

POSITION AND STATUS OF WOMEN IN ARAB STATES: THE SILENT SUFFERERS OF PATRIARCHY AND VIOLENCE

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Abstract- Gender inequality has been prevalent in societies since time immemorial. Arab countries, comprising of States in Middle East and North Africa rank the lowest in the world when it comes to women empowerment and their equality. Despite critiques of women's legal status in the Arab region and changing family norms, family laws in Arab countries still endorse inequality between men and women and discriminate against women in all aspects of their lives. Crime against women has seen new dimensions in modern day Arab world. A healthy society can only be formed when women participate as equal partners in shaping up the present and future of a country. This article deals with understanding of the status and position of women in Arab society in general. It attempts to understand how the status of women is affected by deep religious beliefs and customs. The article also analyses the different forms of crime against women in Arab states and tries to understand how patriarchy and culture affect their position and as a consequence bring in a change in their position in the society.

Index Terms: Violence, Gender Inequality, Middle East, Crime against Women.

I. INTRODUCTION

The Arab society or the Arab World is comprised of nearly twenty-two countries of the Arab League. These Arab states occupy an area stretching from the Atlantic Ocean in the west to the Arabian Sea in the east, and from the Mediterranean Sea in the north to the Horn of Africa and the Indian Ocean in the southeast. The members of the Arab League are Algeria, Bahrain, Comoros, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, State of Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates and Yemen. Women in Arabic society have always been a subject of speculation and analysis since time immemorial. This speculation emanates from the position and status of women in this part of the World. Women are undoubtedly treated as a weaker gender and crime against them surpasses all other societies.

II. POSITION AND STATUS OF WOMEN IN MIDDLE EAST

The position of Women in Arab World is perhaps the most controversial in the world. With changing times, there has been reformation in position and status of women, yet there are many loop holes in former piece of information. From the moment a woman is born, she comes under the control of her male relatives. Once married, the control shifts to the husband. The women are dependent on their male relatives. The dependence of life on *Shariat* laws has oppressed women since ages. Birth of a girl is still looked upon as a bad omen for the family. The position of women before the advent of Islam has been debated by historians. Many writers and people state that women as a general rule had no legal status. They buried alive their daughters. It was considered as a bad omen if a girl was born. A widow was nothing more than a property and her own son inherited her as a wife. Innocent girls were sacrificed to gods. Orphan girls were forced to marry their guardians. Polygamy and Polyandry were practiced. Very painful methods were used to end their lives. Some writers are of the view that pre Islamic era for women in Arab society were far more liberated than the present one. In some tribes, women were also compared to present standards. There were instances where women held high positions and standards. Men and women could have multiple partners or could practice monogamy at their will.

There are four sources of influence under Islam for Muslim women, namely, the primary sources which includes the *Quran* and *Hadiths*. Secondary sources are derived from various Muslim sects and schools of Islamic jurisprudence and includes *ijma*, *qiyas* and, in forms such as *fatwa* and *ijtihad*. Islam was introduced in Arabian Peninsula in the seventh century. Prophet Muhammed united many tribes of Arabia and created a single Islamic unit. Mecca and Medina are still the most important spiritual places of Islamic World.

Both men and women have same duties in their worship and responsibilities towards God. As Quran states: “*I will not suffer to be lost the work of any of you whether a male or female. You proceed from one another*”.

During the seventh century, reforms in women's rights affected marriage, divorce and inheritance. There was prohibition of female infanticide. Before Islam women were treated as mere property in the hands of men. After Islam, they were provided with rights of property, ownership, inheritance and divorce. According to Sunni scholar Ibn Asakir in the twelfth century, women could study, earn *ijazahs* (academic degrees), and qualify as scholars and teachers. According to a *hadith* attributed to Muhammed, he praised the women of Medina because of their desire for religious knowledge. In the twelfth century, the most famous Islamic philosopher and qadi (Judge), Ibn Rushd, known to the West as Averroes, claimed that women were equal to men in all respects and possessed equal capacities to shine in peace and in war, citing examples of female warriors among the Arabs, Greeks and Africans to support his case. Some of them were Nusaybah Bint k'ab Al Maziniyyah, Aisha, Kahlua and Wafeira and Um Umarah. Arabian and

other contemporary societies do not show a very promising picture regarding women empowerment. In Arab society condition was dismal. There was no limit to the number of wives. Divorce was very common. Women were discriminated on matter of guardianship of property of minor child. She was denied equal rights on matters of succession, though Muslim law was probably the first in the world to provide right to inheritance to women. But slowly this right also became obsolete.

