lemrini 2005:PI).  The main goal was to reform the *Moudawana*, such that women had the right to legal and familial autonomy as evidenced through shared head of household and autonomous legal decision-making status. Additionally, the activists demanded that women were to be free from threats of repudiation or polygamy

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[76] See Sadiqi (2008:325-326) for a detailed description of the first feminists in Morocco, largely connected to the Istiqlal (Independence) party.

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and should have equal rights to men in inheritance, divorce, age of marriage, and custodial matters (Naciri 2007:PI). Feminist arguments emerged calling for equality between men and women as a fundamental prerequisite for achieving a democratic society, respectful of human rights (Naciri 1998).

> …the defenders of the patriarchal system have taken the feminists' discourse for what it was: a radical questioning of written and unwritten laws which structure political and social order in the Maghreb. By defending their specific rights, Maghrebian women have, furthermore, extended the scope of the struggle for democracy. Their claim for equality between the sexes clearly poses the question of the kind of democracy sought by opposition institutional forces…But by questioning the social order based on the discrimination against women, they [feminists] contribute to undermining its ideological foundations. (Collectif 95 Maghreb Egalité 2000:58).

Feminist activists focused on gender equality through law reform in order to institutionalize women's rights and as a first step toward shifting gender norms and relations.

However, the women's movement was not the only group to prosper under new political openings. The Islamists also gained strength from the political opportunities and posed a strong threat to the women's movement's achievement of its goals. The political Islamists framed the reforms proposed by the women's movement as influenced from the West with the goal of destroying Moroccan society and Moroccan family values. Their longer-term political plan entailed Morocco moving forward toward the goal of establishing an Islamic state (Guessous 2007:PI). Islamists found allies in traditionalist and conservative religious groups who argued for a close interpretation of Islamic principles and stated that any revision made to the Personal Status Code would be against Islam. They countered that in place of reforms there should be greater respect for the

traditions of Allah and the religion itself. Both conservatives and Islamist political groups

used religion to persuasively reject the women's rights activists' claim of equality within

the family.

Sadiqi (2008:330) notes:

> Liberal feminists quickly realized that Islamists targeted women,
> especially the lower classes, through their call for veiling and their
> carefully packaged discourses that comforted the patriarchal tendencies
> among men, especially young unemployed males who were easily led to
> think that women's work outside the home robs them of opportunities.
> They also realized that by pushing politicized women to demand rights
> from a religious perspective, they were trying to hijack the discourse,
> space, and fruits of years of efforts by liberal feminists.

The growth of both the feminist and Islamist movements throughout the 1980s set the

stage for a contentious battle over *Moudawana* reform in the 1990s.


**Early Campaign Successes in the *Moudawana* Reform**

In 1992-1993, the feminist activists met their first wave of successes. In order to

organize public support for the *Moudawana* reform, the Union d'Action Feminine

(UAF), through its newspaper *8 Mars* on March 3, 1992, launched a grassroots campaign

to obtain a million signatures to support a petition in favor of the *Moudawana* reforms.

This petition was a great success, with UAF obtaining over a million signatures,

illustrating significant public support of legislative reform. The combination of women's

rights grassroots' mobilizations through the *One Million Person Signature Campaign* and

through activists' political lobbying led King Hassan II to establish a commission to

investigate potential *Moudawana* reforms in 1992 (Buskens 2003). King Hassan II used

his role as "commander of the faithful" to invoke *ijtihad,* or religious interpretation,

which situated the reform effort in an Islamic framework (Buskens 2008). The

commission's feedback led to minor amendments being made to the *Moudawana* in

1993.[77] While the amendments did not grant any substantive changes in women's rights,

the symbolic act of reforming Islamic law was very significant (Buskens 2003; Lemrini

2005:PI). Activists saw the reforms as a critical success for future reform efforts. Once

the *Moudawana* had been amended, activists could leverage the fact that it was no longer

an unalterable text (Lemrini 2005:PI). A veil of sacredness had been broken down in the

process of the 1993 reform.

During this time period there were also regional efforts of coalition building

initiated across the Maghreb. Specifically, the *Collectif 95 Maghreb Egalité* (hereafter

referred to as the *Collectif 95*) was created from 1991-1992 to actively reflect on and

propose reforms to family legislation in the Maghreb. The *Collectif 95* is a coalition of

women's activist organizations, intellectuals, leaders, and researchers from three

countries, Algeria, Tunisia, and Morocco.[78] ADFM in Morocco coordinated the *Collectif*

*95's* work for ten years. The *Collectif 95* drew upon experts in different fields, such as

legislators, activists, and educators and formed a theoretical foundation for its project to

reform Maghrebian family laws, also called the *100 Measures*. The document was

produced in the time leading up to the 1995 Beijing Fourth Conference on the Status of

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[77] Some of the more substantial changes in the 1993 reform were the following: a woman must consent to marry by signing a registry witnessed by officials that are appointed by the Minister of Justice, a father could no longer compel his daughter to marry, a mother was ensured legal guardianship of her child, as well as minor clarifications made to a husband's maintenance or *nafaqa*. These reforms were considered superficial because the major issues of concern to women's rights activists, i.e. marital tutorship, polygamy, divorce, and repudiation, were left virtually untouched (Buskens 2003).

[78] The main non-governmental human and women's rights organizations involved in the founding of the *Collectif 95* and its efforts at family law change include: Algeria: Association pour la Promotion des Droits des Femmes (APDF) (Association for the Promotion of Women's Rights); Association Indèpendante pour le Triomphe des Droits des Femmes (AITDF) (Independent Association for the Victory of Women's Rights); Morocco, Association Démocratique des Femmes du Maroc (ADFM) (Democratic Association of Moroccan Women); Tunisia, Association Tunisienne des Femmes Démocrates (ATFD), (Tunisian Association of Democratic Women); and Association des Femmes Tunisiennes pour la Recherche et le Développement (AFTURD) (Tunisian Women's Research and Development Association).

Women for lobbying purposes. An Algerian member of the *Collectif 95*, Caroline Brac de la Pérrière (2007:PI) highlights the starting point for the Maghrebian code.

> We agreed that we would not accept anything less than the rights guaranteed in the Tunisian law. We were from the same culture - the Maghreb - so we felt that we should not have discriminatory laws [as existed in Morocco and Algeria] when Tunisians enjoy equality [in most spheres of their life].

The *100 Measures* document became the basic level of shared understanding that the *Collectif 95* and many feminists activists in Morocco started with in rewriting new egalitarian laws (Brac de la Pérrière, 2007:PI; Naciri, 2007:PI).

**Contentious Discourses: The Battle over Referents**

The Moroccan political context began more positively shifting in favor of Moroccan reformist feminist activists in the late 1990s. There were some major political changes that opened up opportunities for the women's reform movement. A key shift in the Moroccan women's movement campaign effort occurred with a change in political leadership (Buskens 2003). Following the legislative elections in 1997, the *Union Socialiste des Forces Populaires* (USFP) a Socialist opposition party came into political power, holding 57 of 325 seats.[79] Following this victory, in early 1998, King Hassan II appointed Abderrahmane El Youssoufi, (Secretary General of the USFP party) to the Prime Minister position.

Building upon these opportunities, the women's rights activists aimed to create a collective national platform, which could then be adapted for local, regional, or national mobilization and campaign efforts. The outcome of this vision for legal change was the *Plan of Action for the Integration of Women in Development* (PANIFD) (Plan d'Action pour l'Intégration des Femmes au Développement), which integrated the tenets of the

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[79] An Islamist political party also enjoyed its first election to parliament in 1997. In 2007, the Islamist PJD gained 46 seats in Parliament, finishing second to the nationalist Independence party, 52 seats.

Beijing Platform. Eight of the two hundred and fourteen measures were related to the revision of the *Moudawana*. On March 19, 1999, Prime Minister Abderrahmane el-Youssoufi publicly supported PANIFD.

The political opportunity for women's voices to be heard further increased when King Mohamed VI assumed office in 1999 after the death of his father, King Hassan II. King Mohamed VI was more supportive of women's equal rights, democratic reforms, and economic liberalization (Buskens 2003). A significant portion of the population held high hopes for improving their quality of life, so much so that the public characterized him "the king of the poor" (Buskens 2003:94). In an address to Parliament in 1999 after ascending to the throne, King Mohamed VI publicly supported women's quest for equality: "How can society achieve progress, while women, who represent half the nation, see their rights violated and suffer as a result of injustice, violence and marginalisation, notwithstanding the dignity and justice granted them by our glorious religion?" [80] After the speech, the King began instating a number of women to high-profile positions (Sadiqi and Enaji 2006). In this context, women's status and political participation in Morocco were increasing. Leveraging the openings, the women's movement increased the frequency of their demands for equitable *Moudawana* reform. Yet, though there were political openings, this was also a time of strong public and religious opposition.

Extreme backlash from the conservative and Islamist groups arose in response to state support for *Moudawana* reform and specifically to Prime Minister el-Youssoufi's support of PANIFD in March 1999. The League of Oulema of Morocco was angered

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[80] King Mohamed VI reiterated this sentiment in a 2003 speech as well.  See http://www.mincom.gov.ma/english/generalities/speech/2003/ParliamentFallSession101003.htm for the full transcript.

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because they were not consulted before the government supported the measure and therefore, they insulted women's rights activists and supporters of PANIFD deeming them heretics (Buskens 2003). The League of Oulema opposed the reform because they believed it contradicted the *sharia*, Quran, and *sunnah*. Additionally, Islamist feminists framed the liberal feminists' goal of reform as being outside of Islam. Iman Ghazalla (2001) notes that prominent Islamist feminists, such as Jamilla Messala from the Association of Renewal of Women's Consciousness, described PANIFD as rejecting Islamic specificity by using the discourse of international human rights under the umbrella of the United Nations. Taking this notion one step further, activists from the same organization argued that the feminist claims for gender equality stated in the Plan actually suppressed Islamic identity, cautioning: "…This could lead to the eventual abrogation of the definitive texts of Islamic law and their substitution with the rules of the United Nations." (Ghazalla 2001:3 on Bassima el-Haqqawy).

Liberal women's rights groups responded that religious scholars did not have the absolute right to interpret Islam and that true democratization would result from reinterpretations of Islamic law (Buskens 2003; Lemrini 2005, 2006:PI). During this time, the Conservatives and Political Islamists joined forces forming an opposition network, National Group for the Protection of the Moroccan Family (*Organisme national pour la protection de la famille Marocaine)*. The group launched a powerful opposition campaign mobilizing and disseminating conservative ideology through mosques and within other shared cultural spaces such as in the *medina* (old city), *madrasas* (religious schools), popular media, and political arena (Buskens 2003; El Habti 2007:PI; and Guessous 2007:PI). Soon thereafter, the government withdrew its support for PANIFD.

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The opponents to PANIFD were framing the anti-plan platform in terms of the preservation of the family and Islamic identity. This strategy resonated with a wide range of political and ideological positions. In fact, opposition to the Plan consisted of a broad constituency that even included some individuals from more progressive parties, such as the socialist USFP party, in addition to the religious conservatives and Islamists (Salime 2005). In the face of this setback, women's rights associations in Morocco organized two networks of NGOs in 1999. The first was called the Network of Support for PANIFD (*Réseau d'appui au PANIFD*) that advocated for the adoption of the action plan by the government. The Network encompassed over 200 human rights, women's rights, and development associations who supported and promoted the measures put forth in the plan of action (Lemrini 2005:PI). The Network of Support for PANIFD took on a public mobilization and political role in promoting the plan to show that extensive support for women's rights existed in the country and that it was primarily mobilized through civil society organizations. The second network formed in 1999 was the Front for the Defense of Moroccan Women's Rights (*Front de Défense des Droits Des Femmes Marocaines*) and consisted of more than 50 women's associations. The Front, in order to show mass support for PANIFD, focused heavily on mobilizing trade unions and cultural organizations along with women's groups to garner national and international support for the reform efforts and against the Conservative Islamists' hostile actions to women's rights groups. While the networks pursued separate actions, they were also complementary and initiated common actions, such as mobilizing support for the Rabat march of 2000, as described below.

Framing issues of *Moudawana* reform in terms of Islamic identity struck a deep chord with the broader Moroccan public and drew support away from the women's reformist agenda. In fact, the countermovement's mainstream influence on the public debate was so powerful that religion became the primary focus of framing contests (Lemrini 2008; El Habti 2007:PI; Buskens 2008). Conservatives and Islamists labeled women's rights activists as "un-Islamic" (Lemrini 2005: PI; El Habti 2007:PI). The opposition made declarative statements such as "Islam is in danger" in response to the activists' demands for reform (Lemrini 2005:PI).

The intensity and broad influence of the countermovement's messages were revealed in a critical culmination of mobilization events in 2000. The women's movement had organized a march in Rabat to support International Women's Day and the Moroccan women's struggle for equality in legislation. Estimates place turnout at around 50,000-100,000, including moderate men and women. The countermovement mobilized a powerful countermarch, estimated at around 500,000, in Casablanca against the *Moudawana* reform and the PANIFD. Raja El Habti (2007:PI) recalls:

> Not only did they [conservatives and Islamists] rally their constituency and people in the party, but also the average Moroccan...women in jeans marched against the plan [PANIFD and more broadly, *Moudawana* reform]. It was not about covering up and it was not about belonging to a political party. It was about religion and the attack against their religion and they believed that they should make their voices heard.

Signs at the Islamist rally strongly positioned the reformist feminist activists as the "other" and as Western influenced. Slogans included: "'They march for the international community, we march for our nation;' 'Their march is international, ours is national;' and 'They are funded by the World Bank, we are self-funded' …" (Salime 2005:95). Raja El Habti (2007:PI) notes that many opposition forces were arguing that

the reform was "some Western conspiracy to destroy Moroccan society and religion." The opposition groups to PANIFD were carefully constructing arguments that positioned the reformist feminists as outsiders, interlopers, and as out of touch with Moroccan values, and as such, they should not make claims on *Moudawana* reform. Dichotomies between "secular versus religious" and "Western versus culturally authentic reform" were easily mobilized by the countermovement, as Taylor and Whittier (1992) describe creating distinct "us versus them" boundaries. It is important to note that the opposition used the fact that activists were receiving international funding against them in this context, as explored in depth in Chapter 2. For the countermovement, foreign funding was a primary means to validate the Western push behind the feminists' messages. The primacy of international funding in constructing and validating the countermovements' arguments depiction of the cultural inauthenticity of the movement cannot be overstated. These were very powerful strategies for tapping into histories of colonialism and the need for national resistance and strength in Muslim identity. Likely, framing attempts such as these led activists at ADFM to ask funders not to be publically named in campaign events in Morocco and beyond due to the intense framing efforts of the countermovement, as previously discussed. The focus on the activists' connection to the international community shows how foreign support can be both a constraining and enabling resource, echoing findings in Chapter 2.

The countermovement's successful framing of national identity and sovereignty was quite potent and the loss of state support for PANIFD was a significant setback for the feminist movement. However, in the period after these setbacks, the activists aimed to lobby and position itself with the state, understanding that the state would not support the

Islamist groups rising power (Sadiqi 2008:332). According to the reformist activists, at the base of the opposition's arguments were notions of Islamic patriarchy, which were rooted in claims of cultural particularism. This strategy aligned with politicized religious opposition across the MENA that have legitimated women's inequality by "seek [ing] justifications [for not reforming laws] by applying conservative or literal interpretations of various Quranic texts or by abstracting certain passages out of their context" (Mashour 2005:565).  Therefore, the feminists' subsequent strategies would more prominently highlight the spirit and goals of justice and equality within Islam and calling for *ijtihad* and textual reinterpretation (Lemrini 2005:PI; Naciri 2007:PI; Sadiqi 2008).

**Feminists' Adaptive Strategizing**

Following the controversial public demonstrations of women's rights activists and opponents, King Mohamed VI decided in March 2001 to deal with the *Moudawana* reform in his capacity as "commander of the faithful." The King invited forty important female leaders from Moroccan women's organizations and political and social movements to provide recommendations for reform. In order to ensure consistent lobbying given the new political developments, a group of activists formed a new coalition in 2001 called *Printemps de l'Egalité* (or the Spring of Equality network).[81] The network demanded changes in the Personal Status Code, including the eradication of marital tutorship, an increase in women's age of marriage to 18 (equal to the age of marriage for men), the allowance of divorce, the establishment of equality in marriage, and the abolishment of polygamy. The network gave priority to advocacy and media campaigns aimed at the public regarding women's status and rights (ADFM 2003). More limited in scope, this smaller coalition aimed to establish a network to advocate for the

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[81] Printemps d'Egalité was initially composed of nine women's organizations, but eventually grew to 30.

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reform of the *Moudawana* and more closely monitor the situation and its developments. In 2001, the *Printemps de l'Egalité* network sent King Mohamed VI a memorandum with their propositions and visions for reform in the *Moudawana*. The network facilitated strong, continuous, and relevant use of the mass media in order to apply and maintain pressure on decision makers.

Activists at ADFM also drew on their transnational feminist ties. In particular, as members of the WLP, ADFM invited the network in mid-2001 to be the first international organization to support the appeal to reform the *Moudawana.* Reaching out to international networks of support was a critical decision, particularly due to the opposition's claims of external influence in the feminist movement. However, given the WLP Partnership's focus on Muslim-majority countries, the NGO was perceive as a regional ally. WLP wrote a petition of support for the *Moudawana* reform to the Prime Minister Abderrahmane el-Youssoufi and sent it to their international network of NGOs, activists, academics, and policy makers. Over 200 activists, academics, and organizations joined Moroccan NGOs in support of their quest for increasing women's rights. Rakhee Goyal, Executive Director of WLP, recalls the letter that Mahnaz Afkhami, Founder of WLP wrote to el-Youssoufi. "We actually got a response back and he indicated that they were very appreciative of support from the rest of the world and from the MENA region at the time." Importantly, this transnational support came at a strategic time chosen by the Moroccan feminists after their mobilization strategy had been developed and, as political opportunities were ripe for international visibility.

The efforts of the various feminist domestic and regional networks were successful in mobilizing an official response from King Mohamed VI. The King created

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the Royal Advisory Commission (hereafter referred to as the Commission), which was responsible for the reform of the *Moudawana* in 2001. The Commission was composed of 16 religious scientists, lawyers, sociologists and doctors, whose perspectives ranged from liberal to traditional. Three members were women from highly respected professions. This Commission met regularly between 2001 and 2004.[82] King Mohamed VI asked the Commission to follow three principles in coming up with recommendations for the *Moudawana* reform: (1) to keep with the founding principles of Islam, or *maqasid*; (2) to invoke *ijtihad*, or religious interpretation, from any religious tradition or school, if necessary; and (3) to maintain international principles of human rights as mentioned in the Moroccan constitution (Guessous 2007:PI).[83] The Royal Commission was to pass their recommendations on to the democratically elected parliament who would vote on the reform. This was the first time that legal reform occurred not through Royal decree, but rather through using more democratic means of debate and legislative vote (Naciri 2007:PI).

Nouzha Guessous, Professor of the Faculty of Medicine, women's rights activist, and a member of the Commission to Reform the *Moudawana*, describes the reform process. The Commission embarked on a three year reform and analysis process that consisted of multiple phases. First, the Commission held open hearings and received delegations of representatives from over 80 local women's NGOs, associations, and departments. Each organization shared its perspective on the *Moudawana* reform and offered its recommendations for changes. In total, the delegation process lasted

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[82] In 2003, King Mohamed VI nominated a new President to the Commission and a more open dialogue followed.
[83] Interestingly, the second principle set forth by the King, *ijtihad*, was an important part of the reformist activists' layered framing strategy, as subsequently explored.

approximately nine months. During the second phase after the hearings, the Commission

met to analyze each article in the old *Moudawana* and discussed the proposals put forth

by the different constituents.  This process involved in-depth negotiations and debates.

There was considerable debate among commission members. Some members believed

they should take into account different organizations' and associations' proposals in the

rewriting process. Others felt that the hearings were merely for educational purposes and

had no binding character (Guessous 2007:PI).

Despite the promising political openings with the establishment of the

Commission, the strong countermovement still blocked reform. It was important that the

Moroccan women's reformist movement reach the grassroots and establish cultural

legitimacy. They began to reformulate their discursive frames based on the constraints

they had faced thus far (Lemrini, WLP 2008b).

*Diverse Argumentation for Law Reform*

As Raja El Habti (2007:PI), key religious strategist to ADFM and the *Collectif 95*,

explains the turning point for the women's movement was after the 2000 march in Rabat.

The feminists re-visited their discursive claims, framing tactics, and mobilization

strategy.  After the *100 Measures* had been prepared, the *Collectif 95* realized that

activists often lacked tangible tools which they could use to frame their debates, counter

the opposition, and mobilize support. In order to more effectively communicate the need

for egalitarian laws to the public, in 2001, the *Collectif 95* created a complementary and

comprehensive strategy for arguing for family law reform (Collectif 95 Maghreb Egalité

2003). In order to address these challenges, the coalition drafted the *Guide to Equality in*

*the Family in the Maghreb* (*Dalil pour l'égalité dans la famille au Maghreb*).[84] The

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[84] The book, originally published in 2003 in French and Arabic, was recently translated into English by WLP.

*Guide for Equality* is an activist's resource that provides arguments for family law reform from sociological, human rights, religious, and legal perspectives. Eleven key issues in family legislation in the Maghreb are addressed in the *Guide to Equality,* such as the legal age of marriage, the ban on polygamy, the duty to obey, and the obligation to support the family. There is a review of the current Personal Status Codes in Algeria, Morocco, and Tunisia and justifications for achieving legal equality from the four different perspectives. Within the Moroccan context, the *Guide to Equality* was used to document past legal shifts and justifications for religious reinterpretation of Islamic law or the multiple interpretations of *fiqh*.

