



WOMEN'S RIGHTS IN THE PERSIAN GULF: SOME RELATIONS

Mahnaz Deihim*

Dr. Krishna Homball**

Abstract: *Today, women at all income levels are still facing barriers to advancement, and in some ways these challenges are harder than ever because there are some people who think that discrimination against women no longer exists. Sadly, that's just not true."*¹

The Persian Gulf countries are rapidly developing states, with women increasingly taking up places in their situations and positions in both business and home. Sociopolitical changes, including improvement in women's rights, but women still facing challenges and problems in both society and personal life. Therefore, many and many issues that effect on women life such as discrimination, domestic abuse and sexual harassment due to the social practices, which makes a woman submissive to men. There are laws that discriminate women because of their gender and these laws control the family issues like marriage, divorce, inheritance and custody of children. The local laws govern the personal status of women and there are countries where women are completely controlled by men on all matters concerned with the woman. This paper attempts to explain the significance of women's rights and gender equality in Bahrain, Iraq, Kuwait, Qatar, Saudi Arabia and United Arab Emirates, it provides a sociocultural, political and economic analysis of women's situation in the Persian Gulf region.

Key words: Arab, women, rights, the Persian Gulf region

*Ph.D. Research Scholar, DOS in Political Science, University of Mysore, Manasagangotri, Mysore

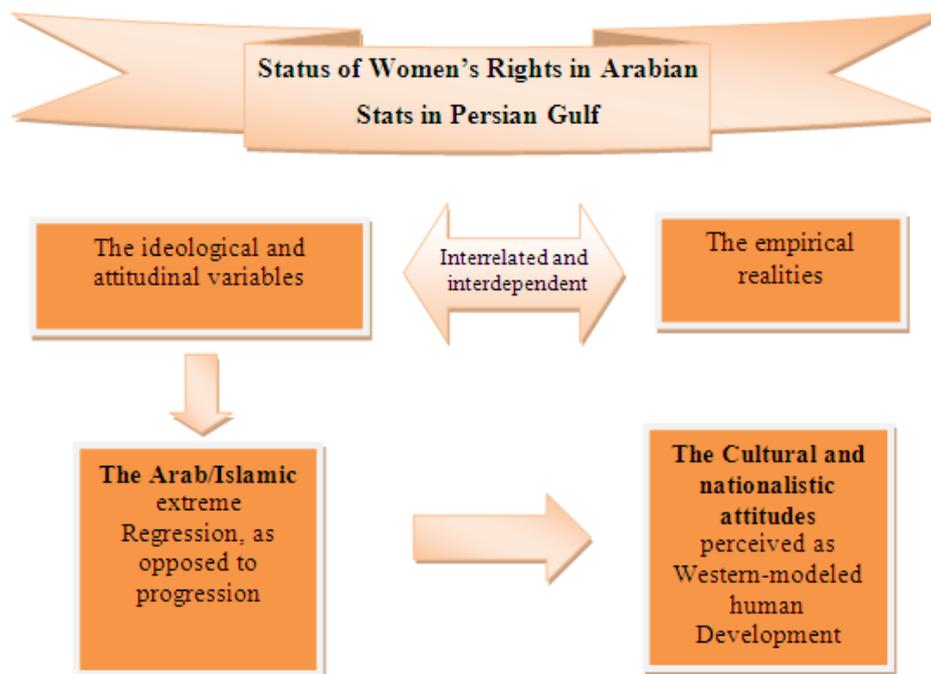
**Research Guide, DOS in Political Science, University of Mysore, Manasagangotri, Mysore

¹ Lenora Lapidus. "Lenora Lapidus Named Director of ACLU's Women's Rights Project"
<https://www.aclu.org/womens-rights/lenora-lapidus-named-director-aclus-womens-rights-project>



INTRODUCTION:

All Arab countries of Persian Gulf formally support women's active and constructive; it may for the implementation of his remarks is not inclining. Although the governments has supported of developing a women's gathering centers and discuss issues related to their and more women are employed the private sector. But the overwhelming support of women's rights and the critical issues they are reluctant but still they are reluctant to give strong support to women's rights and the critical post.



