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A rural Moroccan village in the High Atlas mountains.
(Photo by: REUTERS)

Promoting human rights to support development in rural Morocco

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How a new law on personal status affects those women, and especially those in rural areas in Morocco. There is an intrinsic link between human rights and development. Development, in many cases, includes a process of securing access to rights, and their enforcement, whereas the existence of rights enhances development processes.

Human rights and freedoms are enshrined in the Moroccan Constitution as “immutable constants” (Article 175). Since its ratification in 2011, these rights are being gradually more respected. Though there is today a specific law that secures women’s equal rights, “Moudawanat Al-Osra,” many rural women are not benefiting from it, particularly in remote areas.

We often ask ourselves why governmental decisions, laws and programs for advancing development struggle to reach remote areas.

Is this part of what keeps rural communities behind? Will using these laws promote development? How? Led by these questions, staff and myself, an intern at the High Atlas Foundation, from the Hebrew University of Jerusalem, conducted participatory action-research including focus groups with over 200 rural women of the Al Haouz Province. The main findings of our research presented here can help us better understand the needs of rural women, to fulfill opportunities to exercise their rights.

Moudawanat Al Osra (2004) is the Moroccan personal status law, which is based on Islamic Sharia, and the Maliki School. It replaced the 1956 Moudawana, which in fact did not suggest equal rights for women. Moudawanat Al Osra consists of 400 articles of legislation, with the aim of protecting women’s and their children’s rights.

Since the new law was legislated, its implementation in rural areas has faced various barriers in

terms of both raising awareness and enforcing the new law. The research analyzed these barriers, alongside needs raised by the women in this High Atlas mountain area.

Over 94% of the women who participated in the research indicated that they had never heard about Moudawana before. Most communities stated that the legal age of marriage is 18, yet most girls still marry at 14-16.

Most communities indicated that they felt left behind, that national changes hardly reached remote areas, and that even if they were aware of their rights, they knew they could not secure them. Conducting this assessment research, we tried to understand the specific reasons they felt this way.

Two control groups were included in the research; the first was university students from Marrakesh, the second was members of rural cooperatives with whom HAF already partners to advance development projects.

Cooperative members indicated that they were more independent, both socially and financially, in various areas of their lives. Interestingly, students referred to the issue of using Moudawana and promoting women's equal rights as a national problem, which they share responsibility for; therefore students were interested in learning more and passing on their knowledge, to support other women.

Most rural women referred to Moudawana as a personal issue, which they wish to change in their lives. However, they also expressed their willing to pass on the knowledge they gained to others.

Rural women of Al Haouz Province raised several needs during the discussions. We can divide these needs into three main categories: education, social and physical:

1) Education: high illiteracy rates among rural females remains one of the core problems, preventing them from knowing or achieving their rights. Women indicate that this is driven mainly by inequality in access to education.

2) Social: including a clash between national law and local tradition, the latter being the one to be respected in most cases. This clash was raised as one of the biggest obstacles to implementing Moudawana in these areas.

Lack of independence, as it is considered inappropriate for women to exit the village (however they may prefer) without their husbands.

Also, violence and rape were raised as barriers that prevent particularly young girls from exercising their rights.

3) Physical: lack of physical access to information, lack of suitable roads and transportation, makes it difficult for women to access governmental offices, and appear in front of a judge (as many laws require). Moreover, women lack financial freedom, which holds them back from asserting their rights.

Most women indicated that this was the first time they had discussed their own abilities, fears and

goals, and said that this motivated them. Resulting from our participatory workshops, one group started literacy lessons, as they wished to be able to understand their rights. A 16-year-old girl from their community volunteered to teach them.

Another group asked for bureaucratic support to start their own cooperative and become financially independent. We also acknowledge the fact that in some cases, the effect of these kinds of interventions might result in an indirect influence on the participants, which might now be invisible to us but will become clearer at the future.

For now, our main recommendations include:

- 1) A process of inclusively assessing of needs and knowledge in every community we work with is necessary, to make the community more involved and to support the project's sustainability.
- 2) Involve local authorities. We worked only with communities in which HAF had gained the trust of the leaders. We see great importance in having the same process of promoting awareness of Moudawana among these leaders, while encouraging them to discuss its potential support of development, for instance through generating money.
- 3) Encourage local leadership to promote sustainable development, through creating relationships between rural and urban women. Resulting from this, we designed a program that aims to bring together university students and rural women, to learn about Moudawana and design local implementations of the law, according to the needs of the villages.

In most of these areas, traditionally, men were the only ones to be involved in decision-making. Targeting women separately provides a different point of view on needs of the community, as well as different suggestions of ways to answer them. Furthermore, being based on Sharia, we hope Moudawana will evoke change regarding women's rights and their role in society, particularly among other Muslim countries. Through that, we aim to support both individual and collective social change, locally and globally.

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