Rabéa Naciri (2007:PI), Former President of ADFM, describes the fundamental premise of the feminists' position:

> From the 80's, we chose not to separate our universal rights frame of reference from the religious frame of reference in our campaign arguments, based on the following two main ideas: Islam is not opposed to women's equality and dignity and should not be presented as such; on the contrary, it is an equity and justice religion; and Islamic law (*fiqh*) is not the *Sharia*, and we need to distinguish between both. Islamic law is a human and historical production, and consequently, is able to evolve to take account of social developments and to fulfil new needs of Muslim men and women.

This nuanced position could be conceptualized as a bridge between a religious and a secular approach to *Moudawana* reform. This perspective involved producing and disseminating a rationale for the conceptualization of equality within an Islamic framework. The framing also pointed to the emerging democratic ideals in the region as one of the bases for women's legal and social equality. The Moroccan arguments were pragmatic, as activists included issues that would be most likely to reach a broad consensus among their democratic and modernist allies. Such non-negotiable issues

included head of the family status, abolition of the woman's obedience duty to her husband, and elimination of marriage guardianship. On the other hand, issues such as equality in the inheritance and marriage of a Muslim woman to a non-Muslim man were not included in the list of claims, for political and social reasons (Naciri 2007:PI). [85] Not only was there a clear and tangible rights-based vision outlined, but the women's rights activists used the religious and political sentiments of the time to forward their objectives (Naciri 2007:PI).

Within this approach, feminists highlighted religious argumentation as one piece of the discursive framing method, yet one that could be differentially employed, depending on the target audience and the activists' overall strategy (Brac de la Pérrière 2007:PI; El Habti 2007:PI; Naciri 2007:PI). The strategic choice to highlight religious discursive strategies was not without contention with activists in the *Collectif 95*. Some feminists in the coalition wanted to draw attention away from religion and focus on increasing attention to processes of democratic deepening, national legal norms, and international human rights realities (Brac de la Pérrière 2007:PI). There was considerable debate on the topic, but ultimately there was consensus on the importance of religious discourses, particularly in light of the cultural realities and strong religious opposition (Lemrini 2005:PI). Ghazalla (2001:19) interprets the *Collectif 95's* strategy:

> While women's liberation is linked to their liberation from religion, it is necessary to distinguish between two levels of Islam. Islam as belief and as a cultural and civilizational heritage should be left intact, but Islam as a legislative system produced by jurists should be changed. Since the modern ideology reflected in human rights represents universally shared

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[85] Citizenship and women's inheritance were not included in the activists' *Moudawana* reform campaign. As such, a few months before the adoption of the new family law, ADFM issued a political document called 'Reform is necessary and achievable' that addressed these issues.

cultural norms, it is necessary to urgently change national laws in accordance with international standards such as CEDAW. *Collective 95* recommended an alternative legislation to the *Moudawana* that is secular, as well as adapted to the Islamic referent.

Ghazalla separates the cultural and legislative aspects of Islam and argues that it is the legislative aspects, which are to be reformed. Additionally, Ghazalla highlights the bridging role of the *Collectif 95*'*s* framing strategy. These distinctions are particularly important as they relate to the ideological and institutional dimensions of Islamic law.

**Strategic Framing: Re-appropriating the Religious**

The following section presents an example of the discursive framing that was used by activists in arguing for reform of the *Moudawana*. Articles from the *Moudawana* related to the "duty to obey" principle are used as the foundation for analyzing the activists' discursive framing tactics. I then show how these tactics led to more nuanced argumentation for the necessity of women's equal rights in Moroccan society.

*The "Duty to Obey" Principle*

The following codes in the old *Moudawana* (1957/58-2004) highlight the principle of the duty to obey and the husband's position as head of household.[86]

> Marriage is a legal contract.... The goal of marriage is a life of fidelity and purity and the desire to procreate, by establishing on stable foundations and under the direction of the husband, a home that allows the husband and wife to fulfill their mutual obligations in safety, peace, affection and mutual respect. (Article 1)

Article 36 further highlighted women's roles in the relationship and the subordination of women to men in the marital relationship.

> The husband is entitled to expect his wife to: be faithful; be obedient in accordance with acceptable standards of behavior; nurse the children born to the couple, if possible; allow him to oversee the running and

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[86] Old *Moudawana* article references have been taken from the Collectif 95 Maghreb Egalité's (2003) *Guide to Equality in the Family in the Maghreb.*

organization of the household; be respectful of his father, mother and close relatives.

From these articles, the patriarchal normative trend for the duty of the wife to obey her husband was established. Practically translated, these articles had considerable impact on women's right to autonomy, control over their sexuality, work, and freedom of movement (Collectif 95 Maghreb Egalité 95 2003).

In comparison, the following article was written by Maghrebian feminists in the *100 Measures* document as an alternative, progressive article describing the relationship between husband and wife. [87]

> Husbands and wives owe each other mutual respect, fidelity and assistance. Together, they shall manage the family, raise and protect the children and choose the family home. They must avoid causing each other any kind of harm whatsoever (Collectif 95 Maghreb Egalité 1995: Article 23).

This article secures equality in terms of the roles and responsibilities within the marital relationship, which is based on deep respect. The feminists' proposition for new legislation differed drastically from the laws in the old *Moudawana*. Given the normative gap in the values and rights put forth by activists in the *100 Measures* and those in the old *Moudawana*, activists believed it was necessary to have a comprehensive communication strategy with multiple forms of argumentation to support their campaign.

*Religious Framing through Ijtihad*

The activists argued against gender inequalities found in Articles 1 and 36 in the old *Moudawana*, by claiming that Islamic verses that supported the "duty to obey"[88] were

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[87] In order to strengthen the movement's demands, in 1995 the *Collectif 95* developed a *Hundred Measures and Steps for Egalitarian Legislation of Family Relations in the Maghreb*. The document put forth 100 article propositions for an equitable and discrimination-free *Moudawana*.

[88] Verse 34 of the surah Al-Nisa: "Men have authority over women because Allah has made the one superior to the other, and because they spend their wealth (to maintain them)" (as seen in the Collectif 95 Maghreb Egalité 2003:74).

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largely based on *ijtihad*. Specifically, the activists cite a religious scholar in support of his

position regarding the multiple interpretations of the "duty to obey" in different schools

of Islam.

> In this respect, Ibn Hazm, in discussing the ahadiths follows: Some people have
> offered differing points of view on the subject that we have just mentioned and
> have advanced worthless information (al-Muhall·:volume 7, part 10, pages 332-
> 334) (Collectif 95 Maghreb Egalité 2003:74).

> The *Collectif 95* (2003:16) also highlighted the human interpretative dimensions

of Islamic law:

> *Fiqh*, a product of the human intelligence of the great doctors of law and
> their students that is sustained by various contributions, did not escape the
> laws of diversity. Through their very existence, their geopolitical bonds,
> their number and the doctrinal differences that oppose them, the legal
> schools attest to this rich diversity and the prolific abundance of ideas.
> Controversy (*ikhtilaf*) fueled the legal debate and gave the various
> opinions their discursive authority and persuasive force. Under these
> conditions, how could preeminence and absolute authority be ascribed to
> the opinion of a single person or school of thought? Through what
> mechanisms were dissenting opinions suppressed? What caused creative
> logic to give way to dogmatic reasoning? What is preventing current
> legislators from interpreting and adapting, just like the founders? Nothing
> that is at all sacred is preventing them in any case.

The Maghrebian activists highlighted the inconsistencies in the different interpretations

of the body of Islamic law and used the various interpretations as support that there was

no singular interpretation of Islamic law.

> The activists also provided alternative *hadith* (the recorded oral traditions of the

Prophet) and passages from the Quran given their positive and equal view of women that

could be drawn upon for persuasive counterargumentation in the public sphere (Collectif

95 Maghreb Egalité 2003:74).

> Such positive and constructive attitudes draw their strength and credibility
> from the love and mercy that are the foundation of the relationship
> between husband and wife in Islam: By another sign He gave you wives

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from among yourselves that you might live in tranquility with them, and planted love and kindness in your hearts. (surah Al-Rum, "The Romans," verse 21)

They are a comfort to you as you are to them. (surah Al-Baqarah,"The Cow," verse 187)

Drawing from *ijtihad* and underscoring the multiple interpretations of Islamic law helps create a religious foundation upon which the reform efforts are validated. In a way, the activists' strategy of *ijtihad* could be seen as an attempt to democratize the religious interpretive process (Pittman 2008). Activists began shifting their discourse to an evolving religious frame to argue for Islamic law reform, which lent itself to the re-writing of equality between men and women. The activists used the material reality of multiple schools of Islamic thought (and thus varying rights for women depending on the school) as a fundamental basis for the very radical claim that there is no *one* sacred textual interpretation of Islamic law. Since there are a variety of interpretations of Islamic law and no one shared law exists across regions, there is a need to align legal interpretations with current social and political contexts. This, in effect, opens the pathway for the activists to broaden discursive framing mechanisms and vernacularize multiple strands of global and local norms and ideologies.

For example, after the Rabat march of 2000, feminist organizations such as the Ligue Démocratique pour les Droits de la Femme began issuing statements such as:

Islam has from the beginning been a religion of justice and equality. On the basis of *ijtihad*, the interpretations laid down in the *Moudawana*, which date from a period of decadence of Islamic scholarship and are closely linked to customary law, can be changed. Equality is not a foreign idea and was defended by Islam long before it became fashionable in the West (Ligue Démocratique pour les Droits de la Femme, 2000, as seen in Buskens 2003).

By using the language of their opponents and by claiming rights to *ijtihad*, the feminists were able to engage in public discussions grounded in religious principles, emphasizing the cultural authenticity of the women's movements' claims.[89] Moreover, it offered activists the means to neutralize the opposition's claims over the religious and cultural arena. The activists were careful to link the religious frame of equality to regional histories, thus distinguishing the women's movement from Western influences and deflecting Islamists' claims of cultural inauthenticity. Moreover, through drawing from *ijtihad*, there was an embedded necessity to align the *Moudawana* with current international human rights law, constitutional law, and sociological realties in Morocco.

**Diversifying Frames: Integrating the Sociological, International, and Constitutional**

I refer back to the articles related to "duty to obey" as an illustrative example of how reformist activists further diversified the arguments to show the necessity of law reform. In addition to religious frames, the activists argued for the abolition of the "duty to obey" based on sociological arguments that these laws were based on historical arrangements where the husband had been deemed the main financial provider. The activists argued that women's roles had shifted in the Maghreb since the writing of the law and that current sociological realities necessitated revisions. They used women's participation in the labor force as an example of the shift in women's economic power, e.g., one third of Moroccan women are in the paid workforce, with 17.5% of women holding head of household status.

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[89] Buskens (2003) has highlighted the Islamists' framing of the women's movement as lacking "cultural authenticity."

Activists also needed to address the countermovement's claim that eliminating the "duty to obey" articles would result in a breakdown of the nuclear family and family values. As such, the Maghrebian activists developed the following response:

> In the collective imagination, it is thought that concentrating power in the hands of the husband and father contributes to maintaining family cohesion and stability. And yet in Tunisia, where the duty to obey was abolished in 1993, the divorce rate is the lowest in the region. Consequently, abolishing the duty to obey does not necessarily lead to a breakdown in the family. On the contrary, the Tunisian example shows that freeing women from marital domination and having a more equal distribution of power between spouses contribute to family solidarity (Collectif 95 Maghreb Egalité 2003:76).

This sociological argument was targeted toward the general public as a counterargument with evidence that family values and the nuclear family itself does not dissolve as a result of family law reform, as seen from the Tunisian experience.

Additionally, the activists constructed arguments for abolishing the "duty to obey" based on international human rights principles to which Morocco was signatory, such as the Universal Declaration of Human Rights, and through their national legislation.

> Everyone has the right to recognition everywhere as a person before the law (Article 6). and All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination (Article 7).

> Article 5 of the Moroccan constitution states: "All Moroccans are equal before the law."

The feminist activists highlighted the discrepancies between international and national legislation that guaranteed women's equal rights and the articles in the *Moudawana*. Activists then leveraged these legal disconnects as additional justification for reform. For example, activists might argue that since the "duty to obey" in the

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*Moudawana* Articles 1 and 36 violated principles of equality set forth in the Moroccan constitution, the law should be reformed to reflect the constitutional principles legally granted to all citizens. By preparing many levels of argumentation, activists could develop context or group specific arguments, further increasing a message's relevance. This was an incredibly useful way to keep their framing strategy flexible and adaptable (Lemrini 2005:PI; Naciri 2007:PI).

**Cross-Cutting Discourses: Lived Experiences, Aspirations, and Law Reform**

One final example of the strategic creation and mobilization of discourses was carried out by the Moroccan *Printemps d'Egalité* coalition from 2002-2003. *Printemps d'Egalité* created a media campaign to raise the public's awareness of the impact of discriminatory laws on women's lives. The campaign developed narratives around legal issues, such as early marriage, repudiation, and domestic violence. Dissemination efforts included sharing the four real case histories of Moroccan women from different backgrounds with the grassroots at demonstrations through the media, rallies, and marketplaces.  Two case studies from the campaign are described below. The case of Kenza, a 32-year-old engineer who is battered asked: "I work. I pay my taxes. I take on my responsibilities in the house. All the same, my husband beats me regularly. So why do I not have the right to ask for a divorce?"

VISUAL 5 ABOUT HERE

Sixty-five-year-old Yamna, who has five children – four of them small – is homeless, and commented: "After all these years, I don't understand …. Yes, I refused to share my house with another [woman], but not to be thrown out on the street, this is unjust."

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VISUAL 6 ABOUT HERE

Each case ended with the slogan: "Building a democratic Moroccan society depends on the respect of women's rights." The narratives used in all of the cases point to a life where women do not experience autonomy, agency, and voice in their families (Pittman and Naciri 2007). However, even while expressing these hardships, the woman in each case strongly questions her position, the lack of justice in her situation, and the inequality she experiences at the hands of male family members.

The closing slogan is particularly important. Moroccan activists were subtly leveraging aspirations of democracy set forth by the state as well as local norms and practices embedded in daily life, i.e., norms regarding decision making power, interactions between men and women, and educational prospects for women. Interestingly, instead of using an international human rights framework to support women's rights, the activists focused on leveraging their historical context and social goals in order to justify equal rights for women, e.g., through highlighting the historical push toward democratic structures in Morocco and pairing the success of democracy with the necessity of women's equality. The blending of broader transnational democratic principles into current political aspirations was a strategic attempt to frame the messages in a manner that would resonate with the public. Simultaneously, this also reflected the feminist activists attempt to publicly pressure the state to keep its commitment to the democratic processes of debate and to ensure the passing of the *Moudawana* through parliament (Lemrini 2005:PI; Naciri 2007:PI).

Another objective of these cases was to provide the public with the motivation for and a rationale behind reforming the *Moudawana*. The activists found spaces to

humanize and shed light on women's status and hardships under the old *Moudawana* using individual narratives. These narratives offer a space to make meaning of the legislation and their relation to Moroccan national identity in a very different way than the Islamists' description of Moroccan identity. Still, there was difficulty convincing men of the necessity of reform and in gaining their support, perhaps due to the privileges the current social system procured for them. Activists framed the gender issues at stake by personalizing major issues in the *Moudawana,* by asking men if they wanted their daughters protected from injustices such as repudiation and domestic violence (Lemrini 2005:PI).

Finally, the narratives help to create a wedge between religious and secular ideology by shifting the debate from a secular-religious binary to a case of human injustice. Analyzing the awareness campaign, it appears that activists were attempting to discursively dismantle hegemonic laws as they related to individual women's lived experiences, by rewriting the possibilities for reform and prefacing women's equality on the nation-state's shared political goals. Finally, by taking individually lived experiences such as these and pairing them with discourses of *ijtihad*, which support the reinterpretation of *fiqh* given the current socio-political realities, Moroccan feminists had a strong counterpoint to Islamists' argumentation.

**The Family Law Reform**

The momentum of support for the *Moudawana* reform radically shifted following the 2003 bombings in Casablanca. The terror act, initiated by a radical Islamist group, resulted in public backlash. The Moroccan public distanced themselves from the Islamists' messages at this time due to the tragedy, thus, opening up a broader space in

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which the feminist discourses could resonate (Mir Hoesseni 2007; Sadiqi 2008). King

Mohamed VI reacted and built on the public fear and outrage by cracking down on

Islamist groups in the country. He began putting pressure on the Commission to move

forward with the reform efforts, using his power as "commander of the faithful" to instate

a progressive and modern family law (Buskens 2008). In October 2003, King Mohamed

VI announced that legal changes would be made to the *Moudawana*. On the February 3,

2004, the new Family Code was unanimously passed by parliament after being presented

by the King Mohamed VI months earlier.

After over 46 years of feminist and activist contestation of institutionalized

gender inequality, the *Moudawana* was fundamentally altered.  The major changes to the

*Moudawana* included: the abolition of marital tutorship, the elimination of the principle

of obedience to the husband, the establishment of joint responsibility between husbands

and wives within the family, opportunities for mutual spousal divorce, the establishment

of 18 as the legal age for marriage for both men and women alike, the expansion of legal

guardianship rights for women (e.g., at 15 years of age, children have a choice of which

parent to stay with as their primary guardian and if a woman remarries she can have

custody of the children until they reach seven years of age), judicial discretion is to be

applied in cases of polygamy, and inheritance from maternal grandfathers as well as from

paternal grandparents is allowed for grandchildren.

The following excerpts from the preamble of the reformed *Moudawana* in

February 2004 highlight the major changes to enhance women's rights.[90]

> Adopt a modern form of wording and remove degrading and debasing
> terms for women. Place the family under the joint responsibility of both

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[90] *Moudawana* translated into English by Human Rights Education Association (HREA) www.hrea.org. Retrieved January 15, 2008.

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spouses, given that 'women are men's sisters before the law' in keeping with the words of my ancestor the Chosen Prophet Sidna Mohammed, Peace Be Upon Him, as reported, 'Only an honourable person dignifies women, and only a villainous one degrades them.

The *Moudawana* reform also substantially impacted the "duty to obey," rendering it dissolute. The following articles of the reformed Family Code demonstrate how the language and normative expectations for the marital relationship had been altered by the reform. Under the revisions, the article addressing the purpose of marriage (Article 1 as seen above) was changed to:

> Marriage is a legal contract by which a man and a woman mutually consent to unite in a common and enduring conjugal life. Its purpose is fidelity, virtue and the creation of a stable family, under the supervision of both spouses according to the provisions of this *Moudawana* (Article 4).

The reformed *Moudawana* is considered to be more progressive than the past law; although, in no way is it considered a perfect law (Naciri 2007:PI).

**Implications of the Reform**

The reforms provided essential legal changes for institutionalizing women's rights and autonomy within an Islamic framework (Lemrini 2005:PI). At the individual level, some of the most important changes were the co-responsibility between husbands and wives within the family, along with the abolition of the duty of obedience. Taken together, these changes supported women's full, equal, and autonomous participation in their private and public lives. Through the alterations to the Family Code, religious law was no longer seen as sacred and untouchable, but rather open to reinterpretation based on principles of equality within the Quran as well as more universal principles of dignity, freedom, and equality. The adoption of the new Family Code in 2004 represented a turning point for Moroccan women as well as for the entire society (Naciri 2007:PI).

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However, even with these successes, significant legal and social challenges still exist. Even though the reforms increased women's equality in the family, the ban on polygamy was not outlawed and inheritance issues were not addressed (Lemrini 2005:PI; Wuerth 2005). In fact, Nouzha Guessous (2007:PI) notes: "There are many contradictions within the new *Moudawana*. Many of these contradictions occurred due to the article revision process." For example, Guessous noted that the *Moudawana* is not a coherent code because the Commission was not able to analyze articles in relation to each other. Therefore, there was no transparency or consistency between different articles in *Moudawana*. The most important contradiction to these laws in Guessous' opinion is that despite the proclamation of equal responsibility between the husband and wife in the family,[91] the legal representation of the children is still exclusively granted to the husband, except in the case of his absence or in case of an emergency where the mother can represent the father and make decisions for the children. Additionally, the law does not stipulate the sharing of *nafaqa,* or family maintenance and financial support, between spouses.[92] Due to these inconsistencies during the article revision process, Guessous stopped lobbying for changes concerning sharing of the *nafaqa* because it was unclear if a consensus would be reached on the legal co-guardianship of the children and if the group would come to recognize domestic work as a part of the economic contributions of

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[91] *Moudawana*, Section 1, Article 51 states, "The mutual rights and duties between spouses are:
1- lawful cohabitation on the basis of good conjugal relations, justice, equality in case of polygamy, mutual fidelity, virtue, and the preservation of family honour and their children;
2- cohabitation, mutual respect, affection, and the preservation of the family interests;
3- the wife's assuming with the husband the responsibility of managing and protecting household affairs and the children's education;
4- consultation on decisions concerning the management of family affairs, children, and family planning;
5- good relations with each other's parents and close relatives, respecting, visiting and hosting them within accepted standards."
[92] *Moudawana,* Article 194 states: "The husband shall be obligated to pay maintenance to his wife the moment their marriage is consummated, as well as if she has bidden her husband to consummate their marriage once it has been duly concluded."

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women. These complications made it difficult to advocate for changes in one law without knowing the consequences for another. Such inconsistencies in the Commission's reform processes as well as its outputs are a matter for further analysis.

In short, women's rights activists feel there is more work to be accomplished, which is the focus of future planning and mobilizations. Rabéa Naciri (2007:PI) notes: "Success can have pernicious effects and lead to loss of identity and particularity of the Moroccan women's movement. The idea that Moroccan women have gained all of their rights may represent a danger." Further challenges may arise due to the difficulties in implementing these new rights, in view of high illiteracy, problems in legal enforcement, and growing backlash from Conservatives and Islamists (Bordat and Kouzzi 2004; Lemrini 2005, 2006:PI).