With much advancement in the twenty first century, Arab society also sees a tremendous change in its culture and social strata. Family still is the most important aspect of life. Family honour is still the most important aspect of Arab culture. The preference for son is still higher than most societies in the world. Muslim Arab women are taking part in playing on futsal, football (soccer), softball, basketball, and various other teams. Some women are participating in boxing, archery, running, swimming, tennis and other individual sports. Because more Muslim women are playing sports, sportswear is being developed so that a woman can still be able to participate in sports like swimming without limiting their participation due to the way they choose to dress. There is still much criticism towards female athletes in the Arab world. Many conservative men have criticized that sports and women do not go together. Adherence to traditional dress varies across Arab societies. Saudi Arabia is more traditional, while Egypt is less. Traditional Arab dress features the full length body cover (*abaya*, *jilbāb*, or *chador*) and veil (*hijab*). Women are only required to wear *abayas* in Saudi Arabia. In most countries, like Kuwait, Lebanon, Libya, Jordan, Syria, Palestine and Egypt, the veil is not prevalent. The role of women in politics is determined by the leaderships of their respective countries. Extremist Islamists condone the idea of women taking part in country's political matters. Algeria has the largest female representation in Parliament with 32 percent. Women were granted the right to vote on a universal and equal basis in Lebanon in 1952, Syria in 1949, and Kuwait in 1985. Saudi Arabia gave Voting rights to women in 2015. The number of women business owners is rapidly increasing. Qatari women have known to be the richest among Arab women. Marriages are still fixed by male members of the family with little or no saying of the bride to be.

III. GENDER INEQUALITY AND VIOLENCE AGAINST WOMEN IN MIDDLE EAST

Arab States have the largest gap between gender equality and rank the lowest in providing women equal rights at par with men. Despite advances in women's economic equality in Qatar, Algeria and the United Arab Emirates, at the present rate, the region's 39% gender gap will take another 356 years to close. Between their patriarchal societies, increased conservative movements and lack of political will to move towards gender equity, the Arab world today is facing a backlash against women's rights and freedoms. For many Arab countries, instability is the norm. The region's multiple humanitarian crises, including those in Syria, Palestine and Iraq, have destroyed social protection, reduced access to safe services and support, displaced communities, and increased vulnerabilities. Emergencies are more dangerous for women. Not only are women deliberately targeted, but conflicts also bring insecurities that compel women to resort to risky sources of income, such as trafficking and sex work, in order to survive. In the Arab world, violence against women takes many forms, with intimate partner violence being the most common (affecting approximately 30% of women in the region) and the least reported. Here, intimate partner violence is often not labelled as such. Moreover, social stigma and family and community pressures keep women from reporting it. Honour killings are also prevalent in many Arab countries, which have largely failed to amend relevant laws. Arab women still lag significantly behind in terms of women's participation and representation in politics. According to the World Economic Forum, only 9% of the political gender gap is closed. And four out of the world's five lowest-ranking countries are in this region, including Oman, Lebanon, Kuwait and Qatar. They have closed less than 3% of their political gender gap. Only the United Arab Emirates has seen improvement in terms of increased women parliamentarians. Although, presence in the political area does not necessarily entail power. Despite critiques of women's legal status in the Arab region, changing family patterns, and a booming young female adult population, aspiring to professional lives, family laws in Arab countries still endorse inequality between spouses and discriminate against women in all aspects of their lives.

Inhuman practices still prevail in Arabic societies. The Arabic term '*taharrush*' roughly translates to 'collective harassment'. It refers to sexual assaults carried out by groups of men in public places. The men first surround their victim in circles. Some then sexually assault her, while others not directly involved watch or divert outsiders' attention to what is occurring. The objective of the rape game is for men in the inner circle to deal and make most damage to the victim while the second circle men would fight their way in, and the outer circle that distracts the rest of the crowd from this rape game and usually one for two men are given positions of 'trying' to save the victim. The practice is only carried out in public and almost always at demonstrations or large public gatherings where the attackers find safety in numbers and disorder.

