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Gender Disparity within the Employment Sector in Saudi Arabia

by Alyssa Bovell and Libby Durnwald

Winner

2014 Joyce Durham Essay Contest in Women's and Gender Studies

Abstract

The purpose of our research is to examine why an increased access to higher education has not resulted in an expansion of employment opportunities for women in Saudi Arabia, and how this affects the development of the country. We examine this topic through a feminist and cultural relativist lens in order to understand why Saudi Arabian women are living in such a gender-segregated state. The lack of opportunity to enjoy one's right to employment renders the progressivism of women's rights as civil society has taken measure to eradicate such a disparity in the employment sector and disrupt the institutional norms and policies that perpetuate such gender inequality. We will examine the social forces, norms and policies in Saudi Arabia that maintain this system of unemployment and will assess its impact on a woman's ability to put their rights into practice. The findings of this research study will help build advocacy for the empowerment of Saudi Arabian women in the labor force, which could significantly impact the political and economic factors of the state as well as the lives of women.

Introduction

The right to education and employment are fundamental to the development of the individual person, family, and the public sphere. The right to education as outlined in the Universal Declaration of Human Rights states, "Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms" (Article 26). In addition, the right to work is outlined as, "Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and protection against unemployment" (Article 23). This article further outlines that within this right to work, individuals have the right to equal pay, and other social protections within employment. The

fulfillments of these rights are integral to promoting the free and full development of the human person and human dignity. In studying the educational and employment rights in Saudi Arabia, it is important to consider various cultural practices and traditions that affect the ability of women to attain the rights of education and employment. Saudi Arabia currently has various institutionalized norms and policies that perpetuate gender disparities in all areas of society that dictate the lives of women within various social contexts. The gender disparity in Saudi Arabia is a core concern because gender equality is an essential part of human development. However, women are discriminated against in various spheres such as education and in the labor market, which presents restrictions to other rights and freedoms. The purpose of our research is to examine why an increased access to higher education has not resulted in an expansion of employment opportunities for women in Saudi Arabia, and how this affects the development of the country.

Women's rights to higher education and employment are human rights norms that people and organizations advocate for in order to pass international legislation to protect and to improve these rights of women. Universal rights to education, like other human rights issues with a heavily westernized emphasis, are ones that cultural relativists tend to criticize. Since the United Nations Charter and Universal Declaration of Human Rights were collaborations of mostly western states, cultural relativists think the ideas of what is right do not pertain to states with cultures that are not centered in western ideology. Cultural relativists often find fault with homogenous classification in dealing with human rights issues and think that rights or norms should be established based out of the culture, which they emerge (Ackerly, 29). Additionally, "cultural relativists often criticize the human rights doctrine for not being respectful of different cultural, religious, and philosophical traditions, and therefore ultimately of not respecting

peoples' identities" (Langlois, 20), making it difficult to presume that all women desire the same educational freedoms and employment opportunities. This is important to consider when analyzing human rights abuses in various cultural contexts, which demonstrates the importance of developing a thorough understanding of the various systemic and institutional mechanisms that grant and withhold human rights.

From the feminist perspective on human rights, an emphasis is placed on the relationship between entitlement and enjoyment. According to Ackerly, the feminist perspective contains a significant insight into human rights that affirms, "if individuals face cultural, economic or other obstacles to the enjoyment of their rights, then in an important sense, they do not really have those rights at all" (Ackerly, 33). Despite the legal right to work and to access higher education, there are various cultural and traditional barriers within the Saudi Arabian state that are prohibiting the enjoyment of those rights. As rights are often perceived as entitlements (legal or contractual), it often ignores whether individuals are able to fully enjoy the substance of those rights (Ackerly, 39). In addition, the case of the enjoyment of the right to employment and the right to education is relevant to the theory of the interrelatedness, interdependency and indivisibility of human rights that puts an emphasis on the political, economic and social institutions, laws, policies and structures, which are crucial to securing the enjoyment of human rights. In the case of higher education and access to employment, women cannot apply and enjoy these rights without the other, and as result are not able to achieve full human potential without access to these rights. The different types of rights cannot be exclusive from one another and the practical, conceptual, and institutional realization of rights affects the broader objective outlined within the Universal Declaration of Human Rights and the principles, moral and philosophical justifications for human rights. As result, the abuse of such rights is one that is also multifaceted

and experienced through various structures. The intersectionality of human rights is the recognition that oppression works through multiple institutionalized mechanisms, which is relevant to the discussion of an increased access to higher education but a lack of access to employment. The various challenges that women encounter when attempting to pursue work take a variety of cultural and social forms, which results in denial of human rights through multiple facets.

