

The Role Of Legislation In Promoting The Right To Education In Morocco

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Abstract:

This article examines Morocco's education legislation, specifically the impact of the recent teachers' strikes that resulted in a three-month interruption in Moroccan schools in the scholar year 2023-2024. This paper utilizes the Capability Approach developed by Amartya Sen in the 1980s, highlighting individuals' independence in achieving purposeful lives. This analysis pertains to examining how the legal framework leads students to exercise their right to education and achieve notable objectives, such as obtaining a comprehensive education and participating in activities that actively contribute to society. The study examines data derived from Moroccan legislation, namely Decree No. 2.23.819. It uses a discourse analysis approach to discuss selected articles from the recent Decree. In this analysis, we examine the hindrances encountered within the education sector and assess the efficacy of existing regulations in mitigating them. The research's findings indicate a disparity between the commitments made by the legislation and the actual educational experiences encountered by students and staff.

Keywords: human rights; education; Decree No. 2.23.819; capability approach; Moroccan legislation.

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I. Introduction

Background

Human rights, including the right to education, are universally recognized as essential principles that foster justice, equality, and societal progress. Today, advocating for basic rights is essential for safeguarding the dignity and welfare of every individual¹. Education is essential for disseminating knowledge and enabling individuals to engage effectively in society and make substantial contributions to its advancement. Legislation in Morocco is essential for ensuring universal access to education, regardless of social or personal circumstances².

Problem Statement and Research Objectives

This study tries to analyze the legislation governing education in Morocco comprehensively. The recent strikes in Moroccan schools have highlighted the challenges in realizing the human right to education, making it a timely issue. Our goal is to examine global, regional, and local laws to pinpoint the strengths and weaknesses of current policies and regulations. This paper aims to examine the effectiveness of recent educational reforms in Morocco in addressing persistent difficulties in the school system. Primarily, it is important to guarantee equitable access to top-tier education and tackle socioeconomic barriers that impede universal education rights.

This study will investigate the correlation between legislation and the present educational setting in Morocco through an in-depth case study. The latter aims to assess the impact of legislative actions, such as Decree No. 2.23.819, on educational outcomes and accessibility to evaluate the efficiency of existing policies and identify possible areas for enhancement.

Overview of Morocco's Education Legislation and the Recent Teachers' Strikes.

The education legislation in Morocco establishes the legal structure that governs the country's educational system, including laws, regulations, and policies designed to guarantee access to high-quality education for all residents. The Moroccan Constitution ensures the right to education, highlighting its significance in promoting

¹ Celermajer, D. & Lefebvre, A. (Eds.). (2020). *The Subject of Human Rights*. Stanford University Press. p.1

² Walling, C. B. (2022). *Human Rights and Justice for All: Demanding Dignity in the United States and Around the World*. New York, Routledge. p. 32.

personal growth and community advancement³. International treaties and conventions approved by Morocco emphasize the country's dedication to supporting the right to education as a fundamental human right.

Education is a multidimensional construct encompassing the acquisition of knowledge and skills, whereas the field of teaching presents a complicated landscape owing to the diverse range of learning abilities⁴. The entitlement to education does not ensure a predetermined degree of proficiency but rather incorporates both the process of being raised and the process of socialization. Education is associated with formal schooling and seeks to foster positive qualities in individuals through many educational approaches⁵. This right is expressed globally in publications like the Universal Declaration of Human Rights (UDHR)⁶ in 1948 and the 1976 International Covenant on Economic, Social, and Cultural Rights (ICESCR)⁷.

Education is essential for enabling individuals to cultivate their human character and participate in society since it is intricately linked to the entitlement to progress and is regarded to combat poverty⁸. Educational rights are safeguarded by a range of legal frameworks and instruments at the global, regional, and local levels. These frameworks acknowledge education as a fundamental human right that is crucial for promoting personal growth and societal involvement. The European Convention on Human Rights and the African Charter on Human and Peoples' Rights (ACHPR)⁹ are regional documents that strengthen international norms by offering further safeguards for education in certain geographic regions.