According to the Freedom House reports there has been a marginal change in the way women are treated in some of the countries in the Persian Gulf region and this change has enabled them to achieve equality in some spheres of life. According to their report women in Bahrain enjoy maximum freedom when compared with women in other countries in this region. Women in this region are able to enjoy their freedom in economic and political arenas and more women are seen entering the workforce. Women are able to get educated and this helps them to get good jobs and also participate in the political process, as they are better aware of the politics in this region. In Kuwait, UAE and Qatar women have shown a lot of improvement in the following CEDAW articles:



Table1: status of women rights in Arab region in Persian Gulf

	Country	Ratification of CEDAW ²	Gender Gap Index 2014 ³		women's suffrage ⁴
			Rankings(out of 142 countries)	Score(0.00 = inequality, 1.00 = equality)	
1	Bahrain	2002	124	0.6261	2002
2	Iraq ⁵	1986	---	---	1980
3	Kuwait	1994	113	0.6457	2005
4	Oman	2006	128	0.6091	2003
5	Qatar	2009	116	0.6403	1999
6	Saudi Arabia	2000	130	0.6059	2011
7	United Arab Emirates	2004	115	0.6436	2006

Table2: Detailed rankings, 2014

	Country	OVERALL		ECONOMIC PARTICIPATION And OPPORTUNITY		EDUCATIONAL ATTAINMENT		HEALTH AND SURVIVAL		POLITICAL EMPOWERMENT	
		Rank	Score	Rank	Score	Rank	Score	Rank	Score	Rank	Score
1	Bahrain	124	0.6261	126	0.4803	90	0.9855	132	0.9612	116	0.0774
2	Iraq ⁶	--	--	--	--	--	--	--	--	--	--
3	Kuwait	113	0.6457	106	0.6083	76	0.9905	134	0.9567	137	0.0275
4	Oman	128	0.6091	128	0.4707	96	0.9736	91	0.9706	139	0.0214
5	Qatar	116	0.6403	101	0.6197	94	0.9764	136	0.9522	140	0.0130
6	Saudi Arabia	130	0.6059	137	0.3893	86	0.9868	90	0.9707	117	0.0768
7	United Arab Emirates	115	0.6436	123	0.5152	83	0.9875	132	0.9612	96	0.1106

Though there are some changes in the attitudes towards women, the findings also show that there is a lot of discrimination in this region, due to the social practices, which make a woman submissive to men. There are laws that discriminate women because of their gender and these laws control the family issues like marriage, divorce, inheritance and custody of

² the U.N. Convention on the Elimination of All Forms of Discrimination against Women

³ The Global Gender Gap Report 2014. weforum.org/docs/GGGR14/GGGR_CompleteReport_2014.pdf

⁴ The dates of the first women's suffrage for the right to vote, suffrage, as distinct from the right to stand for election and hold office in Persian Gulf countries.

⁵ Iraq is not included in this Global Gender Gap Index

⁶ Iraq is not included in this Global Gender Gap Index



children. The local laws govern the peculiar status of women and there are countries where women are completely controlled by men on all matters concerned with the woman. In many countries, they are subjected to domestic violence and they do not have any support system to protect themselves from violence.

STATUS OF WOMEN'S RIGHTS IN ARABIAN STATES IN PERSIAN GULF

➤ **BAHRAIN**

The country had a new constitution 2002. The young monarch Hamad bin Isa Al Khalifa had many forward thinking ideas for giving women equality. Yet NGOs that work for women are few in number. They have some restrictions. The country follows Shari'a law. The conservatives curb the freedom of women in family affairs and employment. Justice for women is still obscured. Women are not able to transfer their nationality to their husbands who are not Bahraini or to children born out of that marriage. Within the court women are discriminated even though the country's judicial system is supposed to give women equal access to justice. Domestic violence is prevalent in the country but women find it hard to prove as it happens in side their homes and there are no witnesses. Marital rape does not get reported owing to family pressure on the victim.