In addition to understanding the intersectionality of human rights, it is critical to understand how such human rights beliefs originate. Culture and norms such as religious traditions are often associated with the justification and adherence to human rights. However, some faith traditions do not align with the principles established in human rights doctrine. For example, different religious leaders have questioned the autonomy and equality established in westernized human rights. Religious traditions have varying values, so it cannot be assumed that in Saudi Arabia, that traditional, systemic and institutional cultural practices see it fit to have women educated and employed as some societies would insist upon. In this paper, we will examine the policies, social factors and norms that perpetuate this system of unemployment for women in Saudi Arabia, and the impact it will have on the ability of women to exhibit self determination and actualization of their rights within society.

The theoretical approaches to human rights establish a foundation for the complexity of the current situation within Saudi Arabia. Human rights are not black and white, which is visible through cultural practices within Saudi Arabia, and the construction of social norms that prevent women from being active participants within society. The gender disparity within Saudi Arabia is an issue interrelated with women's empowerment and development that is receiving attention

not only at the state level, but also at the national level through United Nations Resolutions and Millennium Development Goals.

Background on Saudi Arabia

Located in the Middle East, Saudi Arabia is the 13th largest country in the world. Thirteen provinces makeup the nation and it is estimated to be approximately a fifth of the size of the United States with a population of roughly 26,939,583 (The World Factbook: Saudi Arabia.). Saudi Arabia shares a border with many nations including Iraq, Jordan, Kuwait, Oman, Qatar, United Arab Emirates, and Yemen.

Saudi Arabia is essentially a homogenous nation comprised of over ninety percent Arabs with Arabic being the nation's official language. It is also estimated that the entire population or one hundred percent are a part of the Muslim faith (The World Factbook: Saudi Arabia). Since the religion was born in Saudi Arabia, its high concentration of Muslims is obvious. The life expectancy in Saudi Arabia is over seventy years for both men and women, with women's life expectancy being close to five years longer than their male counterparts. Additionally, the birthrate is 2.21 children born per women, infant mortality rate is 15.08 deaths per 1000 births, and the maternal mortality rate is 24 deaths per 100,000 births (The World Factbook: Saudi Arabia). The birth and death rates in Saudi Arabia demonstrate their high health standards in comparison to other global states and their ability to meet the basic physical needs of society.

The government of Saudi Arabia is led by King and Prime Minister Abdallag bin Abd al-Aziz Al Saud. The cabinet under the King is made up of a council of ministers, whom the King appoints. Many members of the cabinet are also members of the royal family. Since the state is governed by a monarchy there are no elections held to allow Saudi Arabians to help elect their

Prime Minister. "Only three Arab countries do not recognize the right of women to vote and to stand for elections. Two of the three states, Saudi Arabia and the United Arab Emirates do not hold elections in the first place" (Ottoway, 2004, 4). This system of government limits the freedom of its citizens and further perpetuates the system of gender inequality through the lack of political participation and representation of women.

Understanding the background of Saudi Arabia is important in better understanding what is perpetuating a country full of gender inequality. Clearly Saudi Arabia does not suffer economically or has problems with the health of its people, but that does not mean that it is working to protect and preserve the rights of all its inhabitants, especially those of women. The controlling nature of the government eludes to the limitations that are set up against women and why such a disparity between women being educated and employed is being created within the realm of the country. The Saudi Arabian government is accountable for creating a system in which women are unable to enjoy the same rights as men, especially in consideration to employment opportunities.

Right to Work, Women's Empowerment and Development

Beginning in 1975, with the "UN Declaration of the Decade of Women," attention toward the rights and concerns of women have steadily increased, garnering attention and support from women's organizations, government agencies and international organizations. Decades following, the empowerment of women became a concept utilized by NGOs, policy makers, advocates, and other influential actors and is currently used for a variety of agendas (Grabe, 2011). As one of the eight Millennium Development Goals to be achieved by 2015, the goal to "Promote gender equality and empower women" (MDG 3) has become a common objective of

development initiatives and is considered a means to reach other development goals (Mosedale, 2005). Various UN bodies such as United Nations Development Program and United Nations Population Fund have cited women's empowerment as one of the key components of development. Development challenges facing states are often cited as a result of the underutilizing of a crucial portion of the population that could further the progress of families, communities and countries, which would be an asset to eradicating the development challenges facing a country.