Morocco, as well, has implemented initiatives aimed at promoting equitable access to high-quality education, irrespective of individuals' socioeconomic background, gender, ethnicity, or geographical location in the last constitution of 2011¹⁰. Despite the progress made in educational reform, persistent obstacles remain in the form of disparities in both access and quality, particularly among underrepresented populations such as rural communities, girls, and individuals from poor families. The right to education in Morocco is shaped by socio-political factors such as governance systems and cultural norms. To fully achieve education as a fundamental human right for all Moroccans, it is necessary to adopt a comprehensive approach that addresses institutional obstacles, fosters diversity, and promotes active engagement and participation.

The recent strikes by teachers in Morocco have highlighted fundamental issues in the education sector. The strikes, causing a three-month halt to schools, brought attention to problems like poor working conditions, low wages, and limited resources. The strikes highlighted tensions between teachers and educational authorities, emphasizing broader issues regarding the execution and impact of education programs and reforms.

The Relevance of Capability Approach in the Analysis of Education Rights

Amartya Sen introduced the Capability Approach in the 1980s as a unique perspective for assessing the realization of human rights, especially in the field of education. The Capability Approach argues that people should be evaluated based on their capabilities, which refer to the freedoms and possibilities they possess to live lives that they find valuable, rather than just on their material goods or utility¹¹.

The Capability Approach in education rights emphasizes the importance of evaluating access to education and the freedoms it provides, including personal and intellectual growth opportunities and effective societal engagement¹². It emphasizes the value of education in broadening individuals' possibilities and empowering their abilities, prioritizing capabilities over results. Education is crucial for achieving goals, participating in meaningful social relationships, and enhancing community well-being¹³. The approach provides a framework for evaluating the impact of education policies and interventions on human well-being, raising questions about whether education systems promote skill development, strengthen underprivileged groups, and promote social inclusion and unity¹⁴. It offers a comprehensive perspective that surpasses conventional methods of evaluating access and achievement in education rights evaluation.

³ Morocco. (2011). Constitution of Morocco, Article 31.

⁴ Beddard, R., & Hill, D. M. (Eds.). (1992). *Economic, Social and Cultural Rights: Progress and Achievement*. Palgrave Macmillan. p.164

⁵ Ibid. p. 165

⁶ United Nations. (2015). Universal Declaration of Human Rights. Retrieved February 27th, 2024, from <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

⁷ United Nations. (1967). International Covenant on Economic, Social and Cultural Rights. Retrieved February 27th, 2024, from <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

⁸ Narain, J. (1993). Human and Fundamental Rights: What are they about? *The Liverpool Law Review*, 15(2), 164-166.

⁹ African Union. (2022). African Charter on Human and Peoples' Rights. Retrieved February 24th, 2024, from <https://au.int/en/treaties/african-charter-human-and-peoples-rights>

¹⁰ Morocco. (2011). Constitution of Morocco, Article 31.

¹¹ Walker, M. (2006). Towards a Capability-Based Theory of Social Justice for Education Policy-Making. *Journal of Education Policy*, 21(2), 163–185. <https://doi.org/10.1080/02680930500500245>

¹² Rajapakse, N. (2016). Amartya Sen's Capability Approach and Education: Enhancing Social Justice. *Lisa e-Journal*, vol. XIV-n°1. <https://doi.org/10.4000/lisa.8913>

¹³ Sen, A. (2006). Development as Freedom: An India Perspective. *Indian Journal of Industrial Relations*, 42(2), 157–169.

¹⁴ Sen, A. (1996). Rationality, Joy and Freedom. *Critical Review*, 10(4), 481–494. <https://doi.org/10.1080/08913819608443434>

II. Methods

Research Design and Methodology

The research utilizes a technique that entails a comprehensive examination of Morocco's education policy, with specific emphasis on the consequences of recent teachers' strikes on the broader education system. The Capability Approach, a theoretical framework developed by Amartya Sen in the 1980s, plays a pivotal role in this approach. The Capability Approach places significant emphasis on the autonomy of people in creating their capacities to lead meaningful lives and attain desired goals¹⁵. The research seeks to explore the many ramifications of the teachers' strikes concerning educational rights and results.