The Bahraini women have more autonomy, freedom and security when compared with the women of other countries in the region because they have a National Action Charter that has liberated the women to some extent. Bahrain had a female judge in the year 2006 and the withdrawal of male approval for a woman to get her passport was a major change in this conservative society.

Women are given the freedom to be economically independent. But due to their lack of familiarity and experience in such matters women tend to depend on their male counterparts. Women do not have equal inheritance or rights over the properties they have inherited. Gender discrimination is prevalent in the jobs especially the private sector.

In political rights, Bahraini women have equal rights to vote and contrast for elections however there are no women representing the municipal or national councils. The monarch has appointed numerous women ambassadors and ministers to help in administration. The Bahraini women have access to healthcare and have access to birth control without the consent of their husband. This is a mile stone in giving women the basic freedom in reproductive health care and related issues. The government of Bahrain along with the



NGOs is trying to address all the issues related to women in order to give women their rights and treat them equally with men.

Migrant female workers are not protected by labour laws and so women are subjected to harassments where the employers can hold the passports, restrict their movements and not pay wages. These employees have to endure long hours of work and there are no laws that bind employers to follow the labour laws.

Women who are detained for criminal offences are not sure of legal recourse for a fair trial as the legitimate rights for women vary between Shia and Sunni Muslims. So legal recourse will depend on what type of decision the judge takes a given problem.

➤ **IRAQ**

Iraq is part of the earliest Islamic countries. It is among the Persian Gulf area it has given women the freedom to represent themselves. The 1970s were the best period for the women of this country as Iraq was one of the first countries to ratify CEDAW. But the Iran-Iraq war of the 1980s changed the social structure of women of Iraq and a lot of restrictions were imposed on them due to which they lost the freedom they had gained in the 1970s.

During Saddam Hussein's regime women were not allowed to marry foreigners, there were more widows. Lack of education was a major setback to the women as the Iraqi government became very conservative. Iraq became more patriarchal and dogmatic country. After the Gulf war of 1991, women were tortured and trafficking increased. Those who tried to oppose the government were severely punished. The healthcare system for women deteriorated in the 1980s and worsened after the Gulf War.

The freedom for Kurdish women was curtailed completely by a repressive political atmosphere during the Saddam Hussein's rule. The country saw a large number of women who were widowed; there were more female-headed households and unmarried women during the 80s. The NGOs that have sprouted in Iraq face numerous obstacles trying to bring normalcy and equality for the women of Iraq.

Women and girls do not have the basic rights in the prisons of Iraq. Women are put in overcrowded cells. The Human Rights Watch has observed that the female prisoners do not have the basic health care to keep them protected from common illnesses. A large number of women prisoners are detained along with their children who are deprived of access to education, health care, food, water and even fresh air. Women are frequently tortured and



sexually abused in the prisons if the authorities suspect that the male relatives of these women are terrorists.

A draft law on Jaafari jurisprudence and personal status has been sent on 27th October 2013 to the cabinet for approval. If this law is approved then women and children will lose a lot of their rights. Women's marriageable age will be lowered from 18 to 9 for females and 15 for males. The law will not allow women to even leave their homes without permission and there are more restrictions for women to divorce. Women's inheritance will be further interfered with that will be a very big disadvantage for them.

The financial difficulties faced by women due to conflicts in which many women lost their husbands, or their men were missing or detained has had led sexual trafficking and sexual exploitation. The authorities have not done much to implement the laws to stop the trafficking even though a law was passed in April 2012. Victims of trafficking are prosecuted as prostitutes as prostitution is a criminal offence.

The Family Violence Law has not been enforced by the government to prevent domestic violence and honor killing in Iraq. There are no special courts to put on trial those who commit domestic violence and there are no superfluous female security officials to deal with such problems, as very few people are educated about these laws.

Female Genital Mutilation⁷ as it is known as is prevalent among the Kurdish community where girls between the age of 14 and 22 undergo this barbaric act in the name of tradition, religion or culture. This process of mutilation of the genital organ of young women takes place at times in unhygienic conditions where more than one woman is operated upon with the same razor. Women suffer during their menstrual cycles, childbirth and while having sexual intercourse many years after the surgery.