Another potential challenge may also arise from the new judiciary system created through the reforms. Family matters will now be taken out of the ordinary court system and be placed within these special family courts. Many argue that the separation of family issues from the ordinary judiciary system may be problematic due to a lack of family court accountability (Bordat and Kouzzi 2004).

The Anaruz network, created in April 2004, seeks to address some of these concerns by following-up and monitoring the *Moudawana* reform efforts (Naciri 2007:PI). The Anaruz network is a national network of information and legal assistance centers aimed at women victims of violence that now encompasses 39 organizations throughout Morocco. The network has been conducting research on implementation of the *Moudawana*, engaging in an advocacy campaign to ensure the Family Code is correctly applied, and offering legal advice for victims of domestic violence under the

new family law standards. Most recently, Anaruz (2009) prepared a documentary film entitled, *The Family Code: The Law and Women's Lives* (Le Code de la Famille: La Loi et la Vie des Femmes). The film presents women's testimonies, highlighting the inconsistencies between the written law and their experiences of conjugal violence, domestic repudiation, and divorce, to shed light on reflect on the implementation of the new family court system and the Family Code.

Addressing accountability concerns, Naciri (2007:PI) suggests mobilizing to: ensure that the Moroccan constitution explicitly incorporates equality between men and women in all domains, promote equality and justice with every local piece of legislation, ensure that legislation is implemented and effective, and implement gender-based programs and policies, such as positive discrimination policies (or affirmative action) in order to promote women's public and political participation as well as economic activity.

At its heart, this campaign was about challenging unequal patriarchal norms and ensuring that women experience equal freedoms, dignity, and opportunities in an Islamic society. Yet, paradigmatic social shifts within a society cannot transpire overnight. For these reasons, women's rights activists, such as ADFM, have shifted their strategies from active campaign mobilizations to education and empowerment-based initiatives. Some of the public education campaigns included televisions and radio announcements explaining new rights gained with the new Family Code. In May 2005, ADFM launched a media campaign in French and Moroccan Arabic to educate the public on women's rights, gender equality, and the new changes made to the *Moudawana*. Six main social problems were targeted: domestic violence, divorce, expulsion, sexual harassment, matrimonial tutorship, and gender discrimination in the workplace. See below for an example of the

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marital tutorship message that ran on the radio and on the television. The text read: "Yes,

adult women have the full legal capacity to finalize their marriage. Why be silent when

the law protects you? Article 23 in the new family code stipulates that women have the

right to finalize the act of marriage on her own."

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ADFM (2005) concludes the case with the following statement:

> Through the recent legislative reforms (Family Code, Penal Code, and
> Labor Code), Morocco is committing to a road of equality and justice for
> all Moroccans. However, there are numerous forms of injustices toward
> women that persist in daily life: violence, sexual harassment,
> discrimination between men and women in access to education, health
> services, employment, and decision making...These new legal texts punish
> these abuses. When respected, it is moving forward from state
> consolidation of rights and toward democratic opening. When ignored... it
> is again a form of exclusion, of violence and of denying half of the
> Moroccan population its citizenship.

The media campaign helped to raise public awareness in regards to new women's

rights in the *Moudawana* and laid the foundation for shifting the way that men and

women conceptualize women's rights within the family (Pittman and Naciri 2007). The

activists offer a powerful juxtaposition of national symbolism with women's rights to

educate the public on the impact of the *Moudawana* reforms. ADFM continued to draw

from democracy frames, extending their previous frames and then linking women's rights

to full citizenship and public participation.

In summary, Moroccan women's rights activists were successful in re-locating

Islamic law in a historically evolving framework using *ijtihad* and popular national

discourses of democracy, human rights, and social justice. Through their extensive efforts

engaging the grassroots and lobbying public officials, the activists contributed to the

democratization of public space (Sadiqi and Ennaji 2006). While social and practical

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barriers to women's equality in Morocco still remain a challenge, women's rights

associations are now shifting their strategies to public awareness-raising of the new rights

afforded in the *Moudawana*. Some NGOs, such as ADFM, have gone even further to

lobby for women's more full inclusion as citizens through additional reform to the

Nationality Code, which is the focus of the following chapter.

**Constraints as Innovation Catalysts**

      The challenge of overcoming obstacles in a movement may offer a hidden

opportunity for strategic innovation. Constraints, like opportunities, are important sites

for strategic analysis in social movements. It may be that a specific set of constrained

choices or limitations may serve as a catalyst for a group to begin to critically assess

issues that normally might not be a central focus. In the Moroccan case, activists

responded to the Islamist and conservative countermovements' claims by looking for

sources of potential leverage. Amina Lemrini (WLP 2008a) explains:

> Each time we conducted a deeper analysis of the context, we saw that
> some opportunities carried risks and could be opportunities, but could be
> threats at the same time… When we worked on the *Moudawana* reform, it
> never would have happened without the controversy of Islamists. They
> submitted the topic for discussion, they helped to get us to reflect on the
> issues … and this helped us, we exploited these threats in order to
> transform them into opportunities.

This case underscores the importance of the dynamic interaction between

movements and countermovements in shaping the discursive fields. Moreover, it appears

that movement constraints can be integral to creating effective strategy.  Importantly, the

Moroccan feminist activists did not perceive religious constraints as fixed, and therefore

off-limits, but rather as alterable or permeable. This is particularly important given the

intensity surrounding any reform related to Islamic law and the very real roadblocks that

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come with the hierarchal structure and process of Islamic jurisprudence. Nonetheless, the feminist activists found an authentic way to engage with the contextual constraints and sought strategic political support at the highest levels. Not only did the contentious atmosphere of the 2000 International Women's Day march and the challenges associated with mobilizing the average Moroccan assist reformist activists in regrouping, but it also prevented activists from missing the unique opportunity to close the discourse gap by re-appropriating the religious debate. They developed multiple discourses, including religious references, in order to ground their goals of reform in a Moroccan perspective. This vernacularization of global norms can be conceptualized as a means to bridge the secular and religious frameworks in order to support Islamic law reform.

Interestingly, adapting discourses based on the shifting political developments was not only a strategy used by the reformist movement. Political developments in October 2003, after King Mohamed VI announced that the *Moudawana* would be reformed, stimulated the Islamists to amend their frames as well. Analyzing newspaper data in the month after the King announced the reform I found the language of one Islamist groups had shifted. For example, in *Le Journal Hebdomadaire* on October 24 2008, the women's section of the banned Islamist and anti-monarchy political group, *Al Adl Wal Ihssane* (Justice and Spirituality) wrote an op-ed article. The article states: "The association of Sheik Yassine does not contest the recent measures of the Family Code. Regarding women, contrary to general belief, the movement has never been against the revision of the *Moudawana*, on the condition that that the Quranic referential remains the single referent." [93] Mouna Khalifi (2003), member of the Justice and Spirituality group begins the article by stating: "The *Moudawana* is not sacred because all human work is

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[93] French translation is the author's own.

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imperfect and must be subject to revisions and questioning based on weaknesses that are

revealed through its practical applications." The positions put forth in the newspaper

articles were mildly conciliatory, particularly in relation to the sacredness of the

*Moudawana* and its ability to be reformed. Intriguingly, the reformist activists' strategy

of the human interpretation of Islamic law is reflected in the Justice and Spirituality

position. It is important to note that this statement was released in the six months after the

turbulent Casablanca attacks when many moderate Islamists were distancing themselves

from radical rhetoric (Howe 2005). However, it is an interesting statement coming from

Justice and Spirituality given their contentious relationship with King Mohamed VI. As

Zakia Salime (2005) has argued over the life of the *Moudawana* campaign, the reformist

movement's claims became "Islamicized" and the Islamist movement's frames became

"secularized." [94]

Shifts in the both the feminist movement's and countermovement's positions

demonstrate the fluid and dynamic nature of Muslim identities as these political and civil

society actors respond to broader social, political, and historical events (Sharify-Funk

2008). Activists are often quick to work on solidifying identities, and to garner support

for one's cause, particularly in charged movement contexts. Ideological values, such as

conservative religiosity or secularism, can become buzzwords in framing contests as a

means to separate "us" from "them." Of course, these factionalized messages can also

create divisions that prevent diverse constituency building and reinforce identity

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[94] For a more in depth analysis of the Islamist feminist claims on the state after the Moudawana reform see
Zakia Salime (2007). Salime describes how Islamist feminists made demands to the state to "take the
mosques back," focusing on bringing women to positions of leadership and power in the mosque through
preaching. They also highlighted the moderate goals of a politicized version of motherhood while calling
for gender equitable progress within religious institutions.

differentiations (Taylor and Whittier 1992). For a movement trying to find a common

ground, this can make the task infinitely more difficult. However, the progressive shifts

of both actors' discourses over the life of the *Moudawana* campaign reveals the potential

for creating dynamic discourses that could bridge different ideological positions and

appeal to a broader base despite contention.

**Summary**

The goal of this study was to highlight the ways in which Moroccan reformist

feminist activists blurred the ideological distinctions between secular and religious

binaries and implemented innovative framing strategies in light of constraining

conditions. The conservative religious and Islamist opposition were very successful in

framing reformist activists as cultural outsiders, tapping into "cultural authentic" versus

"foreign imported" binaries. They attempted to leverage these fracturing discourses and

even accused activists of not being true Muslims. It appears that the legal context, both

the normative and structural components of Islamic law, played a facilitative role in the

mobilizing of politicized and oppositional frames of "secular versus religious." These

frames tap into long standing postcolonial ideological battles. These deeply engrained

historical legacies feed into essentialized ideological distinctions and binaries that elicit

strong reactions. These emotions were strategically and effectively mobilized into

identities and by politicized religious groups (Goodwin and Jasper 2006). On the other

hand, interpretations of the interactions between religion, secularism, and reform from the

case study could be alternatively conceptualized with a focus on how activists tapped into

different aspects of Moroccan identity. Fatima Mernissi (1975) has described the multiple

identities that Moroccans embrace including aspects related to the modern, Arab, and

Muslim. The modern dimension of identity is connected to the encoding of a modern legal system blending secular and religious elements and to international human rights principles. The Arab dimension of identity refers to the notion of pan-national identity and resistance against colonialism. The Muslim identity taps into the religious sphere and transcendent practices. Using these different permutations of identity, one could interpret the countermovement as primarily attempting to mobilize Muslim and Arab identities, particularly in reaction to Western ideas and against colonialism, tapping into issues of cultural authenticity. The feminist activists, on the other hand, were attempting to bridge the Muslim aspect of identity with the modern aspect, in effect trying to broaden support for reform by drawing from one of the countermovements' primary identities, Muslim, and linking it with the modern.

The strategic use of religion as a pretext for the impossibility of reform was directly attended to by activists after they saw how persuasive these arguments had been in the public sphere. In order to respond to the countermovement's frames, activists re-appropriated elements of the constraining local discourses. The reformist feminists and other progressives countered that in fact many religious principles within Islamic legal texts necessitated women's equality. According to this perspective, reform could be achieved through *ijtihad* and the reinterpretations of religious texts, such as the Quran and *sunnah*. The activists highlighted cross-cutting discourses, such as democracy, feminism, human rights, and religious principles in their framing reformulations. By using personal narratives, the activists were able to bring the legal code to life, thus increasing the potential that the public would engage and connect with the issue of reform. The feminists' creation of bridging strategies can be interpreted as an attempt to

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defuse the politicization of and mobilization of the countermovement's version of Muslim identity. This stimulated diverse public debate on legislative reform, thus fostering spaces for multi-partisan public debate that is characteristic in a democratic reform process (Lemrini 2005:PI).

I have been careful not to argue that the Moroccan activists' broadening of public discourse and debate led to the reform of the *Moudawana*. Indeed, a variety of structural political opportunities and constraints played major roles in stimulating reform. Ultimately, the actions of the King, who was sympathetic to modernist principles of gender equality and human rights, made the reform a reality through his power as "commander of the faithful." However, he had to rely on liberal elements in civil society, such as the women's movement, to broaden public support for the reform due to the strategic influence of religious groups in the political and public sphere.  In this context, activists made strategic use of opening and closing political opportunities, through high level political lobbying efforts with parliament and the King, which led to the establishment of the commission to reform the *Moudawana*. A critical event for the reformist activists was the 2003 Casablanca terrorist acts (Sewell 2005).[95] After this event, the King distanced himself from the Islamists and religious conservatives who had been an extremely influential political group in the country. Soon thereafter, the King committed full support to making the *Moudawana* reform a reality.  Energy shifted away from the religious opposition and more moderate voices were able to leverage the opportunity, thus, opening up a broader space for the feminists' bridging constituency discourses to resonate. These findings underline the importance of the mediating aspect

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[95] Sewell (2005) argues that critical junctures or events can serve as catalysts for opening up the space for social movement actors to achieve their goals.

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of legal and political contexts (Alimi et al 2005; Amenta et al 1992; 2005; Kitschelt 1986; Gamson and Meyer 1996; McAdam 1982; McAdam, McCarthy and Zald 1996; Sewell 2005; Tarrow 1998) and specifically, constraining conditions on activists' strategy.

The results from this case challenge findings in the literature that suggest frames are more effective with core unchanging messages. The use of layered multiple frames to target different constituents (also called multi-organizational fields) is advantageous as long as activists maintain their core demands (Evans 1997). The vernacularized discourses, drawing from global rights, religious, and domestic claims made it more likely that messages would appeal to a broader Moroccan constituency. It also seems that adaptations to global and local discourses and the bridging of different ideologies were a good contextual fit given the broader political opportunities and constraints (Evans 1997; Levitt and Merry 2007; 2008; Tohidi 2002). Discursive frames were developed and adapted through trial and error based on analysis of the socio-political context, through positive and negative interactions with the state, policy, and advocacy organizations, and with powerful political allies and challengers in mind. The flexibility and adaptability seen in the Moroccan women's movement's strategy is an important component related to positive social movement outcomes (McCammon et al. 2008).

The analysis also sheds light on the idea that encountering a staunch roadblock may be a unique catalyst for a movement. This may be the case as it positions activists in a space where great strategic benefit may result from the re-analysis of the basic goals and assumptions of a specific campaign or a movement, more broadly (McCammon and Campbell 2002; McAdam, Tarrow, and Tilly 2001). This case demonstrates the dynamic

interaction and evolution of discourse as political actors interact with allies and

opponents, face various contextual constraints to achieving their goals, win and lose

political battles, and react to broader moments of historical significance.

**Chapter 5: Beyond the Local: Cross-Regional Strategizing and Coalition Building for Nationality Reform**

In this chapter, I explore the organizing practices associated with regional feminist coalition building efforts in the Middle East and North Africa (MENA). I analyze the case of the regional Campaign to Reform Arab Women's Nationality (CRAWN also referred to as the Nationality campaign). Having examined the domestic case of Personal Status Code reform, which highlighted the adaptive movement strategies of the Moroccan women's movement, I now assess movement strategy in a coalitional setting with diverse cross-national NGO actors. My goal is to understand how international and local resources and strategies are used to build regional movements for women's nationality rights. Specifically, I emphasize the roles of solidarity, leverage, and movement learning in nationality reform efforts in the MENA (Alvarez 2000; Bandy 2004).

I start by profiling the regional nationality campaign and give an example of the local Moroccan implementation, focusing on spaces for movement learning and knowledge exchange between NGO actors. Next, I analyze the role of international networking in the Nationality campaign, highlighting how transnational collaboration has contributed to the increased visibility of and political leverage in the campaign.  I conclude by exploring the different adaptations of coalition-building strategies as they move from regional spheres of development to local spheres of implementation, highlighting the cross-fertilization potential of movement strategies. I conclude by demonstrating the transborder exchange of campaign strategies by briefly describing the Iranian One Million Signatures campaign and the regional *Musawah* campaign.

In order to do this, I profile multi-lateral and regional partnerships between three

NGOs: Collective for Research Training and Development in Action (CRTDA) in

Lebanon, Association Démocratique des Femmes du Maroc (ADFM) in Morocco, and

Women's Learning Partnership (WLP) International in the USA.[96]  I analyze data from

interviews with the executive leadership of CRTDA, ADFM, and WLP International as

well as activists' interactions in two transnational meetings in 2006 and 2008 in Potomac,

MD. I examine internal organizational documents and reports from the three NGOs,

which include campaign reports, annual reports, and reports to funders. I also draw data

from two Nationality campaign websites, hosted respectively by CRTDA and WLP.

From the above analyses, a model for grassroots movement building emerged, which

began at the grassroots regional level and reached out to international networks. This

model builds on strengths in the local context and makes use of international connections

for visibility purposes. This multi-level approach to movement strengthening is useful

when building transnational social movements with multiple social and political

influences that affect the domestic context.

**Coalition Building: Elements of Success**

Coalitions involve the temporary or permanent collaboration of numerous

autonomous organizations that jointly pursue a shared goal (Mizrahi and Rosenthal

1993). Coalitions can be viewed as political actors and characterized as social movement

organizations.  Effective processes of coalition building are integral to a movement as it

bridges diverse constituents and identities toward a common purpose and goal (Evans

1997; Staggenborg 1988). Research has shown the distinct advantages of transnational

coalition building, which includes: increasing regional recognition of shared grievances,

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[96] For more detailed information on the methodology see pp. 208-209 in Appendix 1.

broadening local perspectives, developing activists' strategic development and action plans through increased involvement in and analysis of social, political, and economic issues that affect multiple countries, and increasing hope and solidarity through shared successes and failures (Bandy 2004).

However, coalition building is not a magic bullet for reforms and certainly does not only create positive outcomes. There are many problems that may arise that can have destabilizing effects on a movement or on NGOs. Among these problems are communication rifts, differences in priorities and strategies, power struggles, disagreement over adequate responses to challenges posed by countermovements, and so on (Bobo, Kendall, and Max 2001; Kleidman and Rochon 1997), all of which can lead to a breakdown in solidarity and relationships, to goal drift, and potentially dissolve the purpose of the coalition.

Nevertheless, research by Alvarez (2000) suggests two primary reasons that NGOs seek out transnational connections: solidarity and leverage. NGO activists find strength in "…transnational contacts as a means to (re)construct or reaffirm subaltern or politically marginalized identities and to establish personal and strategic bonds of solidarity with others who share locally stigmatized values…" (Alvarez 2000:3). Moreover, NGOs use these bonds to seek out transborder partnerships to expand rights or policies. The nature of these networks creates spaces of international leverage that can affect domestic ties. Keck and Sikkink (1998) argue this process occurs through the "boomerang pattern of influence" where transnational actors, such as NGOs, put pressure on states to make policy or law changes in alignment with their rights commitments.

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Confirming the importance of solidarity, Bandy (2004) found in his study of the Mexican labor movement, that drawing strength and solidarity from broader coalitions boosted local movements' survival and their sense of strategic exploration. Indeed, such solidarity can provide psychological protection against local challenges and setbacks, during difficult times (Brac de la Pérrière 2007:PI). More than that, working to forge transnational linkages gives NGOs the mental space to begin reflecting on and outlining strategies for change. These strategies, created in spaces of solidarity, can be effectively leveraged when the timing is advantageous, as will be seen later on in this chapter. Carmin, Hicks, and Beckmann (2003), in their study on the formation of the white Carpathian Euro-region, show that even during times of extreme repression and the lack of political opportunities, NGOs formed the groundwork for a longer term vision of change, by developing local, regional, and international strategies, which could then be leveraged at more opportune times. In addition to solidarity and leverage, I suggest that a third factor should be added to Alvarez's (2000) theory on the reasons why activists seek out transnational connections, for *movement learning* purposes.

**Overview of Nationality and Citizenship in the Maghreb**

Nationality is one aspect of citizenship, which describes the political rights and obligations between an individual and the state. In the MENA, this relationship has historically been brokered between the state and the male head of household. Typically, the male is regarded as the head of household according to the Islamic family law (CRTDA 2004). Therefore, the husband's nationality is conferred upon the children, and in some countries the wife if she does not share the same nationality.

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Citizenship regulations in many MENA states discriminate against women's ability to enjoy full and equal membership in their societies, relegating them to a 'second-class' citizenship status (CRTDA 2004; Joseph 2002). They deprive mothers of the right to transfer nationality to their children or husband. In some countries, such as Jordan, Syria, Lebanon, and Iraq, women take the nationality of their husband after marriage, losing their own nationality. This has serious implications. If the family were to return home to the women's birth country, they would not be able to apply for residency cards since she had lost her citizenship rights through marriage (Sonbol 2003b). In other countries, such as Morocco, husbands and wives hold different nationalities after marriage.

States have been clear that their main concern is preserving the family and not the individual as the basic building blocks for their societies; therefore, women's roles and rights are not seen as independent, but rather are defined in relation to their family roles as wives and mothers: "This is the major factor in enhancing and promoting both religious and familial control over them [women] and rendering them more dependent on these institutions for representation and security" (CRTDA 2004:8). As these laws are combined with other political, legal, and societal elements, they then form the basis for an institutionalized structure of discrimination against women.

> These social institutions are nurtured by generally gender discriminating legal systems, ranging from Personal Status and Family laws to Civil and Criminal laws and most relevant to the issue at hand, Nationality laws. They are also maintained and reinforced by complex legal procedures and a social and judicial environment, which is unfavorable to women (CRTDA 2004:12).

An analysis of the relationship between the state and women's full public participation makes room for greater range of debate on women's rights and status in the MENA

(CRTDA 2004; Joseph 2000). "For in reality, what is being disputed here is the future nature of the socio-political structure in the Arab world. More specifically, it is the core of the social and cultural fabric of the Arab world that is being re-drawn" (CRTDA 2004:9).