The purpose of this research is to assess the efficacy of the legal framework in facilitating students' exercise of their right to education and their achievement of meaningful educational goals. In addition to academic performance, these goals comprise a comprehensive range of learning experiences and active involvement in social concerns. The study seeks to evaluate the degree to which the education policy in Morocco promotes an environment that facilitates the holistic development of students and their integration into society, using the Capability Approach as the guiding theoretical framework. From a methodological perspective, this research aims to provide insight into the complex relationship between educational policies, social influences, and students' skills. Ultimately, it seeks to enhance our comprehension of the complexities and potentialities within the education system of Morocco.

Capability Approach as the Theoretical Framework

The theoretical framework employed in this research is the Capability Approach, developed by Nobel laureate economist Amartya Sen. This approach emphasizes the notion of human capabilities, focusing on individuals' freedoms to achieve valuable functions that contribute to their well-being and fulfillment. Central to the Capability Approach is the concept of human agency, which emphasizes individuals' abilities to make choices and pursue goals that are meaningful to them. By adopting the Capability Approach, this study seeks to evaluate the extent to which Moroccan education legislation enables individuals, particularly students, to exercise their agency in pursuing education and participating in societal activities.

Data Collection Procedure of Decree No. 2.23.819

The data collection procedure involves an in-depth examination of Moroccan legislation pertaining to education, with a specific focus on Decree No. 2.23.819. This decree serves as a primary legal framework governing the education sector in Morocco. Through a discourse analysis approach, selected articles from Decree No. 2.23.819 are scrutinized to identify the regulatory provisions relevant to students' right to education and the obstacles encountered within the education sector.

Discourse Analysis of Selected Articles from Decree No. 2.23.819

The present research utilizes a discourse analysis methodology, which involves a methodical investigation of selected items derived from Decree No. 2.23.819. The main aim of this technique is to explore the underlying layers of significance, ideologies, and power dynamics inherent in the legislative wording of the decree. The analysis seeks to uncover any hidden signals or implicit assumptions that may be behind the terms of the decree by carefully examining its language, tone, and structural aspects.

The use of the discourse analysis approach enables a thorough examination of the congruence between the professed commitments delineated in the law and the actual educational encounters of both students and staff members. Through a meticulous examination of the delineation of duties, entitlements, and punitive actions outlined in the decree, this analysis aims to detect any disparities, lacunae, or contradictions that might be present between the legislative structure and the tangible circumstances experienced within educational establishments. This research aims to provide light on the intricate relationship between legislative mandates, institutional practices, and the daily experiences of stakeholders in the Moroccan education system, using a critical perspective. In conclusion, this methodology offers significant perspectives on how legislative texts influence educational norms, institutions, and power dynamics, thereby contributing to the identification of prospective opportunities for policy change and institutional enhancement.

III. Results

Presentation and Analysis of the Findings

Decree No. 2.23.819 is a major source of disagreement, as critics claim it has led to the violation of Moroccan students' right to education. The decree's provisions and their impact on educational outcomes have sparked debates and examinations, leading to concerns concerning the alignment between legislation and educational

¹⁵ Ibid.

realities. To illustrate this, the paper focuses on three major Articles in the Decree, namely Articles 15, 58 and 64¹⁶.

To begin with, Article 15 states the tasks delegated to teachers, particularly in cases where they lack clear definition, adequate compensation, and time limitations, pose significant challenges. The extensive scope of these responsibilities, including fostering collaboration among the staff, participating in professional growth activities and coordinating assessments and events¹⁷, prompts inquiries regarding the sufficiency of assistance, materials, remuneration, and alignment with educational goals. In the absence of proper instruction and backing, collaborative endeavors may stumble, opportunities for professional advancement may remain superficial, and the organization of assessments and events could result in exhaustion. Hence, it is imperative to ensure that teachers are provided with the essential support, materials, and acknowledgment for these duties to sustain their efficacy, prevent burnout, and ultimately improve the quality of instruction and academic achievements.