The various reports have outlined progress made worldwide in accordance to achieving these goals and the 2013 Millennium Development Report indicated a shift from previous reports in relation to the access to higher education and the access of women to paid employment.

According to the 2013 MDG report, globally, only 40 out of 100 wage-earning jobs in the non-agricultural sector are held by women (UNDP, 2013, 19). The report continues to outline the progress made in eradicating gender disparities in higher levels of education and within the labor market, however, not all regions or all areas of work have made significant progress. "Women's access to paid employment is an indication of their integration into the market economy. As women benefit from more regular income, they are more likely to achieve greater autonomy, self-reliance in the household and in their personal development, and decision-making power" (UNDP, 2013, 19). There are various gaps in the tentative progress made toward eradicating gender disparities and many complex components that will require that resources and agency be granted to women in Saudi Arabia in order to fully enjoy the benefits of the right to an education and employment.

A trend noted within the 2013 MDG report states that there is the increase in women's enrollment in tertiary education, which has grown at a faster rate than that of men. As a result,

women around the world now account for the majority of tertiary students in most countries. Particularly in Saudi Arabia, national policies have been in place that have resulted in progress such as the first co-educational University and around 59,948 women received postsecondary degrees in 2009 compared with 55,842 men, according to the Education Ministry. (Higher Education Indicators in the Kingdom of Saudi Arabia, 2011). However, gains have not translated fully into greater opportunities for women in the labor market. This is reflected in persistent gender wage gaps and women's underrepresentation in managerial jobs, among other areas.

These gaps are noticed in various indicators put forth by various IGOs. The Gender Inequality Index (GII), put forth by the UNDP, is a reflection of gender-based inequalities in three dimensions, reproductive health, empowerment, and economic activity. The higher the GII value, the greater the discrimination. Saudi Arabia has a GII value of 0.682, which ranks it 145 out of 148 countries in 2012 (UNDP, 2013). The Global Gender Gap Index (GGGI), developed by the World Economic Forum, measures gender gaps without taking into consideration a country's level of development. This shows a loss of a country's potential achievement due to gender inequality. The Global Gender Gap Index (GGGI) of 2012, rated Saudi Arabia as 0.5731, making it rank 131 out of 135. Saudi Arabia ranked 133 for Economic Participation and Opportunity with a score of 0.3404, 91 for Educational Attainment with a score of 0.9757, and 133 for Political Empowerment with a score of 0.0000. In addition, Oxfam and the European Union developed a Gender Equity Index (GEI), which measures the gap between men and women in education, the economy and political capital. This is computed on a scale from 0, which indicates that women are receiving no rights within these areas to 100, which indicates perfect equality. Saudi Arabia received a 93 for education, 4 for economic participation, 15 for political empowerment, which translates in a GEI of 37. This measure provides evidence for the

progress that reflect an increase in gender equity within education, which has not translated into the employment sector. All of these measures indicate that a gap exists between the rights of men and women, despite the current laws that promote the education of women and would suggest advancement in gender equality throughout the country. These same laws have only provided minimal opportunities for women in the employment sector demonstrating that the laws are falling short of practice.

Various scholars have found connections between the rights of women and their political, economic and social status in society and its relationship with the various development challenges that the country is facing. Glick and Fiske cite ideology and various values and norms that preside over gender roles as a critical component of how they are maintained and sustained within society, which often results in the lack of access and to institutional resources and the disempowerment of women. (Glick and Fiske, 1999). In the case of Saudi Arabia, the state signed and ratified the Convention on all Forms of Discrimination Against Women (CEDAW), however, with the reservation that in case of a contradiction between Islamic Law, the state is under no obligation to observe such contradictions within the convention. This was a controversial ratification, which received objections by various European countries and viewed the reservation as a means to pervade the entire treaty (Smith, 2013).

The marginalization of women in various sectors of society and the efforts and initiatives to grant women such access to their rights, is often referred to as the empowerment. Women's empowerment is often utilized by NGOs and IGOs as a development goal in addition to a process that will reach such development. Various scholars have assessed women's empowerment and often cite that women are often "...constrained by the norms, beliefs, customs and values through which societies differentiate between women and men" (Kabeer, 2005). Such

constraint results in a shift of power and resources that denies women the ability to have control of the various political, economic and social spheres of their life. The United Nations Development Fund for Women (UNIFEM) "...defines women's economic empowerment as 'having access to and control over the means to make a living on a sustainable and long term basis, and receiving the material benefits of access and control" (Mosedale, 2005 247). Such access and control would translate to benefits within various avenues of their work and family life. Three interrelated components, agency, resources and achievement, are cited as essential to empowerment (Kabeer, 2005). Bandura, Kabeer and Sen share their definition of agency and define it as "...the capacity of actors to define their own goals and to take purposeful action, a function of both individual and structural opportunities" (Grabe, 2011, 236). This translates into the ability to set goals for oneself and take such action that would allow for the utilization of resources to achieve such goals. Grabe discusses structural power as the main contention that perpetuates social inequalities. In the case of Saudi Arabia, the dominant individuals, or the males of society have control over resources of their subordinates. Kabeer defines resources as not only material, but human and social and describes agency as the ability to act upon goals that individuals sets for themselves (Mosedale, 2005, 249).