However, these practices of citizenship are not in alignment with constitutional or international laws in most countries in the MENA. For example, as seen in the last chapter, Article 5 of the Moroccan Constitution asserts women's equality to men. In Lebanon, a similar law exists, Article 7 in the 1926 Lebanese constitution states: "All Lebanese are equal before the law. They equally enjoy civil and political rights and are equally bound by public obligations and duties without any distinction." A number of international legal frameworks also protect women's right to nationality. The most prominent of which is the Convention to Eliminate All Forms of Discrimination against Women (CEDAW). The majority of Arab states that have ratified CEDAW also express reservations on articles that they do not want to enforce as previously described.[97] Often reservations are placed on Article 9(2) in CEDAW, which notes: "States parties shall grant women equal rights with men with respect to the nationality of their children."[98] As described in the introductory chapter, states in the MENA often justify reservations by highlighting the incompatibilities between international laws and their domestic legal structure, which draws from Islamic *sharia*.[99]

The goal for activists involved in the regional nationality coalition was to rectify contradictions between constitutional law and discriminatory Nationality Codes by ensuring women's and children's equality as citizens through their right to nationality.

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[97] As described in the last chapter, the Moroccan reservations were lifted from CEDAW.
[98] Source: CEDAW Website. http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article9
[99] This includes Morocco prior to the 2008 reform.

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The following case study describes one of the most comprehensive, regional, indigenous coalition building efforts for citizenship reform.

**Global Strategy Development**

The Campaign to Reform Arab Women's Nationality (CRAWN) aims to educate and advocate for legislative changes in all MENA countries to support women's full and equal citizenship. The regional campaign was initiated in 2001, with activists in Morocco, Lebanon, Jordan, Egypt, Bahrain, and Algeria.[100] Lina Abou-Habib (2008:PI), the Regional Coordinator for the Nationality campaign, describes the process of deciding to focus on citizenship:

> First there was a collaborative action between women organizations in the MENA region. We were engaged in various forms of work doing a regional gender analysis. We were discussing compelling issues for women and for equality in the region and nationality arose [as an important issue]. There was a consensus around it [nationality] because at least in 2001 and 2002, it was a shared concern for all the other countries, which were involved. The problems were shared, in the sense, that most of the laws in all these countries prevented women from transmitting their nationality.

Together, the coalition developed a collective campaign frame of reference for understanding, outlining, and speaking about the need for nationality reform. Lina Abou-Habib (2006) continues:[101]

> At the regional level, we want to focus on information and communication on the issue of nationality. There is a lot of misinformation and miscommunication because, unfortunately, most states have done their best to link women's right to nationality to political argumentation. For example, states claim that granting women the right to nationality will disturb the social demographic, leading to overpopulation or civil unrest.

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[100] Coordinating NGOs in each country include: Centre d'Informatique et de Documentation sur les Droits de l'Enfant et de las Femme (CIDDEF), Bahrain Women's Society (BWS), Forum for Women in Development (FWID), Sisterhood is Global Institute/Jordan (SIGI/J), CRTDA Lebanon, and ADFM Morocco.

[101] Interview from Women Learning Partnership's, Claiming Equal Citizenship website http://www.learningpartnership.org/citizenship/2006/08/lahinterview030406/.

We are spending a lot of time with friends in the media, with sister organizations, demystifying the issue of citizenship. We are also building alliances with NGOs and, talking with parliamentarians, particularly women parliamentarians…The regional aspect of the campaign undermines the arguments against granting nationality to women at the national level. It demonstrates that the real issue is patriarchy and a male vision of citizenship, rather than all the silly political arguments that are being made when we demand women's right to nationality. In addition, the campaign demonstrates the solidarity between women's organizations and the linkages to broader citizenship issues in the Arab region.

Collectively, campaign members developed the main goals of the regional campaign, which include: developing effective messages and reform strategies for regional use, mobilizing and educating grassroots women affected by the nationality laws, and developing solidarity and inter-organizational support for reform across the MENA region.

*Framing the Issue as a Shared Problem*

In order to come up with an effective global frame to communicate campaign messages, activists conducted extensive research in the first few years of the Nationality campaign. Each of the participating NGOs in the coalition conducted an in-depth study of the current domestic and international legal codes related to nationality in their country. In some countries such as Morocco, research studies on nationality discriminations were undertaken to estimate the collective impact of the laws. Next, activists brought together stakeholders, women affected by nationality laws, in order to document their stories and provide them with the appropriate legal tools to fight for their rights (Hayek 2008:PI; Idrissi 2008:PI). This preliminary analysis phase in the coalition resulted in the crafting of country cases. These cases include: an overview of constitutional laws related to nationality, the current nationality law, international treaties and conventions related to nationality issues, personal testimonies that humanize the

laws, and recent updates in the campaign. A sample from the Moroccan case can be seen in Appendix 5.

After conducting the necessary background research, activists from the six major countries in the coalition met to discuss major framing tactics and strategies and the campaign slogan. Lina Abou-Habib (2008:PI) describes how the slogan "My nationality, a right for me and my family" was decided on. The activists based the slogan on the concept of equality of all citizens. However, in Arabic, nationality is a masculine word; therefore, in the slogan, activists used the feminine translation of "my nationality." The idea was to include their major campaign frame and demand in the tagline—the right for women and their children to obtain full citizenship rights. The location of citizenship in a rights framework had a variety of implications. Men had always enjoyed the unilateral right to pass on their nationality, now women wanted the opportunity as well. First, drawing from a rights framework offered opportunities for the comparison and leverage of other fundamental rights that were secured by the state, such as constitutional rights to equality. Second, the slogan framed citizenship as a family issue, taking into account not only a woman's right to her own nationality and citizenship, but the children's right to inherit the mother's citizenship as well. The aim was to frame nationality as a shared problem for the family that had negative ramifications on the children. This effectively broadened the potential range of supporters for reform, i.e., this was not only about gender equality, but rather about ensuring equal access to rights and resources within a family. This family frame could also be interpreted as a more politically palatable approach in comparison to only using a gender equality frame.

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*Highlighting Legal Inconsistencies*

A prominent communication tactic coalition activists used to argue for nationality reform across the coalition was to highlight legislative, political, and social inconsistencies in the law (Abou-Habib 2008: PI; Idrissi 2008:PI; Nafaa 2008:PI). This was also a prominent tactic of the Moroccan strategies in the previous chapter, pointing to the cross-fertilization of movement strategies. In the Nationality campaign, activists drew from the strengths of existing constitutional legislation that unequivocally stated equality between men and women. The activists' focus on harmonizing different pieces of national legislation was a strategic move that provided evidence of a culturally authentic and domestically consistent reform effort. The issue of authenticity is particularly important in light of the Moroccan activists' experiences with the opposition in the previous chapter. Coalition activists also strategically leveraged national consensus that had been codified in constitutional law and used previously agreed upon international standards, such as CEDAW, as a means to justify revising the states' reservations on nationality. In order to disseminate their strategy, which focused primarily on secular inconsistencies between various sets of domestic law, regional activists developed a range of communication and outreach strategies that could be used by the different NGO partners in the local context as necessary. These different modes of mobilization included: petition drives, public rallies, special events, political lobbying, and media campaigns. The campaign made significant use of blogs and social networking sites, such as facebook. Coalition activists also built on emerging technological trends as a powerful space for awareness-raising, organizing, and recruitment in the public sphere (Abou-Habib:2008 PI; Hayek 2008:PI; Goyal 2009:PI; Afkhami 2009:PI).

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In basing their communication tactics on discrepancies between existing laws in their country and other agreements the state had signed onto, activists in the MENA could circumvent contentious issues that might have derailed feminist reform efforts, such as the "culturally authentic" versus "foreign import" frames seen in the *Moudawana* reform. In this case, the fact that nationality law was not located in Islamic law, but rather was a secular, administrative law allowed activists the opportunity to focus most of their framing efforts on raising the visibility of the legal inequalities, devising effective messages, and then mobilizing those messages. However, even though the law was not within the religious framework, a prominent international funder still commissioned a study to see how nationality could be justified in a religious framework, demonstrating the agenda setting power donors possess as described in Chapter 3. Lina Abou Habib (2008:PI) describes reactions when the study results were presented at an international meeting:

> I remember I was sitting next to this Yemeni Islamist and he said at the end of the presentation: 'You know, that study is correct. There's absolutely no doubt about it. But if I can ask you, why are you bringing religion into this? It has nothing to do with it.' So the report was actually counterproductive. We actually had a fantastic opportunity to shift the discourse away from the religious level as you don't always have to justify equality in terms of religion. Here you have a perfect case in point where it's [the nationality campaign] totally beyond the religious framework and yet some people insist on bringing it back to religion.

This experience highlights how external actors can shape and influence domestic campaigns and influence discussions, debates, the type of public information that circulates. The nationality campaign discourse was moving beyond secular-religious binaries, yet it was thwarted due to external priorities. These findings underline the need

for increased international attention on local priorities, explications of the debate, and political framings in supporting campaign strategy development.

**Local Nationality Campaign Implementation in Morocco**

The next two sections briefly describe how Association Démocratique des Femmes du Maroc (ADFM) adapted the regional strategies for change in their context. Building on the momentum gained from the *Moudawana* reform, the Moroccan women's rights' activists shifted their focus to reforming discriminatory nationality laws. Campaign activities were initiated in the early 2000s with the regional nationality reform efforts. Specifically, Moroccan women's rights' activists wanted to ensure that the nationality law was reformed so that women could pass nationality onto their children. The old Nationality Code did not allow Moroccan women to pass on nationality to their children unless the father was unknown. Husbands and wives held different nationalities, unless otherwise appealed. ADFM activists lobbied for no age limits on children applying for citizenship (under the old law the current age to apply for a mother's citizenship was 18) and for the law to be applicable to all women regardless of the husband's nationality. Moreover, they wanted the nationality law to apply retroactively to assist Moroccan women and their children whose citizenship status had been outstanding for some time.

The activists went about their campaign goals using a four-pronged mobilization strategy that consisted of: (1) establishing a working group that included women who were experiencing nationality discriminations; (2) designing tools and research to analyze the current state of nationality laws and studying the public's awareness of the discrimination that women faced under the current law;  (3) creating alliances between

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national women's organizations, human rights NGOs, and political parties; and (4)

lobbying and mobilizing support at the political and grassroots level.

ADFM led an extensive research effort to better understand nationality laws in

relation to constitutional and international law. In 2002, ADFM held meetings throughout

the year to listen to the accounts and experiences of women stakeholders affected by the

nationality law. ADFM then sent these testimonies out to 22 media outlets to publicize

the prominent social and familial issues involved with the unequal nationality law and to

call for its reform. Testimonies were similar to the examples below.

> I am a 14-year-old girl. My mother is Moroccan and my father is Syrian.
> My father is a generous and patient man. He spent a long period of time in
> Morocco where he lived and studied, married, and had his children. My
> brother and I were born here and we got integrated in this society… I grew
> up in a 100 percent Moroccan environment, my family and friends are
> Moroccan and so is my accent…above all I love this country and mom is
> Moroccan! I've known the national anthem as long as I can remember…I
> am also a supporter of Raja De Casablanca soccer team and a fan of singer
> Abdel-Hadi Belkhayat; haven't I the right, being a Moroccan to obtain the
> nationality?
> *Testimony of Rana, a 14 year old girl (Reprinted from CRTDA 2004)*

Additionally, activists at ADFM commissioned a variety of qualitative studies,

including a study led by Amina Lemrini and Rabéa Naciri (2002), regarding women

married to non-nationals. The results of the study revealed that most of the women in the

sample, despite their education level, were not initially aware of the consequences of

being married to a non-national; rather, most women learned of their citizenship status

after marriage or after giving birth to their first child. Many women in the sample were

shocked and disturbed when they realized the degradation of their rights and the ways in

which these laws restricted their movement and status within their home country.

Moreover, many women were deeply affected by the lack of their children's access to

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services and their freedom to travel (Lemrini 2006). The research study gave activists the important demographic and personal information with which they could develop a more in-depth campaign strategy. ADFM and other women's associations built on the recommendations of the women married to non-nationals that participated in the study in order to formulate a broader mobilization plan for the Nationality campaign (Idrissi 2008:PI).

This also gave ADFM activists the opportunity to train, educate, and raise the awareness of groups of concerned women. However, the process of identifying and gathering affected women was a particularly difficult part of the campaign (Idrissi 2008:PI). Many of these women were not previously engaged with the women's movement and came in with their own personal issues they were trying to deal with. But, after sustained outreach and personal contact, ADFM was able to organize a committee of affected women (Idrissi 2008:PI). From these groups, activists brought affected women into the reform and strategizing process.  Activists broadened their support base by deeply involving the grassroots, and in particular women who were experiencing discrimination based on nationality by bringing their cases to life through narratives and giving them organizing skills to advocate with ADFM for social justice.

*Public Mobilizations*

The first public debate on nationality reform in Morocco was held in April 2004, followed by a press conference in October 2004. It was during these public debates and discussions that the activists learned of support from the Islamists in their context (Nafaa 2008:PI; Idrissi 2008:PI). Rachida Nafaa (2008:PI), ADFM board member and key organizer of the Nationality reform effort in Morocco, describes the Islamist position on the secular Nationality Code: "We met the leaders of the Islamist party who told us 'We

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are with you, we support you' because in Islam there is nothing opposing [equal] nationality." The support of Islamists was surprising to activists, particularly given the long and hard battle to reform the *Moudawana*. But, the barriers to reform that were prominent in the *Moudawana* case did not transfer due to the secular nature of the law. This very important issue is revisited later in the chapter and in the conclusion.

It was around this time that activists gained considerable rights through the *Moudawana* reform. Things were going well for the Moroccan activists. In 2005, new opportunities opened as King Mohamed VI bolstered activists' efforts and answered the requests of coalitions in civil society. During his speech given on his Sixth Anniversary of Ascension to the Throne, the King asserted that in his role as "commander of the faithful" he had decided that the nationality law must be reformed so that a mother's nationality could be passed onto the child.[102] He called for a democratic process of law reform in alignment with the new principles in the reformed *Moudawana*. Following the King's statement, the Ministry of Justice created a Commission to reform the Nationality Code and passed their recommendations on to Parliament (Lemrini 2006). Saïda Idrissi (2008:PI), Vice President of ADFM, remarks: "The political will was there for the reform. Except that it took a lot of time, the law against terrorism slowed the process down. …everything started well, but with the Casablanca attacks and the promulgation of the anti-terrorism law, there was a lot for everyone to think about."

Given these setbacks, activists continued their efforts to stimulate public debate on topics of nationality, holding a series of public debates and meetings in Rabat, including a roundtable held with the Science Faculty in Rabat, where the Minister of

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[102] See King Mohamed VI's speech on July 30, 2005 at http://www.maroc.ma/NR/exeres/55901BD3-ED0A-4907-A86F-D145D83C2B7C

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Justice attended.  However, this was a time of uncertainty. There had been strong

political support for the Nationality Code reform, but no actions were being taken. Idrissi

(2008:PI)  describes this time period:

> There was total silence after the King's speech in 2005… without any information on the code, on the reform. Nothing. The commission, who worked on the Nationality Code reform process, they had no information, they were not answering their telephones…And with this, there were rumors—they are going to reform [the committee to reform the Nationality Code], they are not going to reform.

In 2006, Moroccan activists seized upon an opportunity after months of silence

from legislators. In March of that year, Morocco became a candidate for entrance to the

Human Rights Commission, headquartered in Geneva.[103] In order to gain membership,

the state needed to make progress in complying with important human rights

declarations. Women's rights activists took this opportunity to bring attention to the fact

that there were reservations attached to CEDAW and that this affected women's equality

as citizens. Feminists leveraged the need for legal cohesion between international and

domestic law in order to support the Moroccan candidacy (Lemrini 2006). To maximize

this leverage, activists continued high level political lobbying and also organized a series

of sit-ins throughout 2006 in order to pressure the state and parliament. Before the sit-ins,

ADFM contacted all of the major Moroccan media outlets and foreign TV outlets, such

as Al Jazeera, Alarabia, Almanar, and Radio Monte Carlo. This ensured heightened

visibility and coverage of nationality issues in the public sphere and kept the issue of

reform on the forefront of the public's and political leaders' minds.

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[103] Morocco became a member of the Human Rights Commission later in 2006. See
http://www.unog.ch/80256EDD006B9C2E/(httpNewsByYear_en)/C5BF0606F91D8B7FC125713000376A
2E?OpenDocument

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Similar to the *Moudawana* reform, activists focused on a multi-layered discourse of women's citizenship as a political issue. The activists drew from the regional nationality frames and focused attention on the political arena, through lobbying and media related events, where arguments to align the current constitutional and international law would be more impactful.  Moreover, activists strategically leveraged national consensus that had been codified in constitutional law as a means to further justify reform.

*Outcome*

On January 18, 2007, the council of the Moroccan government adopted a new bill to reform the Nationality Code. In February 2007, Parliament ratified the Nationality Code. The new code is retroactive and states that *a child born of a Moroccan father, or a child born of a Moroccan mother is a Moroccan citizen*. Rabéa Naciri (2007), former President of ADFM, asserts:

> The revision of Article 6 [Nationality Code] comes to supplement the *Moudawana.* It has a great range insofar as this article puts the father and the mother on equal footing. The identity of the child can be defined by his mother or father. In this sense, it is a significant blow to the patriarchal status and to the 'primacy' of men to women.

After the success of the campaign, ADFM initiated a number of follow up activities designed to monitor the reforms. The monitoring effort is being coordinated by the Anaruz network and the Nejma center. The network is monitoring the Ministry of Justice to ensure new juridical regulations for applying for citizenship are respected. ADFM has been offering a variety of workshops, training affected women in their new rights and conducting public awareness-raising events. ADFM also undertook the task of documenting the process that individuals go through in order to gain citizenship rights. In 2007, ADFM activists began documenting the legal process in a guide (Idrissi 2008:PI;

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Oueldammou 2008:PI), which provides guidelines for implementing nationality reforms in different contexts and includes suggestions for communication and mobilization strategies. Currently, it is in the process of being finalized and will be published and posted on ADFM's website for regional movement strengthening.

In reflecting on the process and success of the Nationality campaign, Rachida Nafaa (2008:PI) credits the Moroccan success to the political context, leadership, and solidarity. Nafaa (2008:PI) notes that in other countries such as Bahrain and Lebanon, where there are multiple religious sects and more diverse coalitional politics, reform becomes a much more complicated endeavor.

*Summary*

In analyzing the regional and local strategies for nationality reform, four primary communication strategies emerged: (1) developing common frames; (2) involving and empowering the stakeholders; (3) mobilizing personal stories by humanizing nationality laws; and (4) highlighting legal inconsistencies. This multi-layered communication process undergirded their mobilization strategy, which was not met without challenges.

In the Moroccan context, there was a lot of down time after political commitments were made. The actual reform of the code took two years even with prominent political support. Part of the reason for this delay was due to the national debate on anti-terrorism laws at the time and a shift in priorities and the national agenda (Idrissi 2008:PI). Nevertheless, the Moroccan case is interesting to explore as it illuminates how setbacks can occur despite political will and support for reform at the highest levels. The absence of action in the face of opportunities and successful activists' leveraging of the campaign issue shows the importance of political timing.

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To date, three of the six countries involved in the regional Nationality campaign, Algeria, Egypt, and Morocco have reformed nationality laws granting women to pass nationality on to children. The 2004 reforms in Egypt allow women married to non-nationals to pass their nationality on to their children. The 2005 reforms in Algeria granted women married to non-nationals permission to pass their nationality on to their spouses and their children. The 2007 reform in Morocco allows women married to non-nationals to pass their citizenship on to their children. In Bahrain, Jordan, and Lebanon activists are still campaigning for reform.

**International Coalition Building for Nationality Reform**

This section focuses on the dynamics of international networking, with a focus on inter-organizational collaboration and communication. NGOs that are effective in increasing their visibility often reach out to different constituencies in order to broaden the reach of their network, tapping into more extensive networks of weaker social ties (Granovetter 1973). These bridging activities can raise awareness, forge new alliances, and ultimately expand the impact of the campaign. In the five years after the regional Nationality campaign was established, regional activists had begun discussing ways to increase the international impact of the campaign. Members of the WLP Partnership, including CRTDA and ADFM, believed an international campaign would "increase the visibility" of citizenship laws across the Global North and South (Abou-Habib 2008:PI). Since regional activists already had deep-rooted and locally legitimate campaigns, local arguments about the "cultural authenticity" of the reforms were not an issue, as had been the case in other campaigns (Abou-Habib 2008:PI; Afkhami 2008: PI; Goyal 2008 PI).

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The breadth of support across different communities was conceptualized as a distinct advantage and justification for the international campaign.

In September 2006, the Women's Learning Partnership (WLP) launched the international campaign, *Claiming Equal Citizenship: The Campaign for Arab Women's Right to Nationality*.[104] The role of WLP International in the citizenship campaign has been to raise international visibility and to strengthen the regional advocacy ties of the campaign. Essentially, WLP International acts as an information clearinghouse, capacity builder, and network facilitator. WLP International is effective in this bridging and coordinating role due to the leadership's extensive connections to the international policy community, civic NGOs, international funders, and government officials in the Global North and South. WLP raises awareness in the international advocacy sphere through formal speaking engagements; participation in global networks where they speak about the campaign; the media, including television, radio, and print; and organizing public events such as the human security event at John Hopkins University in September 2006. The NGO has gained important individual and organizational endorsements to support local campaigns, including activists and academics such as, Shirin Ebadi, Najma Heptulla, Attiya Inayatullah, Joanna Kerr, Aruna Rao, and Mary Robinson, Janet Afari, Ann Mayer, Nayereh Tohidi, and Azar Nafisi. The international campaign provides a vehicle for amplifying the strength and dissemination of the regional campaign messages and objectives.

WLP International constructed an interactive and dynamic blog that provides educational resources on discriminatory nationality legislation in the MENA and Gulf

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[104] See campaign website http://www.learningpartnership.org/citizenship/

regions. The blog issues campaign updates, provides extensive information on the campaign progress in the six partner countries, provides real testimonies regarding the effects of discriminatory nationality laws on women and their families, offers up to date media coverage, current mobilizations and events, research reports, and educational material, as well as disseminates an international petition of support for the activists' campaign efforts. The blog is set up to facilitate interaction and awareness-raising. Participants can submit their own personal testimonies, such as the following from an Afghan man.