Within this specific context, it is crucial to recognize that teachers will merely receive a certificate as a form of acknowledgment for the additional tasks they undertake, lacking any equivalent financial compensation as uttered in Article 58¹⁸. Concurrently, other staff members in the education sector will receive payment every month for the administrative duties they fulfill. In comparison to teachers, who do not receive any supplementary income, inspectors, elementary, middle and high school principals and headmasters are granted extra monthly compensations.

Most surprisingly to teachers, Article 64 outlines disciplinary sanctions, including warnings, reprimands, prohibitions from annual teachers' movement, promotion list deletion and professional competency exam prohibition as stated in the list of second-degree sanctions. Third-degree sanctions include two consecutive years of professional competency exam prohibition, temporary work suspension, salary loss, deduction of up to 10 days from basic salary, and financial allowance deprivation. Fourth-degree punishments include mandatory retirement, isolation, and exemption for trainees¹⁹.

Morocco's education laws aim to provide fair access to education, but ongoing teachers' strikes have brought attention to enduring issues in the sector. Stakeholders must address concerns voiced by educators and focus on improving the quality and inclusivity of the country's education system.

Analysis the Legal Framework

The evaluation of the degree to which the legislative framework facilitates students' enjoyment of their right to education and attainment of noteworthy goals reveals that Decree No. 2.23.819 poses substantial obstacles and apprehensions. This is a comprehensive study that examines the consequences of Articles 15, 58, and 64 concerning educational rights.

Article 15 enumerates the teachers' duties and tasks and emphasizes the difficulties arising from the absence of a precise description, sufficient remuneration, and time constraints for responsibilities assigned to instructors. The absence of clear guidance and assistance may hinder instructors' capacity to efficiently carry out their responsibilities, thereby affecting the quality of teaching and academic accomplishments. There are concerns about the adequacy of support, resources, compensation, and alignment with educational objectives, suggesting possible obstacles to creating a favorable learning environment for pupils.

The study highlights a substantial difference in remuneration between teachers and other personnel in the education sector in Article 58. While other personnel are remunerated for their administrative responsibilities, teachers are given certificates alone as a form of recognition. The presence of this disparity has the potential to influence the morale and motivation of teachers, which in turn may have an impact on their ability to provide high-quality education and effectively support student learning goals.

Article 64 legislation emphasizes the stringent nature of disciplinary measures that are prescribed for teachers. The use of cautionary measures, admonitions, and restrictions on career progression has the potential to foster an atmosphere characterized by apprehension and uncertainty within the teaching profession. The use of punitive measures has the potential to dissuade educators from adopting novel teaching methodologies or pursuing professional development opportunities, thus impacting students' access to high-quality education and their capacity to attain educational goals.

Decree No. 2.23.819 has been criticized for its inability to adequately support students' entitlement to education and the achievement of significant educational goals. The decree's legal structure appears to be incongruent with the educational reality experienced by students and educators, raising questions about the congruence between law and the advancement of educational rights and goals. Challenges such as teacher duties, salary discrepancies, and severe disciplinary actions may hinder the provision of excellent education and students'

¹⁶ Decree No. 2.23.819, Ministry of National Education, Preschool, and Sports, October 9th, 2023.

¹⁷ Ibid. Article 15.

¹⁸ Ibid. Article 58.

¹⁹ Ibid. Article 64.

learning results. Therefore, it is crucial to scrutinize its execution and consider possible modifications to better align with students' entitlement and the achievement of educational goals.

IV. Discussion

Interpretation of the Results

The current analysis employs Amartya Sen's capacity method to examine the effects of Decree No. 2.23.819 on the capacities of students and instructors within the Moroccan education system. According to Sen, capabilities refer to the liberty or capacity of humans to attain meaningful functioning, allowing them to live lives that they have valid reasons to appreciate²⁰.