➤ **KUWAIT**

One of the major changes in Kuwait was the participation of women in local elections and also they were allowed to vote in the year 2005. Women were given ministerial portfolios and were elected as Municipal Council members. Kuwait still has a monarchical role the country. The parliamentary system has limited control over the state. Due to a very high per capita income, Kuwait is a welfare country.

⁷ FGM is a women's rights violation that affects their reproductive rights.



From the 1960s until the Iraqi invasion of Kuwait in 1990, women in this country compared to its neighbors, enjoyed the higher education and protection of cultural rights and economic freedom. The Parliament of Kuwait in 1992 tightened state regulation over NGOs, and women's rights activists. This was responsible for severe restriction on women's rights. Thence, the official political parties were outlawed, but the unofficial women's political groups, both inside and outside the Parliament have been active. Finally, women in 2005 have succeeded achieving these eighth with the help of lawyers, policy makers and ordinary citizens.

The Shari'a law does not give equal rights to women. The discrimination is seen in the personal status of women and family issues honor killings. That reported do not have tough punishment for men. Married women face a lot of discrimination and they cannot transfer their nationality to their foreign husbands or children born out of such marriages. Married women cannot apply for a passport without the consent of their husband.

There is a great section of women working in Kuwait who are well educated and when compared with other nations of the Persian Gulf countries Kuwait has the highest percentage of working women. But women are not employed in the army, police and judiciary system of Kuwait due to the strong socio-cultural biases. Women are also not paid equal wages. Still they face physical and verbal harassment in workplace. Kuwait does not have tough laws to protect the women employees.

Women face discrimination in taking decision on abortion as it is illegal in Kuwait but women have the right over birth control and contraception. Divorced women are discriminated and cannot get low interest loans for government housing. When a woman has the custody of the children, it is the father who gets the child support benefits.

Female Genital Mutilation is practiced among those who follow Maliki Madhab of the Sunni Muslims. According to a human right reports published in 2011, 38% of the women have undergone FGM procedure. There is not any law that prevents this act, as there is a religious belief among this faction of Muslims.

Kuwaiti laws do not protect women against domestic violence, sexual assault, and honor killing. Marital rape is not considered as violence. Also, the government has not taken adequate steps to curtail illegal dealing for human trafficking and the victims are not given any protection or shelter.



➤ **QATAR**

Qatar is a country ruled and governed by the monarchy. It brought about some positive changes in the overall governance of the country. Women for the first time in 1999 got the right to vote. In the same year municipal elections were held for the first time. In the last fifteen years there has been no discrimination between men and women in Qatar as per law. But women are not informed openly about their right. The judicial system of Qatar comprises of non-Qatari judges who make more than half the number of judges. However there were no female judge in Qatar till 2010 March when the first female judge was appointed. In May 2009 Qatar was the 186th nation to ratify CEDAW but with reservations.

In 2004, a new constitution was adapted. It brought about changes in family laws and also did not allow gender-based discriminations. But in Qatar only one third of the workers are women and so due to male domination and cultural norms bringing equality for women are a big challenge for women. This affects women's participation in the country's economy and participation of women in other aspects as well. In 2006, the family law was amended which gave women the personal status of key issues such as marriage, divorce, child custody and inheritance. Since 2007 women had the freedom to apply for their own passport and in 2008 for the first time in the history of Qatar women were admitted in the engineering programs of Qatar University in two streams namely electrical and chemical engineering. Like in most countries of this region due to the strong cultural and social norms the discrimination has not been eliminated completely in this region.

Qatari women cannot pass their nationality to their husband who may be a foreigner and the children born out of that marriage also cannot get their mother's nationality. Domestic violence is not considered as a criminal offence the punishment meted out to the perpetrators not effective enough to protect the victims. Women need to take the permission of a male guardian to get driving license.

