

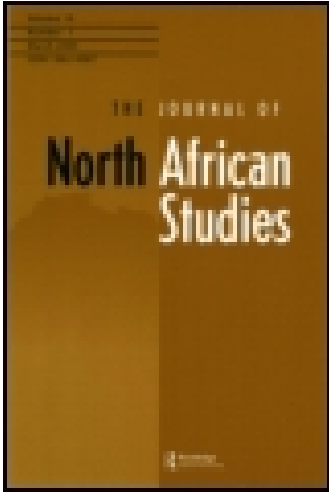
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Universal rights, systemic violations, and cultural relativism in Morocco

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BOOK REVIEW

Universal rights, systemic violations, and cultural relativism in Morocco, by Osire Glacier, translated from French by Valérie Martin, New York, Palgrave Macmillan, 2013, 204 pp., \$16.24 (hardcover), ISBN-10: 1137339608, ISBN-13: 978-1137339607

In *Universal Rights, Systemic Violations, and Cultural Relativism in Morocco*, Osire Glacier gives readers a useful analysis of the contradictions inherent in Morocco's approach to defining and upholding norms and standards of fundamental human rights. A Canadian historian of Moroccan women and politics, Glacier takes a new angle in showing that the monarchy has increasingly monopolised fundamental rights policy to restructure its power, to 'reconcile the irreconcilable – namely, a democratic image with an absolute power, a progressive discourse with retrograde practices, and a lawful legal framework with unlawful parallel policies – at both the national and international level' (116).

Drawing from the work of Susan Waltz, an American public policy scholar of human rights law, Glacier focuses on Morocco's role in drafting the *Convention Against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment* (1977, 1984). She argues that the Moroccan state remained consistently reluctant to cooperate on an international definition of torture and degrading treatment, despite its ratification of all treaties and conventions related to the protection of fundamental rights. In drafting the Convention, the Moroccan delegation proved committed to the process but was ambivalent in negotiations on major clauses, and opposed to any form of universal jurisdiction.

The ambiguity of law and legal discourse, and the gaps between ideal and real human rights practices, motivated Glacier's multidisciplinary approach that blends analysis of legal discourse, gender theory, and social and political history. Her writing is remarkably direct, concise, and well organised. Much of her slim volume – 124 pages of text – is dedicated to refuting cultural relativist arguments that human rights law seeks to impose a Western, orientalist construct unnaturally on postcolonial civilisations. Glacier briefly introduces the context of the Convention, i.e. the emergence, development, and implementation of international norms and standards for the protection against torture. She skilfully presents the active roles played by non-Western countries, including Morocco and other major Arab states, and the non-Western citizen voices at play, to argue that the will behind the Convention represented a cross section of diverse societies and geographic distributions across the world.

Glacier argues that while Morocco had an interest in stressing the universal nature of the Convention, its disinterest in defining torture and degrading treatment stemmed from internal political issues rather than external domination. Not only has human rights law not encroached on the Moroccan state's national sovereignty and religiocultural heritage, it has reinforced the legitimacy of the state and the ruling elites. Even compared to some other Arab countries, Morocco resisted formulating culturally specific alternatives for measures

protecting citizens against torture and degrading treatment in drafting the Convention, thus delegitimising those rights.

Colonialism and human rights law are polar opposites, Glacier maintains; one violates human rights, while the other protects them. The conditions that predisposed postcolonial Morocco to practices of torture and degrading treatment existed under the French Protectorate. Glacier exposes the alliance between independent Morocco and its powerful Western allies, namely the USA and France. These Western governments are complicit in the political violence and torture of the Moroccan state, preferring the stability of an authoritarian regime to upheaval in the Arab world. A relationship of cooperation and interdependence, albeit unequal in power, resulted as the geopolitical interests of Morocco's powerful allies, from the Cold War to the War on Terror, determined their positions on human rights violations in Morocco.

Moroccan women have been particularly victimised in the postcolonial era. Glacier deserves much credit for breaking from male-dominated historiographies, acknowledging women in the historical and political spheres. The monarchy's policy of traditionalisation, she argues, traps Moroccan society in its inequality, subordinating women to men, and citizens to the sovereign and his absolute power. Glacier contributes the illuminating perspective of victims of torture, many of them illiterate and many of them women, from testimonies collected by the Moroccan Association of Human Rights (AMDH) in 2005 to affirm the systematic and gendered torture practices of the Moroccan state.

Naturally, any missing perspective determines bias in scholarship. Under perfect conditions, a study of the Moroccan state's position on fundamental rights would include Moroccan state sources: e.g. internal government documents, dispatches, testimonies of ruling elites. Glacier's analysis of the Convention focuses on United Nations documents, but Glacier admits that they 'fail to identify at times the specific delegate responsible for the intervention' and that 'at times, negotiations between delegates related to the development of the convention occurred informally and were therefore not documented' (7–8). To compensate, Glacier relies on a history of the Convention authored by two Dutch and Swedish participants, years after the events. Perhaps as a result of limited sources, at times Glacier portrays a neat, romanticised dichotomy between the Moroccan ruling elites and *the people*, whose 'hopes [...] for the institutionalization of democratic values' she contrasts with the 'traditionalization and Islami-zation policies pursued by the state elites'. According to Glacier, '[...] as the citizens struggle to situate their culture within the ideological currents of their time, the ruling elites work to produce citizens anchored in the religiocultural specificities of a distant past' (118). No society at any level is that black and white. Scholars of human rights in Morocco will surely follow Glacier's lead in pursuing other new angles on a complicated process – one that is driven to a great extent by well-guarded actors. As we hope for more progress in human rights, we can also hope for more light on the shadows that have prevented it.

In the meantime, like Mohamed Saadi's equally slim text in French, *Le difficile chemin des droits de l'homme au Maroc: Du déni à la reconnaissance* (2009), Glacier's *Universal Rights* is an excellent source for students and scholars of Moroccan contemporary civilisation and international human rights. Glacier concludes that the conditions for protecting Moroccan citizens remain constrained by the 'constants and laws of the Kingdom', in spite of the constitutional

reforms of 2011. Until citizens, particularly women, enjoy the right to self-determination, the structural causes of torture will continue unchecked.

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