The lack of a clear definition, adequate compensation, and support for the responsibilities of educators, as outlined in Article 15, leads teachers to be unable to carry out their tasks successfully²¹. Without sufficient assistance and resources, they may have difficulties in delivering high-quality education, which may negatively affect students' capacity to learn and achieve educational objectives. However, there are potential areas for enhancement such as the provision of adequate support, resources, and acknowledgment to teachers, as emphasized in the Decree, which has the potential to improve educators' capacity to deliver instruction of high quality. This, in turn, empowers students to exercise their right to education and achieve meaningful goals.

Teachers' ability to pursue lifestyles they value is constrained by the disparity in compensation between teachers and staff in the sector as stated in Article 58²². The deficiency of financial acknowledgment for their supplementary responsibilities may impact teachers' drive and spirit, potentially reducing their efficacy in fostering student learning and success. Nevertheless, there is a great potential for improvement in this Article by resolving compensation inequalities and offering fair acknowledgment of teachers' efforts. This could boost their abilities and motivation, resulting in enhanced educational outcomes for students.

Article 64 discusses the rigorous nature of disciplinary sanctions, particularly in terms of depriving individuals of their capabilities²³. The strict disciplinary measures detailed in the Article have the potential to restrict teachers' ability to exert professional independence and introduce new approaches to their teaching methodologies. Concerns about facing punitive actions may discourage teachers from seeking opportunities for professional development or utilizing innovative teaching techniques, thereby limiting students' capacity to learn and excel. An alternative approach to consider is the implementation of disciplinary sanctions that emphasize accountability while also recognizing teachers' autonomy and professional growth. By fostering a supportive atmosphere that promotes creativity and collaboration among teachers, it is possible to improve overall educational outcomes.

The discourse analysis highlights several instances where Decree No. 2.23.819 may deprive both students and teachers of essential capabilities necessary for effective education and professional fulfillment. Addressing the identified challenges and disparities in teacher support, compensation, and disciplinary measures has the potential to enhance the educational capabilities of all stakeholders and promote the realization of students' right to education and the achievement of notable objectives.

In conclusion, analyzing the results through Amartya Sen's capability approach offers insights into how policy interventions such as Decree No. 2.23.819 can impact the capabilities of individuals within the education system. By identifying capability deprivations and potential enhancements, policymakers can work towards ensuring that educational policies align intending to foster capabilities for all individuals involved in the education process.

Analysis of the Obstacles Encountered Within the Education Sector

The education sphere faces numerous obstacles that stand as an obstacle to the right to education. These include the lack of clarity and support for teachers, as outlined in Article 15 of Decree No. 2.23.819, as well as the significant disparity in compensation between teachers and other staff members, as described in Article 58. This disparity can affect teacher morale, motivation, and retention, ultimately impacting the quality of education provided to students.

The disciplinary sanctions outlined in Article 64 present another obstacle, as fear of punitive measures may deter teachers from innovative teaching approaches, professional growth opportunities, and exercising professional autonomy. Insufficient resources, including materials, assistance, and remuneration, can also hinder the provision of quality education.

Policy implementation challenges, such as inadequate enforcement mechanisms, bureaucratic inefficiencies, and limited stakeholder engagement, can impede the translation of policy intentions into tangible improvements

²⁰ Dijkstra, P. M., Geraghty, C., & Tirions, M. (2019). The Capability Approach and Human Rights as Pillars of a Future-proof Social Work Curriculum. Contextualization of Capabilities Approach & Human Rights in Social Work Education. Conference Paper.

²¹ Decree No. 2.23.819, Ministry of National Education, Preschool, and Sports, October 9th, 2023. Article 15

²² Ibid. Article 58

²³ Ibid. Article 64

in educational outcomes. Socioeconomic factors, such as poverty, inequality, and lack of access to basic amenities, can also impede the exercise of the right to education.

Teachers' strikes can disrupt educational continuity and exacerbate existing challenges within the education sector, negatively impacting students' academic progress and overall educational experience. Addressing these challenges is crucial for ensuring the quality of education for all students.