> I'm 25 years old, born in Iran and married to an Iranian woman, but I can't have Iranian citizenship. In Iran, refugee status comes through two conditions, either based on soil or based on blood. There are now many people in Iran who have both conditions, but still are not considered Iranian.

> My parents are Afghan. They came to Iran years ago and lived in a village near the city of Mashhad. My parents were illiterate and never thought of getting residency documents. My dad was an ordinary man. They didn't care about my education, but I studied and worked, and I'm now a university student. No matter how much an Afghan man studies, he can't get anywhere. I'm still a construction laborer. Not much is left from my graduation, but I've been told to leave the country, and get a visa if I want to come back.

> I consider myself Iranian. My wife is Iranian. I've been living in Iran for 25 years and yet I'm not considered Iranian. I don't feel very connected to Afghanistan. I went there once a few years ago and realized that I can't stay there.

> There is no restriction for the marriage of two Muslim people in Islam. My wife is Iranian but her family has disowned her because of marrying me. My wife has endured my poverty and we love each other. Our marriage is halal (permissible) in Islam, why does the Iranian law consider it haram (forbidden)?

> How can you tell people not to marry when they fall in love? If she was from anywhere in the world I would marry her. Her human personality was important to me. Ask the officials what their interpretation of love is. You fall in love, you don't learn it. I don't know what will happen to our

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children if we have any in the future. Will they become like me? Having
no identity?
Source: Sarmayeh.net

Another use of testimony aims to raise awareness, but also to search for answers
and hold legal authorities accountable.

I am writing in regards to the nationality issue in Egypt as it pertains to
Egyptian women marrying Palestinian men.

Egypt's new Nationality Law No. 154 of 2004 states that whoever is born
of an Egyptian mother is Egyptian. This law has applied to all Egyptian
women married to non-Egyptian men except the Egyptian women who
marry Palestinians.

A child born to an Egyptian woman and Palestinian man after the new
nationality law is eligible to receive Egyptian citizenship immediately, but
unfortunately the children born to Egyptians and Palestinians before the
law have not been granted Egyptian citizenship.

Nobody knows why the Egyptian Ministry of Interior refused to accept
their applications for Egyptian citizenship. The question that always arises
is why the Ministry of Interior insists on refusing to implement the new
nationality law and why doesn't the new law apply the provisions of the
Egyptian judiciary to only women who marry Palestinians. This continues
the discrimination against Egyptian women and deprives their children of
their constitutional right of access to the nationality of their mothers.

This rejection from the Egyptian Ministry of Interior to give children of
Egyptian women their constitutional right to citizenship is a flagrant
violation of the Egyptian Constitution and international laws.

These interactive technological spaces also engage visitors on a personal level and
provide the chance to interact with those who posted through its blog format. For
example, one poster commented on the Egyptian women's testimony above: "Wow! I am
deeply sorry for those women and children. The children who grow up with a sense of
pride in their heritage/culture will find soon that their right to education, voting,
constitutional protection of civil rights, etc will be stripped from them. This is not fair

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and needs to change!" This form of online interaction shifts from a passive to a more active space for nationality debate and information gathering.

In addition to setting up technological spaces for collaboration and information gathering, WLP International introduced the Nationality campaign to NGOs beyond the six initial regional actors to work on nationality reform. Members of the WLP Partnership in Palestine and Mauritania began implementing the Nationality campaign in their countries in 2006. Broader regional interest in the campaign also occurred after the WLP 2006 campaign launch. In particular, the network received interest from a lawyer in Bangladesh who wanted to learn from the Nationality campaign tactics. Based on feedback from the WLP Partnership's experiences with the regional campaign in the Middle East, the Bangladeshi lawyer is considering developing a South Asian Nationality campaign.

One primary way that WLP International facilitates capacity building around law reforms, including nationality rights, is through their hallmark *Leading to Choices* leadership program, discussed in Appendix 1. WLP International in coordination with local NGO partners implement these skills building workshops for local women affected by unjust nationality laws. The workshop goals are twofold: first, the aim is to shift women's conceptualization of themselves such that they begin to envision themselves as active agents of change and second, they are trained in specific organizing and mobilizing skills for reforming nationality laws.[105] For example, in Palestine, the Women's Affairs Technical Committee (WATC) implemented a number of awareness-raising workshops on citizenship laws in order to create a grassroots base for citizenship reform. On the organizational side of capacity building, WLP is working with Lebanese and Moroccan

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[105] Source: Internal WLP Report to Funder. May 2008.

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partners to document the best practices being used in the Nationality campaign. Finally,
WLP International aims to bring the underrepresented voices of their partners to its
global connections and advocacy networks. They facilitate this process of connecting
partner NGOs with influential policymakers, funders, development practitioners, and
academics in a variety of ways.

**The Power of Movement Learning**

The Nationality campaign case study describes a model for indigenous, grassroots
organizing in a globalized world. The focus of this model is on the dynamic synergies
and collaboration between multiple levels and types of feminist organizing. First,
activists draw from their local and regional strengths in strategizing and implementing
advocacy campaigns. The Nationality campaign began at the grassroots when local
NGOs across the MENA came together to form a regional strategy. This strategy was
then diversely implemented depending on the national context and the socio-political
landscape. Once the national campaigns were well-established, coalition activists reached
out to the international WLP Partnership to provide increased visibility and technological
support. Branching out in this way keeps the movement fresh as "...there is dynamic
exchange between the international, regional and national [spheres]" (Goyal 2009:PI).

The WLP Partnership's continuous communication and flexibility offer diverse
mechanisms for responding to and overcoming organizational challenges and crises. As
Mahnaz Afkhami (2009:PI) notes, these are important elements that undergird learning
organizations.[106] The WLP Partnership embeds adaptive learning and feedback
mechanisms into their work; in fact, they have encoded this principle of adaptation into

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[106] The learning community perspective stems from the organizational management literature, made
popular by Peter Senge (1990), who highlights the importance of focusing on generative organizational
learning.

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their Charter, which guides their work. "The important thing to us is the readiness to evolve and be flexible and change according to the core principles that are expressed in the Charter. We have been able to reposition, refocus, restructure in ways that are helpful to both our constituency and each others' institutions." She notes the importance of "intertwining circles" that are iterative in determining the collective tasks that can be accomplished and the level of adaptation that is necessary based on external forces. At the center of this philosophy is "the capacity to respond to the conditions outside the organization or entity and in relation to each other's expressed or perceived meanings" (Afkhami 2009:PI). Ultimately, this adaptiveness relates to organizational sustainability, longevity, and effectiveness in implementing social change work.[107]

A good example of this adaptive responsiveness can be described by the Lebanese partners, CRTDA and their call on the WLP Partnership during the July war in 2006.[108] Just five days into the war, there were nearly 30,000-40,000 internally displaced refugees in Beirut and the government had run out of state supplied emergency food and safety kits. Given the circumstances, CRTDA activists partnered with other NGO across the country to provide humanitarian relief efforts. CRTDA and their networks organized a relief campaign to ensure that mothers and children had their basic health needs met. They sent out an international appeal for relief funds to international networks and

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[107] There is a well-developed literature in the organizational NGO management literature that focuses on responsiveness as key to organizational effectiveness (Edwards 2002). Social movement theories, such as Resource Mobilization theories have focused on some of these organizational issues (McCarthy and Zald 1977). More recently, literature driven by Holly McCammon and colleagues has been integrating aspects of movement adaptability.

[108] On July 12, 2006 Hezbollah fighters began shooting rockets into Israeli border towns. Fighting ensued between Israeli soldiers and Hezbollah. Israel widened the conflict by bombing civilian and military targets and infrastructure in Beirut and initiating a ground invasion in Southern Lebanon. The war lasted from July 12 -August 14 when a UN ceasefire agreement was signed. There was heavy damage and the humanitarian crisis was significant with over a thousand Lebanese deaths and over 1 million Lebanese civilians displaced.

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partnerships, including the transnational WLP Partnership. CRTDA requested funds to supply health and sanitation kits to 1,000 women head of households.[109] Through the assistance of their international partnership with the WLP, CRTDA was able to raise $62,500 to assist local internally displaced mothers in Beirut, Saida, Metn, Jbail, Kesrwan, and Tripoli.

In this case, CRTDA's local response was facilitated by the extensive leadership trainings that had been the core focus of their collective work with the WLP Partnership since 2001 (Abou-Habib 2008:PI; Goyal 2009:PI). Due to these empowerment trainings, the Lebanese activists at CRTDA had established national networks with well-trained leadership and extensive community reach. The activists were able to leverage these networks and mobilize for the relief effort. Given this strength, the WLP Partnership was then able to respond to the Lebanese crises by drawing on its institutional resources and networks in the Global South through their partners.

Additionally, activists in the Nationality campaign draw strength from the diversity of implementations amongst them. The Nationality campaign is greatly enriched by the diverse approaches and experiences that each NGO brings to the table (Goyal 2009:PI). The coalition activists meet annually to share successful strategies and lessons learned from their local experiences, which builds activists' collective toolbox of strategies. Saïda Idrissi (2008:PI) notes that the regional Nationality coalition created synergistic relationships and common visions, which they were able to more effectively mobilize for change. She sees power in the collective organizing for change. Rakhee Goyal (2009:PI) remarks: "I don't think that our campaigns would have been as rich as they are today if we hadn't had the experience of learning from one another."

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[109] Source: http://learningpartnership.org/en/advocacy/alerts/lebrefugeecrisis0706

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For many coalitions, power difficulties or agenda setting discrepancies can break down even the best formulated collaborative efforts. The WLP Partnership aims to circumvent power inequities by sharing ownership over the collective strategy implementation process and by focusing on their shared underlying values.[110] The NGO does this by ensuring space for multiple voices in coalitional strategy development processes.

This diversity is important because the reach of the shared movement strategies eventually affect more than just one campaign. Rather, as NGOs work together on a variety of social change efforts, the diverse sets of strategies and lessons learned gained from the sharing of experiences can be drawn from for future campaign development. Specifically, through inter-movement communication and diverse coalition building, lessons from the successful advocacy model in Morocco have been transferred to other campaigns and women's rights movements (Moghadam & Roudi-Fahimi 2005; Pittman and Naciri 2007; Brac de la Pérrière 2007:PI). Two examples of the cross-fertilization of strategy are the Iranian One Million Signatures campaign and the regional *Musawah* campaign. Mahnaz Afkhami (2009:PI) comments:

> National [activism] has actually enriched the regional and vice versa. Both of these [levels] have led to transfer of ideas and transfer of experiences and solidarity, which has taken campaign ideas outside even of the Arab world. …This, transnationality and cross-border exchange that is happening—it is very exciting to us. It shows the impact [of this regional coalition building model] when people in the One Million Signatures Campaign in Iran are adapting the Moroccan [reform] process and also that the Moroccan process is now in effect leading to the Musawah

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[110] These values include: being committed to creating tolerant, egalitarian, and democratic communities; sustaining their partnerships through open, ongoing, and in-depth communication; being flexible, adaptable, and responsive at the organizational level; investing in the collective nature of the Partnership and developing a shared vision; drawing from participatory and inclusive leadership built on relationships of trust and respect, and focusing on local adaptation based on unique local context (WLP 2006:4).

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campaign in Malaysia, which is going to be an international movement, we hope.

*Iran "One Million Signatures Campaign"*

The One Million Signatures campaign implemented in March 2006 aims to eliminate all discrimination against women that exists in Iranian law. The women's rights activists highlight the Iranian government's ratification of many international human rights conventions, and are calling for reform based on their stated commitments to international law. The campaign launched by primarily youth activists aims to target law reform from a practical standpoint with the tangible goals of reshaping socio-cultural norms and practices in order to bring greater equality to women (Tohidi 2006). Activists use a face-to-face, door to door mobilization strategy and petition in order to bring citizens into the movement and amplify the effects and base of the campaign support.

Tohidi (2006) argues that women are fighting for equality primarily within the cultural and legal spheres and their main oppositional sources stem from the family, workplace, and religious groups, such as mosques, synagogues, churches, marketplaces, and media. Therefore, it is within these social structures of daily life that activists share their messages of reform and mobilize for the necessity of women's equality within the country. Nayereh Tohidi (2006:1) notes the way that Iranian feminists have positioned themselves at the intersection of the transnational and local feminist movement.

> …the activists involved in the "One Million Signatures Campaign," are not only well-rooted in the specific historical, cultural, religious, and geopolitical realities of Iran, but it [the campaign] is also in step with the most progressive and current discourses, laws and universal values. Furthermore, the aims of this campaign are respected and in line with values and goals espoused by international institutions such as the United Nations and well respected international human rights organizations. Iranian activists are not following some abstract theory in defining and developing their strategy for change; rather they are basing these strategies on the available resources as well as tangible, concrete, and immediate

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realities. This choice of strategy demonstrates their understanding and knowledge of the daily-ness of women's struggle, feminist theories and principles, and also of their involvement, connection and cooperation with trans-national feminist organizations in the region and beyond. These women understand that lofty goals will be difficult to achieve under the present repressive atmosphere, as such they have chosen to utilize deliberate and practical methods, with a persistent approach in-line with a woman-centered and feminist approach to culture-building (Tohidi 2006:1).

While the Iranian women's movement has been quite successful in mobilizing participation, the broader political structure has been attempting to quell the activists' reform efforts. Official government responses to the women's rights activists have been violent and repressive, resulting in attacks, arrests, and incarceration of activists in attempts to limit their civil liberties and stop the progression of the movement. Further developing strategies these challenges, Iranian activists are drawing from models of successful law reform, such as in the Maghreb. Specifically, *The Guide to Equality in the Family in the Maghreb* was recently translated into Persian for adaptation and for use in the Iranian context. Transnational organizations, such as the WLP Partnership, have assisted in raising the visibility of the Iranian women's movement and the One Million Signatures campaign as well as facilitated and organized the Persian translation of *The Guide to Equality.*

*Musawah Campaign for Equality*
The *Musawah* campaign (meaning equality in Arabic) is a global movement calling for equality, justice, and dignity of Muslim women's rights in the family. It was initiated in 2007 by Sisters in Islam (SIS), an NGO that aims to gain women's rights through an Islamic framework in Malaysia. The global campaign launch occurred in Kuala Lampur in February 2009 and was attended by over 200 activists, scholars, and policymakers from 47 countries across the Global South. All of the members of the WLP

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Partnership attended the meeting and many helped shaped the proceedings, particularly

ADFM, where Rabéa Naciri was part of the advisory board. The goals of the campaign

are to ensure that family and marital relationships are based on mutual respect, dignity,

and equality with equal roles and responsibilities for men and women, as well as non-

discrimination and equality in all social relations, and full and equal citizenship rights for

all persons. Activists argue that "change is possible:"

> *Musawah* declares that equality in the family is possible through a framework that is consistent with Islamic teachings, universal human rights principles, fundamental rights guarantees, and the lived realities of women and men. Muslim laws and practices must reflect justice, which is the indisputable objective of the *Shari'ah*. They must also uphold equality, which is an essential part of today's understanding of justice. Today's Muslim family laws are human interpretations of the *Shari'ah*, based on juristic theories and assumptions. Therefore, they can change in accordance with the changing realities of time and place and contemporary notions of justice (Source: *Musawah* website).[111]

The *Musawah* campaign has drawn from the successful experiences of reform

across the region, including the Moroccan *Moudawana* and nationality reforms, the

Egyptian Divorce Code reform, and Turkish Penal Code reform in order to develop their

framework for reform. See Appendix 6 for the *Musawah* Framework for Action.

**Summary**

This chapter has explored successful elements in transnational coalition building,

drawing from the Nationality campaign case in the MENA and highlighted the transfer of

campaign successes from one context to another. In the regional campaign, an integral

part of the strategy focused on mobilizing grassroots awareness and lobbying with

legislators in order to bring about reform. The activists framed nationality in terms of

political equality. They contextualized nationality laws by using persuasive narratives

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[111] See http://www.musawah.org/.

from women who could not pass their nationality onto their children and highlighted the impact on children, and the family, more generally. Activists also focused the public debate on the current discontinuities that existed between the current Nationality Code and national constitutional and transnational law. The attention to both bottom-up and top-down approaches to legal reform is important, particularly in light of discussions in Chapter 2 on mobilizing collective versus individual levels of empowerment. Ultimately, it appears that movement learning was a critical component of transnational coalition building across the WLP Partnership, extending Alvarez's argument. The coalition activists have created a system of collaboration, knowledge sharing, and critical reflection and feedback that is normally only done on a national or organizational level. By sharing these adaptive strategies, the activists contribute to stronger movement building practices that have replicative impacts.

## Chapter 6: Conclusion: New Paths and Resources for Transnational Movement Building

This dissertation has explored how global and local influences, both ideological and institutional, shaped feminist movement dynamics and synergies in the Women's Learning Partnership (WLP). Three rich cases were used to explore activists' complex navigation of feminist social change in Muslim-majority societies: (1) Globally, I explored the discourses, practices, and interactions between the WLP Partnership and international funders; (2) Domestically, I analyzed Association Démocratique des Femmes du Maroc (ADFM) and their role in creating dynamic discourses and strategies for *Moudawana* reform; and (3) Regionally and domestically, I examined inter-organizational collaboration and coalition building in the Campaign to Reform Arab Women's Nationality.

Women's rights movements across the Middle East and North Africa (MENA) have faced great successes and struggles over the past decades. Revolutionary reforms led by feminist activists have produced laws that support women's equal rights in a variety of different spheres. Some of these successes include the 2004 Islamic Family Law reform in Morocco, the Egyptian *khul* divorces in 2000, the Kuwaiti reform for suffrage in 2005, Nationality rights in Algeria in 2005, and the lifting of reservations on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in Morocco in 2008 (Brac de la Pérrière 2006; Pittman 2007, 2008; Singerman 2005; Salhi 2003; Warrick 2005). Yet despite these important strides, MENA feminists increasingly face grave threats to their work due to political instability, conflict,

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war, and increasing fundamentalism. Mahnaz Afkhami (2009:PI) describes the impact of

radically shifting conditions over the past few years on the WLP Partnership:

> The whole world is changing so fast and the process of change is becoming more and more accelerated. But in the case of the regions where we work, it seems that lately there have been constant explosions and radical shifts. Just in the last few years, we have had wars in Afghanistan and Iraq, which has so affected the regions in which we work. There has also been war in Lebanon and then conflict in Palestine with the Intifada and the Gaza crisis. These are all situations that affect one partner NGO, but more broadly impact and destabilize the region. These shifts also affect specific partners' relationships with each other.  So we have had to learn to act quickly, turn things around, and change our focus in light of these threats.

Organizing for social justice and equality given such conditions necessitates a

flexible and adaptive approach with an eye toward mitigating potential and actual risks.

The following section highlights the theoretical and practical implications of activists'

innovative strategies developed to address these fluctuating contexts.


**Agency, Resistance, and Negotiation: Institutional and Normative Power**

This study has detailed the many different institutional challenges that NGO

activists working in the region face, which range from negotiations with global funders to

managing powerful and well-organized religious opposition. Feminist activists negotiate

issues of human rights, women's equality, and Islamic family law reform in conservative

circumstances where patriarchal religious laws structure gender relations.  While many of

the activists in this study share the Muslim faith, they also seek to ensure women's

equality and feminist goals using secular methods of implementation. As the research

findings suggest, there is a need for more nuance related to feminist identity in the

MENA, particularly in terms of how religiosity and secularism are depicted (Ahmed

1992; Abu-Lughod 1998; Abou-Bakr 2001; Tohidi 2002; Sharify-Funk 2008).

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In Chapter 2, I demonstrated how the Women's Learning Partnership (WLP) has navigated the religious and secular feminist debate by shifting the subject under question. Instead of highlighting religion or secularism as the means by which to achieve gender equality, the activists focused on the individual woman as the enactor of strategy. In other words, choice and free will determine strategy not secularism or religiosity. This joins the pathways for achieving gender equality and broadens the possibilities for dynamic alliances on the ground. Through their agentic strategy, the WLP Partnership advocates a multivocal form of feminism.

Mahnaz Afkhami (2009:PI) notes that the collective implementation strategy is designed to account for local specificities in political, economic, cultural, or religious practices. For example, in a Personal Status Code reform effort, some NGO activists might feel it is more appropriate to draw from religious reinterpretations, others may feel more comfortable with strict legislative arguments drawing from constitutional, international, and domestic laws, while another group may be drawn to firsthand accounts of testimony and narratives to outline argumentation in opposition to discriminatory laws (Abou-Habib 2008:PI; Afkhami 2009:PI). This conceptualization of adaptation also augments the debate on human rights as it relates to particularism versus universalism (Baderin 2005, 2007; Senturk 2005).

The exemplar of this philosophy is the dialogic *Claiming Our Rights* curriculum, which engages Muslim women in critical reflection of gender relations within the family and the community from a religious and human rights perspective. The WLP Partnership has managed to straddle the universalism-particularism debate by underscoring the universal principle of women's equality and human rights as well as local activists'

diverse prioritization and implementation of those rights. In this context, the goal is to

create new meanings of human rights and Islamic law and their contributions to women's

rights through individual refection and analysis (Levitt and Merry 2008). This creative

localization process diversifies the norms related to human rights (Levitt and Merry

2008).

