

Morocco (33)



U.S. DEPARTMENT of STATE

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Morocco**International Religious Freedom Report**

Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution provides for freedom of religion and, although Islam is the official state religion, Jewish and Christian communities openly practice their faiths; however, the Government places certain restrictions on Christian religious materials and proselytizing, and several small religious minorities are tolerated with varying degrees of official restrictions. The Government monitors the activities of mosques and places other restrictions on Muslims and Islamic organizations whose activities are deemed to have exceeded the bounds of religious practice and become political in nature.

There was no change in the status of respect for religious freedom during the period covered by this report. Since 1999 when King Mohammed VI succeeded his father, King Hassan II, who had ruled for 38 years, the new King has continued to uphold a tradition of respect for interfaith dialog.

The generally amicable relationship among religions in society contributed to religious freedom; however, converts to Christianity sometimes face social ostracism.

The U.S. Government discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

Section I. Religious Demography

The country has a total land area of approximately 172,320 square miles, and its population is approximately 30,122,350. An estimated 99 percent of citizens are Sunni Muslims. The Jewish community numbers approximately 5,000 persons and predominantly resides in the Casablanca and Rabat urban areas, as well as some smaller cities throughout the country. The foreign Christian community (Roman Catholic and Protestant) consists of 5,000 practicing members, although estimates of Christians residing in the country at any particular time range up to 25,000. Most reside in the Casablanca and Rabat urban areas. Also located in Rabat and Casablanca, the Baha'i community numbers 350 to 400 persons. There is no information regarding the number of atheists in the country.

Section II: Status of Religious Freedom*Legal/Policy Framework*

The Constitution provides that Islam is the official religion, and designates the King as "Commander of the Faithful" with the responsibility of ensuring "respect for Islam." The Constitution provides for freedom of religion, and Jewish and Christian communities openly practice their faiths; however, the Government places certain restrictions on Christian religious materials and proselytizing, and several small religious minorities are tolerated with varying degrees of official restrictions. A small foreign Hindu community has received the right to perform cremations and to hold services. In the past, Baha'is reportedly have been forbidden to meet or participate in communal activities; however, there were no reports that their activities were restricted during the period covered by this report. The Government monitors the activities of mosques and places other restrictions on Muslims and Islamic organizations whose activities are deemed to have exceeded the bounds of religious practice and become political in nature.

The Government does not license or approve religions or religious organizations. The Government provides tax benefits, land and building grants, subsidies, and customs exemptions for imports necessary for the observance of the major religions.

In May 2002, the organization "Al Ghadir" asked for official authorization. This is the first time that an association of Moroccan Shiites has asked for official recognition.

The teaching of Islam in public schools benefits from discretionary funding in the Government's annual education budget. The annual budget also provides funds for religious instruction to the parallel system of Jewish public schools. The Government has funded several efforts to study the cultural, artistic, literary, and scientific heritage of Jewish citizens. In 1998 the Government created a chair for the study of comparative religions including the study of Latin and Hebrew at the University of Rabat. In 2000 the King declared that 100 mosques throughout the country would be used as teaching centers to fight illiteracy. In the first (and pilot) year of the announced program, 10,000 citizens between the ages of 15 and 45 were to receive literacy courses on Islam, civic education, and hygiene. If successful, the

program will be expanded to include a larger part of the population in subsequent years. The King designated 200 unemployed university graduates to administer the literacy courses during the program's pilot stages, which began in September 2000. During the period covered by this report, the King proposed increasing the number of teachers and providing vocational training for the teachers.

The Government encourages tolerance and respect among religions. In March 2002, the Government invited Israel to attend the International Parliamentary Union meeting in Marrakech, although there were protests against this decision because of the deteriorating situation in the West Bank. During the King's April 2002 visit to the U.S., he met with prominent Jewish figures and with leaders of the Conference of Presidents of the Major American Jewish Organizations. During this meeting, the King invited participants to visit Morocco. The King's party included several Moroccan Jews, notably Royal Advisor Andre Azoulay, Serge Berdugo, Secretary General of Morocco's Jewish Communities, and Robert Assaraf, President of the World Union of Moroccan Judaism.

Each May the Government organizes the annual "Fez Festival of Sacred Music," which includes musicians from many religions. In the past, the Government has organized numerous symposiums among local and international clergy, priests, rabbis, imams, and other spiritual leaders to examine ways to reduce religious intolerance and to promote interfaith dialog. Each year during the Islamic holy month of Ramadan, the King hosts colloquiums of Islamic religious scholars that, among other issues, examine ways to promote tolerance and mutual respect within Islam and between Islam and other religions.

The King personally ordered an interfaith ceremony to be held at the Catholic cathedral in Rabat in honor of the victims of the September 11, 2001 terrorist attacks in the United States. The ceremony, attended by the Prime Minister and most of his cabinet, featured Muslim, Christian, and Jewish religious speakers.