Addressing these obstacles requires multifaceted approaches, including policy reforms, resource allocation, capacity-building initiatives, stakeholder collaboration, namely trade unions and NGOs, and efforts to address broader socioeconomic inequalities. By addressing these challenges, stakeholders can work towards creating a more inclusive, equitable, and conducive environment that enables all individuals to exercise their right to education effectively.

Analysis of the Efficacy of Existing Regulations

A comprehensive examination of the obstacles to the right to education is necessary to understand the effectiveness of existing regulations in mitigating these challenges and promoting inclusive education. These obstacles include resource inequities, socioeconomic barriers, inadequate teacher training and support, and discrimination and exclusion. Existing regulations, such as Decree No. 2.23.819, aim to address these obstacles by establishing guidelines for teacher responsibilities, compensation, and disciplinary measures. Inclusive education policies, resource allocation and monitoring mechanisms, and teacher training and support programs are essential in addressing these barriers.

However, challenges such as implementation gaps, capacity building and awareness, and data-driven decision-making must be addressed. Implementation gaps may persist due to resource constraints, bureaucratic inefficiencies, and resistance to change. To overcome these challenges, coordinated efforts among government agencies, educational institutions, civil society organizations, and other stakeholders are needed. Investing in capacity-building initiatives and raising awareness about the importance of inclusive education can help overcome resistance to change and foster a culture of inclusivity within the education sector. Collaborative partnerships, community engagement, and advocacy efforts can mobilize support for inclusive education policies and promote social inclusion.

In conclusion, a comprehensive examination of the obstacles to the right to education and the efficacy of existing regulations is crucial for ensuring equitable access to quality education for all individuals.

Analysis of the Implications of the Findings

The stated findings emphasize significant obstacles within the Moroccan education system, shedding light on inequalities in the distribution of resources, socio-economic obstacles, insufficient teacher assistance, and prejudice. The challenges provide significant hindrances to the attainment of the right to education for many pupils, especially those belonging to underprivileged populations, and obstruct the accomplishment of inclusive educational goals. To tackle these consequences, policymakers in Morocco must give precedence to comprehensive reforms that are specifically designed to improve fairness, quality, and accessibility within the realm of education. This involves adopting specific actions to tackle disparities in resources, such as augmenting financing for schools that lack sufficient resources, enhancing infrastructure, and guaranteeing fair allocation of instructional materials. Furthermore, it is essential to prioritize endeavors aimed at bolstering teacher training initiatives, facilitating continuous professional growth, and augmenting support structures to empower educators and foster the establishment of inclusive educational settings. In addition, it is imperative to implement proactive strategies aimed at addressing prejudice, advancing diversity, and cultivating inclusive educational approaches to cultivate a more fair and inclusive education system in Morocco.

Moreover, the results emphasize the pressing need for policy modifications and pragmatic initiatives to harmonize regulatory structures with the tenets of inclusive education and the universal entitlement to education. Policymakers need to give precedence to the execution and enforcement of current rules, such as Decree No. 2.23.819, while simultaneously contemplating revisions to rectify noted deficiencies and inadequacies. This necessitates a reevaluation of teacher pay regulations to guarantee just and impartial remuneration, particularly for educators working in underprivileged regions. Furthermore, it is essential to implement strategies that enhance the efficacy of disciplinary frameworks, while concurrently fostering accountability and openness, to maintain professional norms and protect the rights of students. In addition, the implementation of data-driven decision-making processes and the establishment of rigorous monitoring and evaluation procedures may successfully support evidence-based policymaking.

This approach allows policymakers to consistently monitor progress, identify areas that need improvement, and efficiently allocate resources. By emphasizing these policy and practice modifications, Morocco may strive towards constructing an education system that is more inclusive, egalitarian, and efficient, so enabling all students to flourish and attain their maximum capabilities.