Women's employment in the private sector is not free from discrimination. The cultural norms and stigma influence the decision. So far only one woman was elected in the municipality elections in the year 2011 but the government has given equal opportunities for women to contest in the elections. By and large the situation for women is better in Qatar than in any other countries of the Persian Gulf region. The government of Qatar is amending various laws to end the discrimination against women.



According to the laws of Qatar it is the duty of the housewife to take the responsibility and look after the household; a housewife expects to obey her husband. Marital rape is not seen as a crime.

➤ **SAUDI ARABIA**

Women in Saudi Arabia face gender inequality, as it is the country's interpretation of Islam. Due to the religious pressure, the change in the social contexts does not get the priority. Basically women are segregated, and deprived of the basic rights and fully controlled by men. A woman cannot travel alone and for any medical care a woman must have a masculine approval. However, the King of Saudi Arabia seems to support the liberal feminists' movements and some changes have been taking place in the last few years. He has helped in the employment of women-only in manufacturing units and shopping malls. The hospitality industry and some of the government departments that deal with women's needs are now accessible to women as they are fully controlled by women. Women also are inducted into various educational courses that were not accessible to them.

Women do not enjoy access to justice, as they have to be represented by a male lawyer. They cannot pass their nationality to their husband if he is a foreigner and the children born to them also cannot take the mother's nationality.

Saudi Arabia does not give freedom of religion to both citizens and non-citizens, as everyone has to follow one national religion Wahhabism. Women do not have a minimum age for marriage. The divorce of an eight-year-old girl from her fifty-year-old husband shocked the world in May 2009.⁸ Personal status in marriage, divorce, child custody and inheritance of a woman is as per the Wahhabism Law that the country is following. Women are discriminated by the State and the society in the name of religion in Saudi Arabia.

Women are prohibited from driving and the authorities have not made any amendments to this law. Young girls were restricted from taking part in sports; in May 2013 the ministry of Education announced that if girls wore decent clothes they could take part in sports. Men indulging in domestic violence are not severely punished but the government has reformed domestic violence since August 2012. There are no clear methods for ensuring quick investigation. The government has not clearly said that marital rape is a criminal offence but

⁸ 8-year-old Saudi girl divorces 50-year-old husband. http://usatoday30.usatoday.com/news/world/2009-04-30-saudi-arabia_N.htm.



the victim can be prosecuted for adultery. Women have to depend on their male guardian for making any major decisions and this does not give women the basic freedom they have a right to enjoy.

Female Genital Mutilation is common among Shia Muslims, Bedouin and some immigrant workers. There are no tough laws to stop this act that is a clear violation of women's rights affecting their reproductive rights. Women and girls face both psychological and physical scars due to this inhuman act done on them.

➤ **UNITED ARAB EMIRATES**

The United Arab Emirates has become a financial hub of the world and this change in the society has brought about changes in the social structure also. Women are educated better because of which their status has improved. Educated women are seen in the judiciary system serving as judges this is a position development in this region. The country's law allows women to have rights over the property and she has the independence to use the property according to her wishes. The family laws have been amended in such a way that there is more equality for women when compared with women in some of the other countries of this region where discrimination against women still exists.

However, there are still some areas where women are discriminated because of their gender. Emirates women face discrimination when they marry a foreign man by losing their citizenship. Even if she does not lose her citizenship she cannot transfer it to her no-Emirati husband and children born of the marriage

U.A.E ratified CEDAW in 2004 but the law of the country does not support women especially in domestic violence as it is treated as a private matter. If this mindset is changed and people are made aware that it is a crime to abuse women physically then Emirati women are bound to get better justice. Punishment for adultery is flogging and this discrimination continues while men are let off with no punishment for the same offence.

The female migrant workers, in U.A.E do not have legal protection against discrimination in wages. Many women are not paid for the work they do, the domestic workers are deprived of food, they have to endure long hours of work, they are confined to their workplace under force and they also have to face physical and sexual abuse for which there are no legal recourses. Foreign female workers are trafficked and abused sexually. Foreign female workers are afraid to report sexual abuse as they may be imprisoned for adultery.