Restrictions on Religious Freedom

The Ministry of Islamic Affairs monitors Friday mosque sermons and the Koranic schools to ensure the teaching of approved doctrine. At times the authorities suppress the activities of Islamists but generally tolerate activities limited to the propagation of Islam, education, and charity. Security forces commonly close mosques to the public shortly after Friday services to prevent use of the premises for unauthorized political activity. The Government strictly controls authorization to construct new mosques. Most mosques are constructed using private funds.

The Government bars the Islamic Justice and Charity Organization (JCO) as a political party and continued to block the publication of newspapers and the websites of the JCO.

Islamic law and tradition call for punishment of any Muslim who converts to another faith. Citizens who convert to Christianity and other religions sometimes face social ostracism, and in the past a small number of persons have faced short periods of questioning or detention by the authorities. Voluntary conversion is not a crime under the Criminal or Civil Codes; however, until 4 years ago, the authorities had jailed some converts on the basis of references to Islamic law. Christian citizens sometimes still are called in for questioning by the authorities.

Any attempt to induce a Muslim to convert is illegal. According to Article 220 of the Penal Code, any attempt to stop one or more persons from the exercise of their religious beliefs, or attendance at religious services, is unlawful and may be punished by 3 to 6 months' imprisonment and a fine of \$10 to \$50 (115 to 575 dirhams). The Article applies the same penalty to "anyone who employs incitements in order to shake the faith of a Muslim or to convert him to another religion." Foreign missionaries either limit their proselytizing to non-Muslims or conduct their work quietly. The Government cited the prohibition on conversion in the Penal Code in most cases in which courts expelled foreign missionaries.

Since the time of the French Protectorate (1912-1956), a small foreign Christian community has operated churches, orphanages, hospitals, and schools without any special restrictions or licensing requirements being imposed. Missionaries who conduct themselves in accordance with societal expectations largely are left unhindered; however, those whose activities become public face expulsion. Although no expulsions have occurred since 1998, some missionaries have been called in for questioning by authorities, or have not been granted a "temporary residence permit" enabling them to remain in the country on a long-term basis.

The Government permits the display and sale of Bibles in French, English, and Spanish, but confiscates Arabic-language Bibles and refuses licenses for their importation and sale, despite the absence of any law banning such books. Nevertheless Arabic Bibles have been sold in local bookstores.

The small Baha'i community has been forbidden to meet or participate in communal activities since 1983; however, there were no reports that the Ministry of the Interior summoned Baha'is for questioning or denied them passports, as had occurred in past years.

There are two sets of laws and courts—one for Jews and one for Muslims—pertaining to marriage, inheritance, and family matters. The family law courts are run, depending on the law that applies, by rabbinical and Islamic authorities who are court officials. Parliament authorizes any changes to those laws. Non-Koranic sections of Muslim law on personal status are applicable to non-Muslim and non-Jewish persons. Alternatively, non-Muslim and non-Jewish foreigners in the country may refer to their embassies or consulates for marriage, divorce, inheritance, and other personal issues if they choose not

to adhere to Moroccan law.

Women suffer various forms of legal and cultural discrimination, in part because of the codification of Islamic tenets in criminal and civil law. The civil-law status of women is governed by the Code of Personal Status (sometimes referred to as the "Moudouwana"), which is based on the Maliki school of Islamic law. Although the Code of Personal Status was reformed in 1993, women's groups still complain of unequal treatment, particularly under the laws governing marriage, divorce, and inheritance. To marry, a woman generally is required to obtain the permission of her legal guardian, usually her father. Only in rare circumstances may she act in her own behalf as her own guardian. It is far easier for a man to divorce his wife than for a woman to divorce her husband. Under Islamic law and tradition, rather than asking for a divorce, a man simply may repudiate his wife outside of court. Under the 1993 reforms to the Code of Personal Status, a woman's presence in court is required for her husband to divorce her, although women's groups report that this law frequently is ignored. While there are reports that some officials refuse to order a divorce without the wife being present, despite offers of bribes, women's groups complain that men resort to ruses to evade the legal restrictions. The divorce may be finalized even over the woman's objections, although in such cases the court grants her unspecified allowance rights.

A woman seeking a divorce has few practical alternatives. She may offer her husband money to agree to a divorce (known as a *khol'a* divorce). The husband must agree to the divorce and is allowed to specify the amount to be paid, without limit. According to women's groups, many men pressure their wives to pursue this kind of divorce. A woman also may file for a judicial divorce if her husband takes a second wife, if he abandons her, or if he physically abuses her; however, divorce procedures in these cases are lengthy and complicated. In 1998 the Minister of Islamic Affairs proposed additions to the basic marriage contract that would outline the rights and duties agreed upon between husband and wife and permit legal recourse for the enforcement of the contract.