V. Conclusion

Summary of the Main Findings and Their Significance

The main findings from Articles 15, 58, and 64 analysis reveal significant challenges within the Moroccan education system, particularly related to teacher responsibilities, compensation disparities, and disciplinary measures. These challenges contribute to capability deprivation among educators, limiting their ability to effectively fulfill their roles and support students' right to education. However, there is potential for enhancement through targeted interventions that address these obstacles, such as providing adequate support and compensation for teachers, addressing disparities in recognition and compensation, and implementing disciplinary measures that promote accountability while respecting teachers' autonomy. Addressing these findings is crucial for promoting equitable access to quality education and fostering inclusive learning environments, ultimately benefiting both teachers and students in the Moroccan education system.

The study aimed to explore the effects of Decree No. 2.23.819 on education rights in Morocco, particularly focusing on Articles 15, 58, and 64. It sought to investigate how Article 15 influences teachers' abilities to fulfill their responsibilities and support students' access to education, the implications of compensation disparities outlined in Article 58 for teacher motivation and student educational outcomes, and the impact of the stringent disciplinary measures delineated in Article 64 on teachers' professional autonomy and students' ability to obtain quality education. Through these inquiries, the study aimed to shed light on the challenges posed by the decree's provisions on education rights, specifically concerning teacher support, compensation, and disciplinary actions, thereby contributing to an understanding of the effectiveness of existing regulations in fostering inclusive education and ensuring the realization of students' right to education in Morocco.

The Capability Approach as a Method to Analysis Morocco's Education Legislation

The Capability Approach offers a valuable lens through which to analyze Morocco's education legislation, particularly in the context of Articles 15, 58, and 64 of Decree No. 2.23.819. By examining the legislation through the Capability Approach, we can assess its impact on individuals' capabilities to lead lives they have reason to value, particularly in terms of education rights and opportunities. For instance, Article 15's lack of clear definition, adequate compensation, and support for teachers' responsibilities can be viewed as capability deprivations, as it hampers teachers' ability to effectively fulfill their roles and support students' right to education. Similarly, the disparity in compensation outlined in Article 58 limits teachers' capabilities to lead fulfilling lives and may affect their motivation and morale, thereby hindering their effectiveness in supporting student learning and achievement. Moreover, the stringent disciplinary measures in Article 64 may restrict teachers' professional autonomy and innovation, further constraining their capabilities to provide quality education. By applying the Capability Approach, we can elucidate how these aspects of the legislation impact individuals' capabilities and highlight the need for reforms to ensure equitable access to education and the realization of students' right to education in Morocco.

Recommendations For Future Research

In considering future research directions and potential actions to address the identified disparities and challenges within Morocco's education system, several recommendations emerge. Firstly, there is a need for in-depth qualitative studies to delve into the lived experiences of teachers, students, and education stakeholders affected by the provisions outlined in Decree No. 2.23.819. These studies could employ interviews, focus groups, or case studies to gain a deeper understanding of the nuances and complexities of the challenges faced. Secondly, it is crucial to explore the intersectionality of factors such as gender, socio-economic status, and geographic location in influencing access to quality education and the effectiveness of educational policies and practices. Comparative analyses with other countries or regions facing similar challenges can also provide insights into best practices and lessons learned that can inform policy reforms in Morocco.

In terms of potential actions to address these challenges, advocacy for policy reforms is paramount. This entails lobbying policymakers, engaging with civil society organizations, and mobilizing community support to push for legislative changes that prioritize equitable resource allocation, teacher support, and inclusive education practices. Additionally, efforts should be made to strengthen teacher training programs and professional development initiatives, ensuring educators are equipped with the skills, knowledge, and resources needed to effectively support diverse student populations. Implementing monitoring and evaluation mechanisms to track the implementation of education policies and assess their impact on educational outcomes is also crucial for ensuring accountability and transparency in education governance. Lastly, fostering partnerships and collaboration between government agencies, educational institutions, non-governmental organizations, and community stakeholders can leverage collective expertise and resources to address educational disparities and promote inclusive education practices effectively. These recommendations, if pursued, can contribute significantly to addressing the identified challenges and promoting equitable and inclusive educational opportunities for all in Morocco.