In Chapter 4, the Moroccan case of reform provided an intriguing example of how

feminist movements have challenged hegemonic Islamic legal structure. One primary

tactic that feminists used to deal with the countermovements' notion of unchangeable

Islamic law was to differentiate between its institutional and normative aspects. Activists

understood the power of Islamic law as a normative structure, shaping social relations

and understandings of men's and women's roles and capacities in society. As such, in

order to foster new social understandings of gender equality, the *Moudawana* had to be

reformed. However, the feminists deconstructed the legality of Islamic law as a sacred,

God-given, and immutable legal structure. Feminist activists argued that since the law

had been humanly interpreted, Islamic law was not the god-given *sharia* code, but rather

a human construction that could be reformed. The separation of the religious structure

from the state-implemented practice of the law was intended to delineate different types

of structure in Islamic law: The religious legal structure was embedded in a hegemonic

epistemological framework that was resistant to change;[112] however, the state's encoding

of Islamic law did not possess the same restrictive principles limiting reform. By

distinguishing different types of structure, the feminists uncovered spaces of opportunity

for Islamic family law reform.  They challenged the hegemonic religious structure of

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[112] See Messick (1988) for an analysis of how the multivocal nature of Islamic law protects itself against transformative reform.

Islamic law by drawing from its own internal logic and principles in order to provide a theological foundation for eventual Islamic law reform. Ultimately, the *Moudawana* evolved through the reinterpretation of Islamic structures themselves and by leveraging religious principles of equality and justice with modern norms of democracy and rights that stimulated the evolution of the *Moudawana*.

This links to Gramscian notions of hegemonic change and Foucauldian discourses of power. Reform would be conceptualized as not just a battle between hegemony and innovation; rather, innovation, in this case, is predicated on the use of dominant socio-legal structures. Ewick and Silbey (1998:1335) relate this process of structural transformation drawing from Gramsci noting: "Resistance, as much as power, is contingent upon the structural resources available to the relational participants. Because structures help to constitute identities, and expectations, the tacit or explicit apprehension and enactment of social structure is necessary in order to act in any situation." Discourse then becomes the symbolic site where the strategic battle for power is produced. These perspectives underline the polyvocal nature of discourse as it can be differentially interpreted and created in interaction with and response to hegemonic fields (Steinberg 1999).

**The Role of Movement Learning**

Transnational networks can indeed be incubators for innovative and effective social movement strategies. These networks provide the opportunity for innovative strategizing based on the lessons and experiences of a diverse set of organizations. In Chapter 6, I highlighted the strategic importance of movement learning in transnational feminist coalition building (Alvarez 2000). Findings from the Nationality case in

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Morocco showed a variety of ways in which activists shared the progress and setbacks they faced in their local settings with each other for the purposes of building more effective and responsive campaigns. For example, Nationality campaign partners learned of the importance of ally and opponent analysis from the Lebanese and Moroccan experiences with Islamists and other political actors. Lina Abou-Habib (2008:PI) describes their surprise at unexpected barriers to reform in Lebanon and the lessons learned more broadly for the regional campaign:

> We thought that the Nationality Code reform would be easy. And what actually was encouraging, when we began the process of contacting parliamentarians for lobbying purposes there was never a rejection or opposition from MP's [members of parliament] in religious or conservative groups…So we didn't have the opposition from where we expected it. But as I said, I think we were foolish, because we underestimated the opposition and I think that there is a myth that you have in your mind that bad guys are only located in one place. But, actually they are not; they are all over the place. And so, the most rabid opposition came from politicians, from political groups, which had various different political agendas and quite a bit of religious racism… And I think this was the lesson we learned, to investigate before [the campaign launch] and find out who is likely to oppose you and why.

Coalition activists established formal mechanisms for sharing collective knowledge by documenting lessons learned, such as in the Lebanese implementation. These exchanges made it possible for activists across the MENA to strategically draw from the wealth of knowledge, experiences, opportunities, and obstacles that others had experienced in order to adapt and apply the pertinent lessons in their own context.

At the individual organizational level, the capital that ADFM gained through the *Moudawana* reform carried over and created a more solid organizing foundation for implementing the Nationality reform. Transnationally, there was also a generative aspect to the Moroccan success as movement strategies acquired in one context transferred

across and beyond the WLP network. In the years since 2001 when the regional

Nationality campaign was initiated by the NGOs, at least four other campaigns were

influenced by the collective strategies developed by NGOs involved in the Nationality

campaign (Goyal 2009:PI; Afkhami 2009:PI). First, the *Moudawana* and the Nationality

campaign share similar campaign framing strategies, e.g., highlighting legal

inconsistencies and developing powerful narratives and political frames to stimulate

personal connections to the laws. This shared strategy stems from ADFM's collaborative

role and involvement with other regional networks and partnerships in the Maghreb.

Second, the regional Equality without Reservations campaign to eliminate

discriminations in CEDAW drew from the Nationality campaign strategies of regional

organizing and involved many of the same stakeholders. Third, ADFM documented its

mobilization and discursive strategy in *The Guide to Equality*, which was then shared

with Iranian activists who mobilized the One Million Signatures campaign in their

country. Fourth, *the Guide to Equality* and the Moroccan experiences of reform also

informed the regional *Musawah* campaign for Muslim women's equality in Personal

Status Codes. Therefore, learning and exchange is taking place "within the campaign,

outside of the particular campaign, and in the evolution of one campaign into other

campaigns. It is a multi-tiered way of strengthening movements" (Afkhami 2009: PI).

The transfer of these localized movement strategies back to transnational spheres of

influence furthers our understanding of how transborder campaigns evolve (Alvarez

2000; Friedman 1999).

   All of the case studies in this dissertation revealed the importance of maintaining

flexible and adaptable movement strategy as an important element in movement learning.

I have developed the theoretical and practical propositions in the following three areas that shed light on social movement strategizing: (1) adaptive negotiations of long-standing constraints; (2) adaptability and responsiveness to sudden shifts in the context; and (3) adaptive crafting of movement discourses.

*Constraints, like opportunities, may offer a potent source for strategic innovation in social movements.*

As Sewell (1992) notes, the environment offers both enabling and constraining actions. In analyzing the constraints faced in the international funding sphere in Chapter 3, such as restrictive domestic laws and increasing international pressure from funders to professionalize, the Women's Learning Partnership (WLP) leveraged their internal sources of strength; specifically, drawing from the collective nature of the network and their strong base of shared values. WLP developed a collective approach to seeking funding as a means to protect individual partners that faced high risks in their contexts—out of constraint, came movement innovation. Moreover, the NGO activists used three primary strategies to protect against professionalization or normative isomorphic tendencies, leveraging and counteracting hegemonic trends. These included the rejection of funds that were not in alignment with the NGO's goals, the collaboration of NGOs with funders or gaining access to strategic positions on advisory boards or brainstorming sessions of funding organizations, and briefing and training funders in NGO issues of key concern. These findings contribute to a growing theoretical shift in the literature (Alvarez 2000; Friedman 1999; Ostrander 2004; Ostrander 2005 et al.) from primarily focusing on traditional power bearers to a more complex analysis that highlights the unique

contributions and negotiations of NGOs with funders and NGOs' influence on the development sphere.

Interestingly, in opposition to much of the literature that characterizes professionalization as depleting the innovation and impact of movements, in this case WLP International perceives professionalization as a basis for movement strength as well as the means through which they can more effectively articulate the goals and vision that guide their work. The process of establishing and maintaining core values was crafted in order to resist the negative aspects associated with professionalization: namely, goal displacement. The importance of strong organizational processes and resource bases often reflect resource mobilization approaches (McCarthy and Zald 1977).

Additionally, the Moroccan case of the *Moudawana* reform in Chapter 4 sheds light on the idea that opposition and even encountering a major roadblock may serve as a unique catalyst for a movement. This may be the case as it positions activists in a space where great strategic benefit may result from the re-analysis of basic movement assumptions (McCammon and Campbell 2002; McCammon et al. 2008; McAdam, Tarrow, and Tilly 2001). In the case of *Moudawana* reform, activists spent a long time trying to navigate around the seemingly impervious obstacle that the *Moudawana* was a sacred and unalterable law. However, as Amina Lemrini noted, it was within this very powerful constraint that activists ultimately found an opportunity to reframe their debate using Islamic referents—thus responding to and neutralizing the countermovement's frame. This finding underscores the strategic practicality of analyzing constraints in movements.

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*Adaptability and responsiveness to contextual shifts has the potential to increase the sustainability of a movement.*

Practically, the recognition of the multi-faceted nature of the opportunity-constraint context can facilitate a more grounded assessment of the movement playing field and of potential movement influence. Both the *Moudawana* and Nationality campaigns highlight the importance of strategic assessment of the environmental conditions and the flexibility and adaptability of campaign strategies to meet shifting opportunities (McCammon et al. 2008). In the *Moudawana* case in Chapter 4, Moroccan activists at ADFM encountered numerous political and institutional challenges due to the contentious nature of reform. A good example was after the 2000 Rabat march, when the countermovement framed the campaign debate in terms of Moroccan identity and nationality. Facing charges that the movement was elitist and not representing the average Moroccan, women's rights activists regrouped to address this crucial setback and to strategize around ways to reach and mobilize the grassroots in support of *Moudawana* reform. Ultimately, it seems this adaptiveness allowed activists the opportunity to reframe discourses in a manner that was more resonant to the broader public.

In 2003, another critical moment occurred after the Casablanca bombings. Women's rights activists quickly responded to the broader political context by immediately mobilizing the public and taking to the streets denouncing the attacks (Sadiqi 2008). They also used this period to reiterate the necessity of gender equality as the state and public were distancing themselves from Islamist rhetoric. Activists drew on their organizational resources and strengths and re-strategized in the face of these problems. The climate precipitated activists to shift to a two-pronged grassroots and

lobbying mobilization strategy that could be sustained in the politically volatile

environment.  Such an adaptive approach requires flexibility, close attention to the

context, and analysis of broader environmental factors, possibilities, and limitations in

order to achieve one's stated goal. It is feasible that these adaptive tactics strengthened

the campaign's sustainability in light of domestic contention as flexibility and

adaptability have been linked to positive social movement outcomes (McCammon et al.

2008).

The importance of political timing was integral to both the *Moudawana* and

Nationality campaigns. The period after the terrorist acts in 2003 affected the political

climate and moved King Mohamed VI to quickly act, providing an opportune moment for

progressive reform. The terrorism acts of 2003 in part also affected the Nationality

reform as the national conversation shifted to discussions on anti-terror regulations. The

Nationality case is interesting as it illuminates how setbacks can occur despite political

will and support for reform at the highest levels. Activists had the support of King

Mohamed VI and the Islamists, who had been the major political opposition to the

*Moudawana* reform. Yet, political opportunities and activist innovations in adaptively

responding to the social movement context were not necessarily conducive to immediate

reforms. Rather the issue "sat idle" in the legislative system until 2007. The absence of

action in the face of opportunities and the successful activists' leveraging of the

campaign issue demonstrate the interaction of political timing and opportunities (Carmin

et al. 2003). Despite the lack of official political response to reform, ADFM activists

continued reacting to potential openings, such as Morocco's bid for a seat at the United

Nations Human Rights Council. While the effects of their actions were not immediately

apparent, the activist strategy laid the groundwork for reform and ensured that nationality reform was on the national agenda. Thus when the political timing shifted, reforms could more easily be passed through parliament. Given the dynamic influence of constraints on movements, the results suggest that it is useful to reintegrate analyses of constraints into the social movement literature (Goldstone and Tilly 2001; King 2007). Envisioning constraints as potentially be permeable may provide spaces for important movement innovation.

*In contentious reform contexts with strong ideological divides, bridging framing strategies may make a difference*

This research contributes to the social movement literature on political opportunities and framing by highlighting important components of MENA feminists' strategy for navigating oppositional ideologies and constraints stemming from the politicization of the legal context (Alimi, Gamson and Ryan 2006; Amenta et al. 1992; 2005; Benford and Snow 2000; Gamson and Meyer 1996; Goodwin and Jasper 2004). Given the contentious Moroccan reform context, ADFM activists focused their attention on bridging the religious and secular ideological divide. Though these discourses are not mutually exclusive, the public spread of these politicized frames created ideological impasses. Moroccan reformist activists developed dynamic discursive innovations to neutralize and counter seemingly intractable oppositional constraints in the *Moudawana* law reform campaigns.

Specifically, the Moroccan activists responded by reframing their campaign messages to counter negative frames lodged by the countermovement, namely the "anti-Islamic" nature of the women's movement. In order to dismantle seemingly intransigent

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religious discourses opposing reform, Moroccan feminist NGOs began calling for *ijtihad* and pointed out the long history of equality between men and women in Islam. Meena Sharify-Funk (2008:117) describes the pragmatic function of this strategy: "Using an Islamic idiom reduces the likelihood of political backlash, while also providing a basis for effecting desired changes in popular social and cultural practices…By engaging in rather bypassing the authoritative Islamic discourse, they can participate more actively in local and transnational public spheres." This was also a way to counter the opposition's claim, while affirming their role as authentic cultural actors. The activists' crafted *bridging frames* that honored both secular and religious principles. The activists achieved this by interweaving various discourses. They highlighted the old *Moudawana's* disconnect with the culturally lived realities of the average Moroccan. The activists showed how the state had made international commitments to women's equality through ratifying CEDAW and domestic commitments to gender equality in the constitution, yet were not in alignment with those commitments made at the legal level. Finally, these consciousness-raising arguments were linked to fundamental religious principles of *ijtihad,* to justify the mutability of Islamic law and equality and justice. Activists wove together resonant pieces of global rights and democracy discourses and melded them with local norms (Levitt and Merry 2008). Through this marriage, the discourse was no longer "foreign" or "imported," but rather a localized cultural discourse.  Moreover, in bridging the secular and religious frames, Moroccan activists contributed to a nuancing of feminist strategy in the region.

In the Nationality case, the framing strategy was slightly different since the law was secular in nature.  However, the activists chose not to focus heavily on women's

equality in marriage, but rather the equality and rights of the family. This shift in framing could also be perceived as a means to bridge more liberal and traditional perspectives within society. By focusing on the strength of the family unit and the rights of children and women in the process, the argument's appeal was broadened. Moreover, by drawing from a rights framework activists could effectively argue for the necessity of reform based on pragmatic arguments of needing to align and update the Nationality Code with other fundamental rights that were secured by the state, such as constitutional rights to equality.

Of course, there are a variety of discourses in play in any social movement field, which can be diversely drawn from in a given historical period. But it is important to note that activists select them due to their relevance, their strategic value in light of the countermovements' prevailing arguments and the contribution to public dialogue at the time. One way that activists can prioritize frames is by assessing the opportunities and constraints in their environment, analyzing the dynamic interactions and framing strategies of the opposition, and crafting messages on a strategic basis based on the socio-historical context. In both of these cases, activists bridged together two diverse perspectives, which seemed at odds with one another (Snow and Benford 1998). The results have shown that Moroccan feminists seized upon the multivocal nature of discourse and created a bridging approach to framing.

Moreover, activists adapted and vernacularized discourses, drawing from a variety of perspectives, including global rights and traditional values, increasing the likelihood that messages would appeal to a broader Moroccan constituency (Evans 1997; Levitt and Merry 2007, 2008; Tohidi 2002). This approach was developed largely due to

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the activists' strategic insights and reactions to prominent discursive constraints in the movement playing field. Future research should further explore the nuanced conceptualization of bridging framing and its interaction with major constraints in the movement playing field.

**The Importance of Legal Contexts to Movements**

        I have argued, largely through the *Moudawana* case in Chapter 4, that the legal context in which reforms take place can determine the types of political alignments and affiliations that take root. This perspective goes above and beyond the mainstream social movement literature's focus on the influence of political contexts and opportunities on movements outcomes (Amenta et al. 1992; 2005; Giugni 2008; Meyer and Minkoff 2004). The implications of the legal context can easily be taken for granted. In the *Moudawana* reform case, it can be easy to become distracted by the contentious political alignments and constraints posed by the Islamists and religious conservatives. Yet, through the comparison of the *Moudawana* and the Nationality reforms, a clearer and richer narrative begins to develop. In the case of secular reform, the data revealed that Moroccan Islamists were not opposed to women's equality and rights and believed that women should have equal rights to men in nationality. This is likely the case since nationality and statehood is a historically new phenomenon and as such, it has no reference point from an Islamic legal perspective (Afkhami 2009:PI). Indeed, both Islamists and liberal feminists held similar political positions on gender equality in the Nationality Code.  Drawing implications from comparisons of these two cases, it appears that reforms are more politically divisive depending on the legal context in which the campaigns are being conducted, e.g., religious or secular.

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Thus, it is not about religion, per se, but the way in which Islam has been encoded into the legal structure and is mobilized by the state and other political actors. Given Western colonization and secularization of legal structures in the MENA, the Family law is largely seen as the one sphere in which Islamic identity is preserved and maintained (An-Na'im 2002; Charrad 2001). The reform of this sphere, for those who are religiously conservative or political, appears to be an attack on this very fundamental identity. It seems that a primary tactic that the countermovement used in Morocco was to consolidate and lay claim to the sphere of Muslim or Moroccan identity. They did this through boiling down and essentializing identity claims to "us versus them" binaries. Part of this processes included reigniting postcolonial stereotypes related to "Western versus indigenous" change, which, as we have seen, quickly developed into an entrenched political battle over the hearts and minds of the Moroccan public. In the *Moudawana* case, the discursive divide was intensified as the opposition highlighted the feminists' acceptance of foreign resource support and global human rights norms. Given these discursive challenges, it is uniquely interesting that the feminists' solution to the bifurcation of Moroccan identity was a strategy, which bridged the "secular and religious" as well as the "foreign versus local" elements.

The importance of the legal context in social movements is summarized using the following propositions: (1) Legal contexts do matter in MENA law reforms related to women's equality; (2) The institutional sphere within which the reform takes place, e.g., Islamic law or secular code, interacts with political contexts; (3) The normative dimensions of the legal context are then enacted by political actors; (4) Thus, it is the interaction of the legal and political structure and its collective impact on activists'

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strategy that more explicitly shapes pathways toward reform. These findings go above and beyond research done in the political opportunity and mediation literature (Amenta et al. 1992; 2005; See Giugni 2008), which primarily focuses on political contexts as key mediators of movement outcomes. Instead, the findings underscore the importance of the legal dimension and its interaction with political actors and provide a necessary case for analysis outside the Western context. These findings also contribute a newer trend within the sociology of law literature that is beginning to examine how the law impacts and is used in social movements (McCann 2006).  Future research studies should further investigate the applicability of the facilitative influence of legal contexts on political structures. Studies in the MENA region would particularly benefit from this additional factor in analysis.

**Building Global Movements for the Future**

The broad findings from the WLP Partnership's work underscore the importance of developing adaptive movement strategies that are mindful of potential threats to organizational mission and integrity, learning from global and local threats and adapting accordingly, bridging diverse ideological discourses, and collaborating with regional or domestic actors in advocacy networks to more effectively leverage local reform goals. Ultimately, the assessment of political and social conditions and the openness of activists to explore different adaptations in order to address global-local opportunities contribute to movement learning and development. Activists' responsiveness to the countermovement and the broader environment is particularly important when critical events deeply threaten the reality of reform. Assessing and analyzing the reform context and the movement strategies during these movement moments may reveal new

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innovative pathways for navigating and addressing movement issues in difficult political contexts. Moreover, adapting to environmental shifts when appropriate can be the key to keeping a movement fresh, relevant, and alive. The results point to the importance for movement actors to think more flexibly and innovatively about how to effectively respond to and leverage constraints in their settings.  Finally, the importance of national, regional, and international allies and coalitions cannot be overstated. When relationships are built on mutual trust and respect, these allies can offer crucial support in broadening the influence and reach of campaigns. More importantly these spaces facilitate the sharing of movement strategies that cumulatively strengthen global women's movements.

Table 1. International Donors in Sample by Funding Type (2005)

| Type of Foundation | Name | N |
| --- | --- | --- |
| *Bilateral/Multilateral* | | 7 |
| | European Commission/EU | |
| | UNDP | |
| | CIDA | |
| | UNFPA | |
| | European Youth Foundation | |
| | UNICEF | |
| | UNIFEM | |
| *Private Foundations* | | 5 |
| | Open Society Institute | |
| | Sigrid Rausing Trust | |
| | Ford Foundation | |
| | Heinrich Boll | |
| | Local Foundations | |
| *INGOs* | | 4 |
| | Oxfam | |
| | HIVOS | |
| | CORDAID | |
| | Equality Now | |
| *Women's Funds* | | 2 |
| | Global Fund for Women | |
| | Mama Cash | |
| *Individuals* | | 1 |
| | Individual Giving | |

* Data derived from 2007 Kerr Report on "Where is the Money for Women's Rights?" Initiative.

Table 2. Thematic Typology of International Funders' Major Approach to Social Change According to the Mission and Vision Statement

| **Approach to Gender Equality** | **Donor Frequency** |
| --- | --- |
| Human Rights | 11 (64.7%) |
| Empowerment | 3 (17.6%) |
| Governance | 7 (41.1%) |

Donor n=17

*Percentages do not equal 100 as the categories are not mutually exclusive categories.

Table 3. Thematic Typology of NGOs' Major Approach to Social Change According to the Mission and Vision Statement

| Approach to Gender Equality | NGO Frequency |
|---|---|
| Human Rights | 6 (45.4%) |
| Empowerment | 9 (81.8%) |
| Democratic Development | 5 (27.2%) |

NGO n=11

*Percentages do not equal 100 as the categories are not mutually exclusive categories.