Women and girls in U.A.E do not enjoy the basic rights as in other developed nations as the country follows the Shari'a laws that prohibit freedom and liberty for women in various spheres of life. The family law and personal status for women discriminate them in the issues of divorce, inheritance (only one third of the property can be inherited) and child custody. If an Emirati woman gets a divorce through a no-fault divorce also known as Khula then she is not legally entitled to the financial rights.

Domestic violence continues to be a major ordeal for women and children in U.A.E and there are no laws that protect women from these problems. In fact, the Federal Supreme Court has supported the men by giving them legal rights to discipline their wives and children using physical violence also. Marital rape is not recognized as a crime and women do not have the support system to be protected from such abuse by the government. So discrimination of women in workforce is also evident as there are only 14% of Emirati women in the total workforce of the country.

CONCLUSION

In tribal societies where patriarchal Arab states in Persian Gulf are ruled by men the talk of women's rights and participation in social and political affairs is challenging. Arab women of Persian Gulf in the 1990s were deprived of any political rights.

Hijab (veil) is compulsory. In marriage rights, bride is required to have a wali (marriage guardian) who is most often a father, grandfather, or uncle. If a woman does not have a wali, the judge will represent her in completing the marriage formalities. It is not socially acceptable to marry without the family's permission. Marriage between persons from different sects is increasingly uncommon but unlike women, Muslim men may take Christian or Jewish spouses. Married women cannot apply for passports without permission from their husbands. Women are required to adhere to rules that are intended to protect their reputation and virginity. Men have the right to divorce women must either seek out a judicial divorce based on extremely narrow reasons, such as desertion or impotency, or else initiate khula (woman to return her dowry). Divorced women retain physical custody of their child until they are reached to age decree.

Economic rights in Arab countries are not equal between men and women and have been difficult to achieve. Certain technical subjects in high schools are restricted to boys. Limits freedom to choose their university courses and leads them to study subjects in low demand



in the labor market, increasing their unemployment rate. Men earn more salary than women. Traditionally, women are required to seek their husband's permission to get a job. Participation by women in the national government and decision-making positions also remains low.

Legal restrictions on press freedoms are also not gender based-the rights of both male and female members of the media are limited. Media cover traditionally female topics such as family, fashion, beauty, and cooking. The social and cultural rights of women are greatly affected by traditional societal norms. Women tend to be treated unequally in diverse areas of social and community life. Polygamy is practiced. Short-term marriages are practiced.

The Convention on the Elimination of All Forms of Discrimination against Women emphasizes the importance of equal participation of women with men in public life. Even after three to four decades Arab women remain far from parity worldwide at heads of state at Prime Ministerial and Presidential levels, in the executive branch as ministers and as senior public officials, and within parliamentary assemblies.

REFERENCE

1. Afary, Janet. "The human rights of Middle Eastern & Muslim women: a project for the 21st century." *Human Rights Quarterly* 26.1 (2004): 106-125.
2. Al-Yousef, Nourah. "Status of women in the Arab Gulf Countries." (2009).
3. Kelly, Sanja, and Julia Breslin, eds. *Women's rights in the Middle East and North Africa: progress amid resistance*. Rowman & Littlefield Publishers, 2010.
4. Krause, Wanda. "Gender and participation in the Arab Gulf." (2009).
5. Moghadam, Valentine M. *Modernizing women: Gender and social change in the Middle East*. Lynne Rienner Publishers, 2003.
6. Nazir, Sameena. "Challenging Inequality: Obstacles and Opportunities Towards Women's Rights in the Middle East and North Africa." *JJIS* 5 (2005): 31.
7. Sidani, Yusuf. "Women, work, and Islam in Arab societies." *Women in Management Review* 20.7 (2005): 498-512.
8. Willoughby, John. "Segmented Feminization and the Decline of Neopatriarchy in GCC Countries of the Persian Gulf." *Comparative Studies of South Asia, Africa and the Middle East* 28.1 (2008): 184-199.
9. Zuhur, Sherifa. "Women and empowerment in the Arab world." *Arab Studies Quarterly* (2003): 17-38.