Under the Criminal Code, women generally are accorded the same treatment as men, but this is not the case for family and estate law, which is based on the Code of Personal Status. Under the Code of Personal Status, women inherit only half as much as male heirs. Moreover, even in cases in which the law provides for equal status, cultural norms often prevent a woman from exercising those rights. For example, when a woman inherits property, male relatives may pressure her to relinquish her interest.

The Government and the King continued to promote their proposal to reform the Personal Status Code to advance women's rights. In March 2001, a new commission on reforming the Personal Status Code was created, and the King publicly urged the commission to work on proposals to improve the application of existing laws and on a longer term "substantial reform" of the code. Islamists and some other traditional segments of society firmly opposed the King's proposal, especially with respect to its more controversial elements, such as reform of women's legal status in marriage and family law issues. A number of women's groups formed a coalition called the "Spring of Equality" to protest the lack of progress in reforming the Personal Status Code. However, no action is likely on the Code before the parliamentary elections scheduled for September 2002.

Abuses of Religious Freedom

Islamist dissident Sheikh Abdessalam Yassine, who was released in March 2000 from 11 years of house arrest for refusing to acknowledge the religious authority of the King, continued to preside openly over the JCO. Members of the JCO remain subject to constant surveillance.

No action was taken against security forces responsible for the November 2000 killing of 1 person and the injuring of 8 persons while forcibly dispersing a demonstration by an Islamic trade union or for the injuring of more than 100 students during clashes with JCO students at Mohammedia University.

The JCO has an active presence on university campuses and occasionally had organized protests of Sheikh Yassine's house arrest prior to his release. Unlike in the period covered by the previous report, there were no reports that security forces forcibly dispersed JCO protests. However, the Government monitors Islamist campus activities.

Unlike in the period covered by the previous report, there were no reports that JCO members were arrested and jailed or were prevented from gaining access to campgrounds or beaches for prayer sessions.

In September 2001, a Christian missionary was called in for questioning by the authorities. Although the case technically still is open, no further action has been taken.

In 2000 the Gendarmerie Royale summoned several members of the foreign Christian community for questioning concerning the practice of their faith. The Gendarmerie began an investigation into their activities at that time. The investigation reportedly was dropped quietly. Despite not possessing a resident visa, the subjects of the investigation continued to face no problem residing in, exiting, and returning to the country.

In the past, the Ministry of Interior claimed that there were 55 Islamists serving sentences for offenses that ranged from arms smuggling in the 1980's to participation in a bomb attack on a hotel in Marrakech in 1994. In the past, there also were claims that some of these Islamists were imprisoned solely for calling for an Islamic state during the 1980's. The AMDH claims that 2 members of the "Group of 26", an

Islamist group involved in smuggling arms into the country from Algeria in the mid-1980's, remain in prison. The other 24 members completed their sentences or otherwise have been released.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Section III. Societal Attitudes

The generally amicable relationship among religions in society contributed to religious freedom; however, converts to Christianity sometimes face social ostracism. Foreigners attend religious services without any restrictions or fear of reprisals, and Jews live throughout the Kingdom in safety. While free expression of Islamic faith and free academic and theological discussion of non-Islamic religions are accepted on television and radio, public efforts to proselytize are discouraged by society. Most citizens view such public acts as provocative threats to law and order in an overwhelmingly Muslim country. In addition society expects public respect for the institutions and mores of Islam, although private behavior and beliefs are unregulated and unmonitored. Because many Muslims view the Baha'i Faith as a heretical offshoot of Islam, most members of the tiny Baha'i community maintain a low religious profile; however, Baha'is live freely and without fear for their persons or property, and some even hold government jobs.

Because the populace overwhelmingly is Muslim, because Islam is the religion of the State, and because the King enjoys temporal and spiritual authority through his role as "Commander of the Faithful," there is widespread consensus among Muslims about religious practices and interpretation. Other sources of popular consensus are the councils of ulemas, unofficial religious scholars who serve as monitors of the monarchy and the actions of the Government. Because the ulemas traditionally hold the power to legitimize or delegitimize kings through their moral authority, government policies closely adhere to popular and religious expectations. While dissenters such as Sheikh Yassine and his followers challenge the religious authority of the King and call for the establishment of a government more deeply rooted in their vision of Islam, the majority of citizens do not appear to share their views.

The anxiety of Jewish citizens has increased as the situation in the Middle East has deteriorated during 2002. In May 2002, Imam Zamzami, who is affiliated with the Party of Justice and Development (PJD, the officially recognized Islamist party), made openly anti-Semitic remarks. He was criticized severely in the press for not differentiating between Jews who supported Israel's treatment of the Palestinians and those who did not. In early 2002, the police increased the security at synagogues and Jewish community facilities.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues in the context of its overall dialog and policy of promoting human rights. U.S. Embassy officials encountered no interference from the Government in making contacts with members of the JCO.

U.S. Embassy officials also meet regularly with religious officials, including the Minister of Islamic Affairs, Islamic religious scholars, the leader of the Jewish community, and local Christian leaders and missionaries

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