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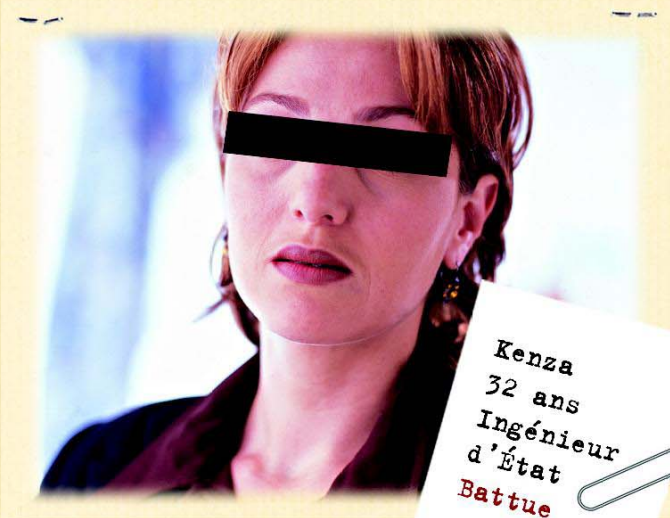
Table 4. Keyword Frequency in Mission and Vision Statements by Incidence Level across Funders and NGOs

| Funder Keywords | Incidence | NGO Keywords | Incidence |
|---|---|---|---|
| Women | 10 (58.8%) | Women | 10 (90.9%) |
| World | 7 (41.2%) | Society | 8 (72.7%) |
| Poverty | 7 (41.2%) | Participation | 6 (54.5%) |
| Human/Women's Rights | 6 (35.2%) | Human/Women's Rights | 6 (54.5%) |
| Economic | 5 (29.4%) | Decision Making | 5 (45.5%) |
| Justice | 5 (29.4%) | Community | 5 (45.5%) |
| Democracy | 5 (29.4%) | Justice | 5 (45.5%) |

Visual 5. Kenza Case. Developed by Printemps d'Egalité
Right to Reprint from ADFM (2005)

Visual 6.Yamna Case. Printemps d'Egalité
Right to Reprint from ADFM (2005)

Visual 7. ADFM *Moudawana* Awareness-raising Campaign Media Spot
Right to reprint by ADFM (2005)

**oui**
à la pleine capacité juridique de la Femme Majeure pour Conclure son **Mariage**

Pourquoi se taire quand la loi vous protège?

L'art. 25 du nouveau code de la famille stipule qu'il appartient à la fille majeure de conclure l'acte de son mariage elle-même ...

A travers les récentes réformes législatives ( Code de la Famille, Code Pénal et Code du Travail), le Maroc s'est engagé dans la voie de l'égalité et de la justice pour tous les Marocains et les Marocaines. Pourtant, de nombreuses formes d'injustices envers les femmes persistent dans la vie quotidienne : violences, harcèlement sexuel, discriminations entre les hommes et les femmes dans l'accès à l'éducation, à la santé, à l'emploi et à la prise de la décision... De nouveaux textes de lois punissent ces abus. Les respecter, c'est aller de l'avant pour consolider l'Etat de droit et l'ouverture démocratique actuelle. Les ignorer... c'est encore une forme d'exclusion, de violences et de déni de la citoyenneté de la moitié de la population du Maroc.

Pour plus d'informations contactez nous au
**037 72 16 56**
**Centre Nejma**

ADFM
**Association Démocratique des Femmes du Maroc**

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Appendix 1 Dissertation Methodology

**Participants: The Women's Learning Partnership**

Mahnaz Afkhami, a prominent Iranian women's rights activist, founded the Women's Learning Partnership (WLP) in 2000. Afkhami was the Secretary General of the Women's Organization of Iran and the first Minister for Women's Affairs in Iran before the 1979 Iranian revolution. At this time, she was exiled and came to United States. Previous to WLP's founding, she was the Executive Director of Sisterhood is Global Institute, which is now headquartered in Jordan. Due to her extensive political and feminist connections across the MENA and her decades of experience working on women's rights, Afkhami saw a need to form an NGO which brought prominent activists across the Global South together, particularly those in Muslim-majority countries, for the shared purpose of transforming the architecture of gender relations, empowering women as agents of change, and building stronger cross-national feminist movements.

*What does the WLP do?*

The vision of the WLP Partnership is "to strengthen a feminist movement in order to transform power relations and promote justice, equality, peace and sustainable development."[113] The WLP Partnership works in three primary areas: in building grassroots capacity, in participatory leadership curriculum development and training, and in building sustainable organizational capacity and advocacy efforts in order to develop effective and responsive local feminist organizations and movements. The WLP Partnership believes:

> To achieve lasting change, women must be empowered to shape the transformation of their own societies. They need leadership skills to negotiate at the family, community, national, regional, and international levels for conditions that are more favorable to their personal and social development as free and equal human beings. They need technology skills to access information on their political, economic, and social rights, engage in dialogue with women around the world, and build communities of action. To succeed, empowerment projects for women must be adapted to the unique socio-economic, cultural, religious, and political conditions in each society. WLP's programs are grounded in partnerships with established grassroots women's organizations in the Global South and empower women by providing leadership training, organizational development support and the promotion of advocacy and movement building (WLP 2006a:2).

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[113] Source: WLP Charter. 2007.

Partners work together to develop and implement culturally adaptable curriculum for women's empowerment at the family, community, and political levels. Specifically, WLP builds the capacity of women and women's organizations in the Global South in order to increase women's status and in order to organize for gender equitable norms, legislation, and policies. NGOs involved in the WLP Partnership share the common belief that in order to make a just and inclusive world where rights are respected, they need to mobilize the largest number of people, relate to the grassroots, and link to other movements (WLP 2008a).

*How are WLP partner organizations chosen?*

WLP partners are autonomous NGOs from around the world. While the NGOs share common aspirations, they are organizations with their own histories, visions, missions, and strategies for social change. Partners are selected to enter the Partnership by the WLP International executive leadership based on a variety of factors, the most important of which is shared values. The organization promotes a vision of participatory leadership based on individual's unique skills. Partner organizations are established and credible feminist NGOs that are respected members of their local communities. Typically these NGOs are elite advocacy groups in the country with political influence. However, the efforts are not only aimed at the policymakers, rather the primary foundation of their work is aimed at empowerment and mobilization of the grassroots.

*How does the WLP Partnership work?*

WLP has developed a framework and methodology for transnational cooperation between the 20 women's rights organizations that involves intensive communication and relationships based on trust, respect, and extensive collaboration, which mobilizes and leverages financial resource development with accountable oversight processes. At the heart of the WLP Partnership is the intense focus on communication and frequent face to face interaction. There is ongoing attention to and nurturing of individual relationships through phone meetings, conference calls, emails, and personal notes. At the very least, partners gather annually to reflect on the accomplishments and challenges of the past year as well as strategize on collective projects for moving forward.

> We consider our greatest strength to be the solidarity, resilience, and dynamism of our Partnership, based on relationships of trust, respect, and cooperation. The synergy created by these relationships has made the astonishing growth of our programs possible. Our shared vision, nurtured through more than five years of collaborative effort and sustained communication, has enabled 18 autonomous and independent organizations on three continents, functioning under diverse conditions, to work closely together, thereby significantly increasing their impact on their socio-political environment (WLP 2006a:1).[114]

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[114] There were 18 partners at the time that the 2006 annual report was written. As of 2009, there are 20 partners in WLP.

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The network believes that through solidarity and partnership they will be able to face the surmountable challenges in their contexts, which includes a legacy of patriarchy, increasing fundamentalism, closing political spaces, and more widespread conflict.

*The Foundational Curriculum: Leading to Choices*

The WLP Partnership developed a participatory leadership program in 2001, the *Leading to Choices* (*LTC*) program. The curriculum, collaboratively designed by the WLP Partnership with a group of Moroccan, Nigerian, and Palestinian activists,[115] cultivates individual capacities and collective leadership skills in order to foster, elicit, and develop each participant's unique strengths and collective contributions to the women's movement. LTC aims to "empower" participants and to foster leaders who aspire to create more egalitarian, democratic, and pluralistic societies based on collaborative decision-making and coalition-building. The LTC program forms the core curriculum that is implemented in all of the partner countries. Activists have trained over 8000 women and men across the Global South. The curriculum has been adapted based on culture and translated into 16 languages, English, Maghreby-Arabic, Shamy-Arabic, Assamese, French, Hausa, Malay, Meiteilon, Persian, Portuguese, Russian, Shona, Spanish, Swahili, Turkish and Uzbek. Editions in Bahasa Indonesian, Kokborok, and Tagalog editions are all under development.

The first section of the LTC program is primarily aimed at the facilitators and is entitled: "The Building Blocks of the Leadership: Leadership as Communicative Learning," in which the foundations of a horizontal, participative, and democratic leadership are outlined. The second part, "Communicating in a Workshop: Guidelines for Facilitating" provides practical, technical, and methodological instructions essential for addressing the case studies within the handbook. The second section of the handbook is intended for the participants and focuses on three different themes: (1) Developing the Self for Leadership; (2) Communicating with Others; and (3) Creating Learning Partnerships. Within each section, different elements of leadership are focused on, such as identifying alternative forms of leadership, creating a shared vision, communicating in diverse situations, establishing allies, and mobilizing a constituency.

Alternative forms of leadership and key concepts to strengthen women's organizing are presented through twelve case studies from around the world. Examples of some of the real world cases included are: Jordan, where the human rights lawyer, Asma Khader, organized a campaign to eliminate honor killings; Bangladesh, where Muhammed Youniss created a vision for a world without poverty and founded the Grameen Bank; and Nigeria, where humans rights organization BAOBAB utilized technology to increase communication between women in Sub-Saharan Africa for the purpose of increased community participation. These cases are provided to stimulate conversation around important topics related to democratic leadership and building gender equitable societies. The dialogic and participatory method of learning creates a foundation from

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[115] Organizations include Association Démocratique des Femmes du Maroc (ADFM), BAOBAB for Women's Human Rights, and Women's Affairs Technical Committee

which participants can explore personal and collective levels of leadership as well as develop strategies for social change in their communities.

Indeed, local adaptation is seen as a critical component of the leadership program's success. Afkhami et al. (2000) note that it is important that the manual be "… adaptable for any community, to enhance women's participation and leadership in various spheres of social interaction and decision-making. Our ultimate goal is to play a part in creating conditions for the fair and balanced treatment of both men and women worldwide" (Afkhami et al. 2000: 2). Below I provide two examples of local adaptations used in Rabat, Morocco and Istanbul, Turkey. The adaptations are based on *Session 2: How am I a Leader in my Own Life*, particularly focusing on the parts of the session that deal with gender roles and its impact on how women envision leadership.

In Rabat, Morocco, ADFM draws on a humorous cultural text to illuminate gender roles and biases in their society. The NGO plays a short video clip entitled, Al Baghla, *The Indignant Mule*. The woman depicted in the film is shown busily working and providing for her family and husband during a day they travelled to town. She buys food, cleans, handles the money, while her husband plays games and enjoys the day with his friends. When the couple is getting ready to travel back home, the husband gets on the mule, while the wife walks next to him. The mule, indignant, bucks him onto the ground.

At this point, the facilitator of the LTC program typically notes the paradox in Moroccan society depicted in the movie between the derogatory status of women compared to her roles and responsibilities: "She buys, sells, and works—she has a productive role in the house— she takes care of the house and the children. In this instance, the woman has three roles: productive, social, and reproductive. Is that not enough to be a leader?" (Haddouche 2006). By noting this dichotomy, the cultural permutations of women's roles are brought to the fore, while also questioning traditional forms of leadership. Participants then engage in a discussion to further explore the ways in which gender biases and roles influence their lives.

In Turkey, the Foundation for the Support of Women's Work (FSWW) also adapt Session 2 using a reading entitled, *A World Overturned*, taken from an Oxfam exercise. Specifically, FSWW uses a scenario, which reverses gender stereotypes in order to facilitate an open discussion. The session starts out with a reading that questions why notions like honesty, bravery, and honor are all attributed to men in Turkish society. The reading moves on to set up another reality where these are common stereotypes of women and it is women who hold the majority of powerful positions in the country.

> Close your eyes and when you read the papers, when you listen to the radio or watch television, you constantly see female politicians, labor unions, corporate leaders, imagine you see them face to face and hear them speak. Imagine that all the heroes of all the important books and poems that emotionally move you that you've read, all the plays, movies you've watched, and songs are about women…Moreover, imagine that all the biological explanations developed about women enable them to

become centers of power and leaders. As a result the body of a woman is a miracle.

The text addresses the roots of gender stereotypes from a reverse perspective, men are raised to be protected because they are deemed weak and their bodies must be protected because they are vulnerable. This reversed world offers participants the freedom to question existing gender stereotypes without being constrained by traditional and existing norms.

These examples of cultural adaptations demonstrate how the WLP Partnership implements its agentic brand of feminism, as described in Chapter 2. Specifically, local adaptations illuminate the importance of context when working on grassroots social change. Women that participate in the LTC programs are provided with a wide range of domestic and international examples of leadership from which they develop communication and mobilization strategies to alter their family, work, or political relations. Moreover, these interpersonal skills are built upon and transformed to broader organizational or political goals where broader collective efforts of social change can be initiated based on one's personal preferences and individual circumstances.

**Dissertation Methods**

I use a mixed method feminist-activist approach, drawing from both qualitative and quantitative methods. My goal in the first section on resources that social movements encounter is to explore spaces of connection and disconnection between feminist and international funders' discourses. I was particularly interested in the predominant use of rights discourses and specifically believed that funders would pay less attention to contextual specificities, such as religious reaction to human rights, and their own impact on local events on the ground. I look closely at how the interactions between these two actors shape local NGO discourses of equality on the ground. In the second section on legislative reforms, I am interested in exploring how activists' interaction with the context, political actors, and particular historical events can shape movement strategy and particularly the development of equality discourses.

*International Resources and NGO Strategy*

The main research questions I explore in Chapter 2 include the following. (1) What are the main discourses used to frame gender equitable social change? (2) How, if at all, do international funding priorities align with MENA women's rights NGO priorities? (3) In what ways are global discourses adapted to local settings by NGOs?

As described, the women's rights NGOs in the sample are all members of the WLP Partnership. I include the 10 organizations located in the MENA and the coordinating organization, WLP International, as previously described. I selected the funding sample by drawing from a list of the top 20 global funders in the MENA region found in a recent report by Association for Women in Development (AWID) (Clark et al. 2006). The funding organizations included in the sample are The European Commission, United

Nations Development Programme (UNDP), Canadian International Development Agency (CIDA), United Nations Population Fund (UNFPA), European Youth Foundation, United Nations Children's Fund (UNICEF), United Nation's Development Fund for Women (UNIFEM), Open Society Institute (OSI), Sigrid Rausing Trust, Ford Foundation, Oxfam, HIVOS, CORDAID, Heinrich Boll, Equality Now, Global Fund for Women (GFW), and Mama Cash.

Since I wanted to explore the types of discourses that were most prominent for funders and NGOs, I explore how international donors and NGOs present themselves to the public through their "public face" in their mission and vision statements on their websites. While it would have been useful to conduct in-depth interviews with funders, it was outside the scope and timeline for this project.[116] Organizational documentation reveals important aspects of an organization's bureaucratic process and identity (Espeland 1993). As such, this analysis strategy will unearth important strategic choices about how organizations publically frame and present their priorities. Drawing from Ferree and Pudrovska's (2006) model for analyzing the identities of women's rights groups in the Global South, I content coded the NGO and funder mission and vision statements and transformed data to a quantitative format[117] (Weber 1990; Bauer 2000; Boyatzis 1998). For data organization and coding purposes, I used Atlas.ti and Excel. The codes were developed generatively from the data. The only codes that I identified a priori were human rights discourses, the rest emerged as I read and developed codes from the data.

In total, I identified three main underlying emphases in the funders' mission and vision statements, which describe how they conceptualize funding gender equality. These include rights-based, good governance, and empowerment approaches. In the NGO analysis, I found nearly replicable themes to the funders, including rights-based, empowerment, and democratic development models. The only difference was a slightly different focus for NGOs on establishing democratic processes and institutions in comparison to the funders' focus on governance and rule of law, but overall they are merely describing different dimensions of a similar overall approach. Descriptions and examples of these themes are outlined in more depth in Chapter 2.

Next, I conducted a frequency analysis of the keywords in the missions and visions of international funders.[118] I did this as I believe word choice in mission and vision statements provide an important indicator of organizational priorities and strategic messaging. These public messages will be read and interpreted by international and domestic actors such as state allies and opponents; thus, they contain crucial discursive information. I report both the frequency and incidence of keyword use in order to rank the most frequently highlighted keywords across the sample as well as to track the

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[116] Still wanting to keep this line of inquiry, I thought it would be useful to compare the language in the mission and vision statement. Interestingly, this did allow me to get at differences related to local nuance in funders' and NGOs' missions. I then supplement these findings with NGO interview data to gain deeper insight into these issues.

[117] UNDP, Sigrid Rausing, and Open Society Initiative (OSI) did not have an easily accessible mission or vision statement on their websites. In these cases, I analyzed the 'About Us' section of the website.

[118] I used the program HyperPo to conduct these keyword frequency analyses.

relative frequency based on how many NGOs used the word. A full chart detailing the keywords appears in Chapter 2.

To conclude Chapter 2, I analyzed interview and meeting data to shed light on how activists make meaning of public discourses, such as human rights, in their local context. My main research questions for this section include: (1) What are the strengths and weaknesses of using human rights approaches in the local setting? (2) In what ways have NGOs addressed women's rights using different global and local perspectives? I analyze participant observation data and hand-written notes and transcripts of the meeting interactions between 18 activists during roundtable discussions at two WLP meetings in September 2006 and April 2008 in Potomac, MD. I restricted analyses of focus group sessions and only coded the MENA NGO responses in the sample. I also drew data from in-depth interviews. I used thematic coding approaches with the data (Boyatzis 1998), focusing on the themes that emerged as I read across meeting and interview transcripts. The main issue activists highlighted was the need to contextualize global frames, such as human rights, democracy, or empowerment. In order to bring to life diverse modes of discourse localization, I use a locally-developed curriculum, *Claiming Our Rights,* for women in Muslim societies to explore connections between Islamic texts and human rights. This section emphasizes the diverse and dynamic adaptations developed for bridging local and global concepts, such as human rights and Islam.

Next, in Chapter 3, I take a closer look at the intricate discursive negotiations between transnational NGOs in the international development sphere. I explore the different ways in which power and agency are exercised by NGOs in asymmetrical relationships with their funding allies. My main goal is to explore how even within opportune relationships there are constraints that activists must manage. I explore the following research questions: (1) What are the opportunities and constraints of NGO partnership with international funders for activists in local contexts? and (2) In what ways are power and agency being exercised by NGOs in the funding relationship?

The data used to answer these questions were derived from participant observation data, written transcripts, and notes from roundtable discussions between 18-24 activists from four WLP meetings I attended that focused on the opportunities and constraints related to receipt of international funds. The meetings took place in 2005 in Bangkok, Thailand, in Potomac, MD, in 2006, and in April and September 2008. Portions of these meetings were devoted to international funding, capacity building, and feminist social change. I also include pertinent information from key interviews and numerous informal discussions with key members of the WLP Partnership.[119]

I analyze the meeting and field notes using an emergent thematic coding scheme (Boyatzis 1998). Through reading and analyzing my notes, I began to notice two major themes running throughout activists' commentary—power and agency. Given these themes, I structured Chapter 3 around these two issues. I then conducted interviews with

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[119] Since issues of funding are extremely delicate issues to discuss due to NGO's reliance on funding, issues that could potentially threaten future funding for any NGO are not included in this study.

the executive leadership of WLP International to further illuminate issues related to these themes in the international funding community in order to produce a more holistic theory. In some ways, this analytic approach draws from grounded theory analysis, specifically allowing major theories to emerge from the data and then conducting subsequent interviews in order to refine that theory (Strauss and Corbin 1994). The data highlight the many challenges and opportunities that international funding brings to the movement, as well as underline the strategic choices that autonomous NGOs made in regards to their relationships with funders. In particular, the analysis sheds light on the strategies and practices that NGOs in the WLP network have pursued to assuage potential threats associated with mission or goal drift.

*Contentious Domestic Reform Contexts: Bridging Global and Local Discourses*

Given the previous focus on the resource dimensions associated with NGO work, this next section analyzes how NGO apply their social change missions, namely through efforts of legislative reform. In Chapter 4, I turn to an in-depth analysis of the evolutionary discourse development process in the case of *Moudawana* reform. The goal is to explore the Moroccan reformist movement's process of crafting an effective social change discourse based on a variety of global and local constraints. I pay particular attention to answering the following questions. (1) In what ways, are global and local norms used to frame issues of *Moudawana* reform? (2) In what ways, do the legal and political contexts influence the Moroccan reformists' discursive framing and mobilization efforts? (3) What roles do domestic constraints and opportunities play in the Moroccan campaign to reform the *Moudawana*? (4) Finally, in what ways does activists' engagement with constraints augment feminist and social movement scholarship?

In order to answer these questions, I constructed an in-depth case study of the Moroccan feminist campaign to reform the *Moudawana*. The case study was crafted based on three months of fieldwork in Rabat, historical analysis, in-depth interviews, and textual analysis of the Moroccan women's rights movement strategy and legal documentation. I draw on fieldwork and personal interactions with WLP and ADFM between the years of 2004-2008. I initially gathered data related to the *Moudawana* reform while working with activists at ADFM on a two year collaborative evaluation of a women's leadership program in 2005. I spent 3 months in Rabat throughout 2005-2006, working with ADFM. In April 2005, I attended a press conference on the *Moudawana* reform held at ADFM headquarters in Rabat, where I gathered detailed information on the media and communication strategies.

Additionally, I conducted in-depth semi-structured interviews, which included the executive leadership and activists at ADFM, a strategist to a regional Maghrebian coalition for Islamic Family Law, a member of the Royal Commission to reform the *Moudawana,* and regional partners. All interviews were transcribed and thematically coded (Boyatzis 1998). In the process of coding interviews, I began to see activists' acknowledgement of the need to shift their framing strategies based on strong opposition from religious conservatives and Islamists. Moreover, I found that references to the political context and opportunity and constraints were frequent. I use historical data and

secondary data analysis to describe the Moroccan reform context at the time, painting a better picture of the types of shifting political opportunities and constraints available to women's rights activists.