The Arab women face the most violent oppression from men in their society. The most common forms of violence against women are domestic violence, dowry, human trafficking, stoning, honour killings and genital mutilation. Saudi Arabia is still one of the most restrictive countries for women in the world. Child marriages and forced marriages are still prevalent in many parts of Arabic World. Women face strict male authority over them as a form of guardianship. The problems of Middle Eastern women remain acute. Although religion bears major responsibility for the inferior status of women, it cannot be solely blamed for the gender problem in the Middle East. In reality, the role of culture has been even more prominent in perpetuating the oppression of women. Under *Sharia* law, a law generally enforced by the Islamic states (Islamic Law), punishment imposed by the court on the rapist may range from flogging to execution. However, there is no penal code in Saudi Arabia and there is no written law which specifically criminalizes rape or prescribes its punishment. No country in the region offers specific protection against spousal rapes or domestic violence. In June 2008, the Egyptian Parliament passed new laws setting 18 as the minimum legal age for marriage for both genders (previously it was 16 for girls) and imposing a penalty of three months to two years in prison or a fine between \$190 and \$940 for those convicted of practicing female circumcision.

Female domestic workers remain at particular risk of human rights abuses. A 2008 Human Rights Watch¹ report urged Saudi Arabia to implement labour, immigration, and criminal justice reforms to protect female domestic workers. In Syria, Violence against women, including honour killings, remains a critical issue. Women's organizations estimate that more than 200 women are murdered every year in the name of 'honour crimes'. Murders considered to have been in defence of honour are not considered a "crime" under Syrian law, but an "offence." It carries a maximum penalty of a year's imprisonment, but could be reduced to a month by a judge.

3.1 Synoptic View of Crime and Violence against Women in Arab Societies

Serial No.	Nature of Crime	Statistical Data
1.	Domestic Violence	37% of Arab women have experienced some form of violence in their lifetime. There are indicators that the percentage might be higher. 51 percent of women in Gaza City experienced domestic violence in 2011.
2.	Rape and Sexual harassment	Rapists are often shown leniency or even acquitted in the Arab Region if they married their victims. Marital rape is not recognized in Saudi Arabia and rape victims risk being charged with adultery. More than 4,000 cases of rape and sexual mutilation have been reported to the Syrian Network for Human Rights.
3.	Honour Killing	In Jordan and Iraq, honour killings are in a separate legal category – murderers benefit lighter sentencing for honour killings. In Jordan, Article 430 protects men who murder their wives for committing adultery. According to the Iranian Penal Code Article 630, a husband is allowed to murder his wife without penalty if he suspects she committed adultery. In Turkey, in order to be technically innocent of murder, families sometimes force the woman to commit suicide.
4.	Prostitution and Trafficking	Trafficking is prevalent for slavery, migrant workers and forced prostitution.
5.	Female Genital Mutilation	Female Genital Mutilation reaching 61% in girls between 15 and 17 years of age down from 74% in 2008 70% girls in Egypt went through Female genital Mutilation in 2015. Out of 200 million girls who went through FGM more than half live in just three countries: Indonesia, Egypt and Ethiopia.
6.	Forced and Child Marriages	14% of Arab girls marry under the age of 18. 17% women less than 18 years get married in Middle Eastern and North African States.

IV. CONCLUSION

High rate of Crime against women in Middle Eastern countries signify that a long journey waits for these States in providing equal rights and protection to women living in these areas. Women must break barriers of oppression and patriarchy and demand what belongs to them: equality and respect in all aspects of life. Legal issues related to women's status in Arab nations tend to be quite different from those in the Western part of the world. There are feminist organizations in Middle Eastern countries but they tend to be small and lack efficiency input into the political structure. It is observed that the improvement in the status of women has not come from efforts of these women's groups as much as from the whims of male members of the political elite to modernize and industrialize their female society. It may still take many decades before some segments of Middle Eastern societies feel the impact of women equality and empowerment issues. The reforms may be significant for educated women in urban centres and cities, illiterate and rural women, particularly those in nomadic communities, may not understand their legal rights; if given any, or enjoy the empowerment and resources required to benefit from legal changes. The effects of legal changes in these communities tend to trickle down slowly. Under these circumstances it seems certain that the status of women in the Middle East will remain a contested issue unless and until crime and violence against women experiences a radical drop.

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