Next, I began constructing my arguments on the importance of the legal and political contexts and its influence on shaping discourses for reform. In order to better understand the specific types of discourses that the movement was generating, I analyzed legal and textual sources, such as the *Collectif 95 Maghreb Egalité's, Guide to Equality in the Family in the Maghreb* and the French and English translation of the reformed *Moudawana* (2004). I use this data to target specific discursive strategies that the activists developed from 1999-2004. Through these analyses, the way that activists bridged the secular versus religious public debate is evidenced. Specifically, Moroccan activists navigated a shifting and contentious reform context by drawing from multiple discursive claims, including human rights, democratic, sociological, and religious discourses.

Finally, I have drawn from a sample of newspaper articles, which were published after King Mohamed VI made his speech announcing the *Moudawana* reform. The articles appeared in the popular press from October 10-October 31, 2003 (67 in French and 82 in Arabic). These articles were collected by ADFM in order to document the press coverage of the reform. ADFM systematically collected articles from the most popular and widely distributed newspapers in Morocco. I specifically look to see if there were any major differences in how reformists or opponents framed their messages after the *Moudawana* reform.

*Alliances and Coalitions for Global Feminist Movement Building*

Building on the previous chapter, which looks at an example of domestic Personal Status Code reform, I turn to an example of regional strategizing for reform of the secular Nationality Code in Chapter 5. Having explored the *Moudawana* reform, which underlined the importance of adaptive movement strategies that responded to the political context, opponents, and allies, I wanted to see if similar movement strategies were also applied in a coalitional setting with diverse NGO actors. My goal is to understand how international and local resources and strategies are used to build regional movements for increasing women's nationality rights. The following research questions guide this chapter. (1) In what ways are NGOs drawing from collective resources to strategize for increasing women's nationality rights domestically and in the MENA region? (2) What types of strategies contribute to movement strengthening across the MENA? In order to answer these questions, I profiled the multi-lateral and regional partnerships between WLP International, CRTDA, and ADFM in the Campaign to Reform Arab Women's Nationality (CRAWN), initiated by six MENA NGOs in 2001.

I have drawn from fieldwork with the WLP network from 2004-2008 and analyzed participant observation field notes and written transcripts from two WLP meetings in 2006 and 2008 in Bethesda, MD. I conducted in-depth semi-structured interviews in 2008 and 2009 with the executive leadership of ADFM, WLP International, and CRTDA. I analyzed internal organizational documents and reports from the three organizations,

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including campaign reports, annual reports, and reports to funders. I analyzed data from two Nationality campaign websites, hosted respectively by CRTDA and WLP. Throughout the data analysis process, I focused on coding the data in terms of the collective strategies and resources developed. I selectively coded interviews and textual campaign data according to my goal to highlight regional, local, and international contributions to the collective campaign (Maxwell 1996).

I primarily used an historical analytic approach, trying to create a snapshot of how collective strategy development took place between these three NGOs in the WLP. Broadly, I have drawn from interviews and strategy documents with the leadership of CRTDA to describe the collective strategy development process. I then used historical and political developments, interview data, and secondary sources to give a brief overview of local implementations in Morocco. I have drawn data from the international website that supports the CRAWN campaign and from interviews with WLP International executive leadership in order to show the importance of international campaign visibility. The results of the study suggest a model for movement building that starts with grassroots regional organizing and that reaches out to international networks in order to gain greater visibility and wider reach.

**A Digression on Feminist Research**

Feminist research aims to unearth perspectives on women's experiences and is often designed by and for women. Typically, there has been a break in epistemologies between feminist research and the traditional social sciences that stems from primary underlying research assumptions of objectivism, also referred to as the "view from nowhere" by Thomas Nagel (1986). Feminist research does not aim to replicate positivistic forms of social science by producing objective or even experimental accounts of social phenomenon and people's experiences. Part of the conflict between traditional science research and feminist research can be traced to the epistemological reality that feminism is a politicized movement that aims to transform gendered power hierarchies and relations (Harding 1987). Typically, feminist researchers embrace subjectivity and its aim to bring multiple perspectives to light, particularly those that have been marginalized. Since one's socio-political positioning impacts understanding of social events or relations (Harding 1987), often the goal of feminist projects is to attempt to represent these complex multi-faceted truths (Fine 1992; Harding 1987; Maguire 2001).

The attempt to represent truth(s) can be intensified and obscured in cross-national research projects. Chandra Mohanty (1988) cautions against "Western eyes" essentializing the experiences of women in the Global South. Western feminists can gloss over important realities in the Global South, such as how their privilege has been built on postcolonial legacies of economic and socio-political control, which have greatly impacted societies in the Global South. Thus, the subjectivities that stem from one's experiences may also be constraining; particularly, if one's positioning shrouds clarity of privilege.

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Subjectivity is indeed important in cross-cultural projects and becomes heightened when negotiating insider/outsider dilemmas (Naples 1996; Joseph 1996). Yet, Naples (2003:49) describes the role of subjectivity and shifting relations throughout the research process:

> Outsiderness and indersiderness are not fixed or static positions. Rather, they are ever-shifting and permeable social locations that are differentially experienced and expressed by community members. By recognizing the fluidity of outsiderness/insiderness, we also acknowledge three key methodological points: ... we are never fully outside or inside the "community"; our relationship to the community is never expressed in general terms but is constantly being negotiated and renegotiated in particular, everyday interactions; and these interactions are themselves enacted in shifting relationships among community residents.

This reflexive analysis of the researcher within the research process is a distinctive feature of feminist research: "…it insists that the inquiry her/himself be placed in the same critical plane as the overt subject matter, thereby recovering the entire research process for scrutiny in the results of research" (Harding 1987:9). The connection between the researcher's interests and the subject matter is thus uncovered. This process of critical analysis of the interaction between the subject and research object is referred to as the "reflexivity of social science" (Harding 1987). Weedon (1997) suggests that by bringing subjective and political selves to the theory making table, patriarchal practices of knowledge production are transformed. This broadens opportunities for more nuanced and situated theory making, inclusive of a diversity of women's experiences and perspectives.

However, these epistemological differences related to feminist research do not necessarily transfer to methodological differences (Harding 1987; DeVault 1996). Of course, the range of methodological tools that scholars have at their disposal is limited. Many feminist researchers may prefer qualitative methods in order to more deeply explore women's experiences and meaning making (Harding 1987; Naples 1998; Taylor 1998). I draw from a broad range of mixed qualitative and quantitative methods as described above. I also follow Naples' (1998) methodological approach, which suggests the central purpose of activist research is: "Presenting scholarship that supports an activist campaign or progressive organization and that chronicles the lessons of organizing against oppression in its many guises…" (Naples 1998:8).[120] For feminist researchers, being part of a community or working with an organization, while also conducting research is not rare (Naples 1996; Naples 1998; Ostrander 2004) as many scholars create relationships with activists as a means to bridge the activist-scholar chasm (Naples 1998).

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[120] Activist research has links to action research (Lewin 1948). Action research involves "comparative research on the conditions and effects of various forms of social action, and research leading to social action" (1948: 202).

The insider/outsider dilemma was particularly relevant in my Moroccan fieldwork as I constantly negotiated shifting spheres of inclusion as the facilitator of a joint evaluation project and a Western graduate student who was interested in learning more about ADFM's role in the *Moudawana* reform. Since I was part of the evaluation group at ADFM, I gained some credibility and access to more information regarding the *Moudawana* reform. But, due to my nascence in the field at the time, it took time and continued relationship building with the experienced activists to gain greater entry and insight into their strategic movement building processes. Things shifted in 2007 when Rakhee Goyal, Executive Director of WLP connected me with an Institute for Development Studies (IDS) project on national policy reforms. This gave me the unique opportunity to work with Rabéa Naciri, then President of ADFM, on a chapter on the role of the Moroccan women's movement during the *Moudawana* reform. I was able to work with and learn first-hand from this prominent feminist, who led ADFM during the *Moudawana* reform efforts. Relational breakthroughs like this were integral to shaping the dissertation and to further deepening my knowledge of activism in the region.

**Appendix 2 List of Interviews**

Amina Lemrini. 2005. Founder of ADFM. Personal Interview. April 27, 2005, Rabat, Morocco.

Amina Lemrini. 2006. Founder of ADFM. Personal Interview. Rabat, Morocco.

Caroline Brac de la Pérrière. 2007. Member of the *Collectif 95* Maghreb Egalité. Personal Telephone Interview. March 8, 2007. USA-France.

Khadija Oueldammou. Member of Nationality Campaign Committee. Personal Interview. Rabat, Morocco. September 12, 2008.

Lina Abou-Habib. 2008. Executive Director of CRTDA Lebanon and Key Coordinator for Regional Nationality Campaign. Personal Interview. September 3, 2008. Maryland. USA.

Mahnaz Afkhami. 2009. Founder and President of WLP. Personal Interview. USA. February 3, 2009.

Mahnaz Afkhami. 2009. Founder and President of WLP. Personal Interview. USA. March 26, 2009.

Nouzha Guessous. 2007. Member of the Commission to Reform the *Moudawana*. Personal Interview. March 13, 2007. Rabat-USA.

Rabéa, Naciri. 2007. Interview with Rabéa Naciri. February 14, 2007. Rabat, Morocco. USA.

Rachida Nafaa. ADFM Board Member. Dean at Hassan II University-Mohammedia. September 13, 2008.

Raja El Habti. 2007. Key Religious Strategist to ADFM and *Collectif 95*. Personal Interview. USA. March 14, 2007.

Rakhee Goyal. 2009. Executive Director of WLP. Personal Interview. USA. February 3, 2009.

Rakhee Goyal. 2009. Executive Director of WLP. Personal Interview. USA. March 26, 2009.

Saïda Idrissi. Vice President of ADFM. Personal Interview. September 12, 2008. Rabat, Morocco.

Vera Hayek. 2008. Coordinator of Regional Nationality Campaign. Personal Interview. September 2, 2008. Maryland. USA.

Appendix 3 Frequency and Incidence of Keywords in Missions/Visions of Funding Community and MENA NGOs

| Keyword | Activist Frequency | Activist Incidence (n=11) | Donor Frequency | Donor Incidence (n=17) |
|---|---|---|---|---|
| women | 49 | 10 | 20 | 10 |
| society | 8 | 7 | 5 | 3 |
| participation | 7 | 6 | 4 | |
| community | 9 | 5 | 2 | 2 |
| decision making | 5 | 5 | 1 | 1 |
| just/justice | 7 | 5 | 6 | 5 |
| democratic | 4 | 4 | 5 | 5 |
| empower/empowerment | 5 | 4 | 2 | 2 |
| discrimination against women | 3 | 3 | 1 | 1 |
| equality | 4 | 3 | 5 | 4 |
| human rights/women's rights | 10 | 6 | 27 | 6 |
| public | 4 | 3 | 4 | 3 |
| training | 4 | 3 | . | . |
| activists | 2 | 2 | 1 | 1 |
| capacity | 3 | 2 | 1 | 1 |
| capacity building | 3 | 2 | . | . |
| children | 4 | 2 | 2 | 2 |
| citizens | 2 | 2 | 2 | 2 |
| feminist | 2 | 2 | . | . |
| grassroots women | 4 | 2 | . | . |
| international | 5 | 2 | 4 | 4 |
| leaders/leadership | 7 | 2 | . | . |
| local | 5 | 2 | 2 | 2 |
| network/ing | 2 | 2 | . | . |
| power | 2 | 2 | . | . |
| solidarity | 3 | 2 | . | . |
| strategic | 2 | 2 | . | . |
| world | 2 | 2 | 13 | 8 |
| abuse | 1 | 1 | 2 | 2 |
| abilities | 2 | 1 | . | . |
| advocacy | 5 | 1 | 1 | 1 |
| civil society | 1 | 1 | . | . |
| social change | 2 | 1 | 1 | 1 |
| collaboration | 1 | 1 | 1 | 1 |
| defend | 2 | 1 | . | . |
| development | 1 | 1 | 4 | 4 |
| diversity | 1 | 1 | 1 | 1 |
| economic | 1 | 1 | 6 | 5 |
| egalitarian | 1 | 1 | . | . |
| education | 2 | 1 | 1 | 1 |
| environment | 1 | 1 | 2 | 2 |
| family | 1 | 1 | . | . |
| gender equality | 2 | 1 | 1 | 1 |
| grassroots | 5 | 1 | . | . |

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| | | | | |
|---|---|---|---|---|
| global | 1 | 1 | 5 | 5 |
| human development | 2 | 1 | . | . |
| marginalized | 1 | 1 | 1 | 1 |
| local governments | 2 | 1 | . | . |
| movement | 2 | 1 | 2 | 2 |
| Muslim majority | 2 | 1 | . | . |
| organizational development | 1 | 1 | . | . |
| oppressed | 1 | 1 | . | . |
| opportunities | 2 | 1 | 2 | 2 |
| policies | 1 | 1 | 2 | 2 |
| peace | 1 | 1 | 4 | 4 |
| political | 2 | 1 | 5 | 4 |
| poverty | 1 | 1 | 8 | 6 |
| research | 1 | 1 | . | . |
| resources | 1 | 1 | 2 | 2 |
| respect | 1 | 1 | 2 | 2 |
| reform | 1 | 1 | 1 | 1 |
| skills | 3 | 1 | 2 | 2 |
| social justice | 1 | 1 | . | . |
| sustainable | 1 | 1 | 3 | 3 |
| violence against women | 1 | 1 | . | . |
| violence | 1 | 1 | 2 | 2 |
| business | . | . | 3 | 3 |
| choices | . | . | 2 | 2 |
| challenges | . | . | 3 | 3 |
| free | . | . | 4 | 4 |
| future | . | . | 3 | 3 |
| gender | . | . | 1 | 1 |
| governance | . | . | 2 | 2 |
| HIV/AIDS | . | . | 3 | 2 |
| human | . | . | 3 | 2 |
| injustice | . | . | 3 | 3 |
| poor | . | . | 2 | 2 |
| solutions | . | . | 2 | 2 |
| violations | . | . | 3 | 1 |

Appendix 4 A Women's Rights Organizing Model for Funding Relationships
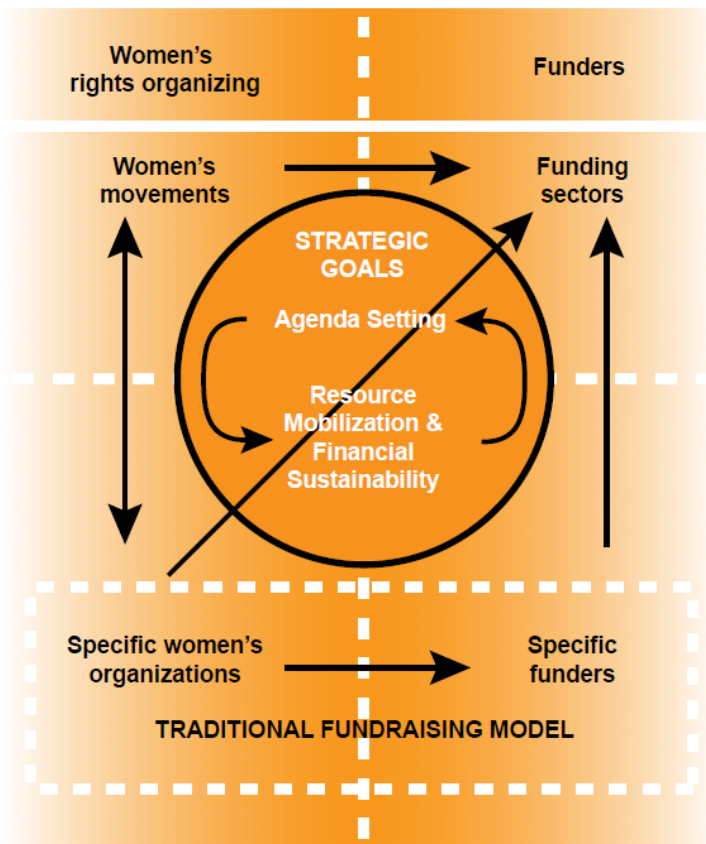


Model replicated from Kerr 2007. Designed by Lydia Alpizar Duran and Ellen Sprenger.

Appendix 5 Example of Moroccan Country Case Analyses for Nationality Reform

*Source:* http:crtda.org.lb

**Constitution**

The Moroccan Constitution of October 7, 1996 declares that men and women have equal rights. The first section consecrates freedom of all Moroccan citizens, which is then cemented in Article 5, which states that all Moroccans are equal. Article 8 of the constitution certifies this equality regardless of gender; "men and women enjoy equal political rights."

**Nationality Law**

Moroccan nationality law denies women the right to pass on their nationality to their children, with the exception of cases whereby the father is unknown or without a nationality in order to uphold the universal right of a nationality to all the children.

However, Moroccan women married to non-nationals can confer their nationality on their children. To this end, children should be Moroccan residents and should apply for the nationality two years before reaching consensual age.

**Commitment and Reservation to the Treaties**

Morocco joined *The International Pact of Civil and Political Rights* in May 3, 1979 and did not register any reservations. In 1993, Morocco also joined *The Convention on the Elimination of All Forms of Discrimination against Women* and expressed some reservations. Upon its amendment of the CEDAW treaty, Morocco had reservations regarding Clause 2 of Article 9, which declares: The participant countries provide women the same rights as men regarding the children's nationality.

Morocco also held reservations to Article 2 (arrangements took by the states), Clause 4 of Article 15 (freedom of movement and the right to choose a residence), Clause 2 of Article 9 (right to pass on nationality), Article 16 (equity in marital rights and duties between men and women) and Article 29 (solving crises).

*Morocco argued that all its reservations were due to the treaty's discordance with Islamic Jurisprudence.*

**Personal Story**

*X is a Moroccan woman aged 40 who married her husband, an Egyptian in 1990.*

"My husband and I first met at university. Initially my parents opposed the marriage but eventually they consented when they realized we would stay and live here. When we married we had no idea my husband's status as a foreigner would be a problem. Naively we assumed he would automatically receive Moroccan citizenship and he applied very

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soon after the wedding. We've been waiting now for fourteen years to hear back from the authorities. They just delay and delay.

Perhaps if I had known how hard life would be without my husband having my nationality I might have reconsidered marrying him even though we've had a strong relationship. Without citizenship he has never been able to get the sort of job he deserves given his qualifications. After all, he has a university degree, training and a specialization. Instead he's been lucky to find occasional part time work. This has had a huge impact on our income.

The biggest shock however was when my daughter was born. I didn't think twice when I went to register her name in the civil status registry but once the officials realized my husband was a foreigner, they wouldn't accept her. I was overcome with distress. Here was my newborn baby daughter and yet the state wouldn't recognize her. This tragedy continues. My daughter is now 15 and the government security department says she has to apply for a 'residence permit' and that I have to prove she's my daughter. Can you imagine that? She was born here, she's lived here all her life, her mother is Moroccan and yet she isn't recognized by the state as a citizen. It's very unfair because if my husband was Moroccan and I was a foreigner the State would recognize our children without question. As it is my children have suffered a lot. They are constantly reminded of their reduced status at school, at the doctor's, wherever there is a need for official paperwork. This leaves them feeling as if they don't belong, as if they are alienated and unwanted.

It's been a very lonely experience. There is no one in my family who can help because I'm the only one who has ever experienced such a thing. I have had to shoulder these responsibilities alone. Luckily, the relationship that binds me to my husband is a source of inner peace which smoothes these material problems away.

Thanks to ADFM (ADFM is a Moroccan based local NGO that advocates for women's rights), I started to participate in a working group that advocates for changes in the Nationality Law. This has helped me see that I'm not alone and that there are many other Moroccan women married to non-nationals. Of course the solution lies in changing the law. The Nationality Law must allow Moroccan women married to non-nationals to transmit their nationality to their children. In the interim we have suggested a few measures to alleviate the sufferings of children, such as reducing the naturalization age from 19 to 15 and ensuring the process becomes automatic."

**Recent developments in the Nationality and Law – efforts of the campaigners**

In Morocco, several women's groups have been working with some political parties on the issue of nationality to ensure women the right to transfer nationality to their children. Consequently a bill will be debated in parliament in October 2005. In July 2005, the Moroccan authorities held the government charged for the amendment of the Nationality Legislations.

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The ratification of the family code in Morocco was an important step as regards women's rights and allowed women to acquire fundamental rights in terms of equality with men in catering for the needs of the family as well as other matters that rehabilitated the Moroccan woman.

Nevertheless, ADFM is still campaigning for the revision of article 6 of the Moroccan Law 1950, to grant women their right to pass the nationality to her non-national husbands and children.

Appendix 6 Musawah Campaign Framework for Action

Source: Musawah Framework for Action. www.musawah.org

*We hold the principles of Islam to be a source of justice, equality, fairness and dignity for all human beings. We declare that equality and justice are necessary and possible in family laws and practices in Muslim countries and communities.*

**RECOGNISING THAT:**

- The teachings of the Qur'an, the objectives of the *Shari'ah*, universal human rights standards, fundamental rights and constitutional guarantees, and the realities of our lives in the twenty-first century, all demand that relations between Muslim women and men in both the private and public spheres be governed by principles and practices that uphold equality, fairness and justice;

- All Muslims have an equal right and duty to read the religious texts, engage in understanding God's message, and act for justice, equality and the betterment of humankind within their families, communities and countries;

- Many laws and practices in Muslim countries are unjust, and the lives of all family members, especially women, are impaired by these injustices on a daily basis;

- Human affairs constantly change and evolve, as do the laws and social practices that shape relations within the Muslim family;

- Islam embodies equality, justice, love, compassion and mutual respect between all human beings, and these values provide us with a path towards change;

- The reform of laws and practices for the benefit of society and the public interest (*maslahah*) has always been part of the Muslim legal tradition; and

- International human rights standards require dignity, substantive equality and non-discrimination for all human beings;

*We, as Muslims and as citizens of modern nations, declare that equality and justice in the family are both necessary and possible. The time for realising these values in our laws and practices is now.*

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