Social Factors and Norms and Their Role in the Restriction on the Rights of Women

In nearly two-thirds of Middle Eastern countries, there are more women than men in universities according to United Nations statistics (Davies, 2012), however, gender disparities in Saudi Arabia prevent women from achieving equal employment opportunities. Many factors are attributed to this growing gender gap within Saudi Arabian society. Laws in Saudi Arabia stem from "The Basic Law", which more or less is the constitution of Saudi Arabia that was written in

1992 (Mtango, 2004). Islamic law provides the foundation for the Basic Law, demonstrating that in Saudi Arabia there is no separation of church and state, but rather and complex intertwining of the two. The Basic Law fails to mention what rights Saudi Arabians deserve and is also silent in regard to the rights of women (Mtango, 2004). Any questioning of Saudi law often leads to the questioning of the practices of Islam and leads to an apprehensive or critical view of the religion (Mtango, 2004). As stated earlier, national Saudi Arabian policies have granted women the right to educational opportunities, yet Islamic Law overrides the principles outlined in CEDAW, which casts no obligations to realize the equality of women and subsequently enlarging the gender gap.

Since Islamic law is the foundation for Saudi Arabian constitutional law, often times the Islamic faith gets blamed for the oppression of women. In actuality, "the Qur'an and other sources of Islamic law do not necessarily support the interpretations of the law that Saudi authorities apply" (Mtango, 2004, 49). Contrary to common misperceptions of Islam, in the eyes of Allah and the Prophet Mohammad, the equity between men and women should be promoted. In the Islamic faith men and women's social roles may differ, but "this does or imply superiority of male over female but acknowledges that both have to play different roles in the social system" (Tanvir Syed, 2008, 247). Additionally, Prophet Mohammad said "The only thing that make one superior are good actions and piety" (Tanvir Syed, 2008, 249), demonstrating that men are not humans the oppression of women in Saudi Arabia is perhaps due to constitutional law, but should not be directly attributed to the Islamic faith. If Saudi Arabia followed the actual teachings of the Qur'an instead of the extremist interpretations carried out by the few in power, Saudi Arabia would not have such an alarming gender gap. Saudi Arabia's failure to uphold the

Qur'an in its original state causes societal problems for women and also creates a negative image of the Islamic religion for the world to interpret.

Women in Saudi Arabia are expected to be covered by a black veil and an abaaya, which is a long loose robe-like garment. Religious police strictly enforces this dress code, while they "turn a blind eye to men that violate the Qur'an requirement to be covered from the waist to the knee" (Mtango, 2004, 53). Often people associate this overly modest dress of Saudi Arabian women an oppression imposed by Islamic law. However, the principle of veiling predates Islam and also has no correlation to the Qur'an. Women's veiling is thus a practice tied to the rulings of the government of Saudi Arabia because in other Islamic nations, women have a right to have freedom to wear what they please or where a veil that is modest yet does not cover the entirety of a female's face. Placing strict restrictions on the dress of women demonstrates the level of control Saudi Arabian society has over its women. This makes it more acceptable within the cultural norms of their society to limit women in other ways, extending beyond their dress.

Additionally, Saudi Arabian women are highly restricted by the forces of their family. Men have all the power in the Saudi Arabian family and can manipulate what their wives and daughters do, where they can travel, and who they can marry. This patriarchal societal construct is common in many parts of the Middle East. For example, "in many countries in the region, women must obtain permission from a male relative...before seeking employment, requesting a loan, starting a business, or traveling" (Roudi-Fahimi, 2003). Have a system of male guardians over all aspects of women and girl's lives, particularly in the labor force, contributes to an imbalance of resources allocated to women and create an environment that "...legitimizes and perpetuates women's subordinate status" (Grabe, 2011, 235). Another cultural tradition allows men to marry up to four wives and can simply divorce a wife by uttering "I divorce you" three

times, whereas women must go through a long legal process that often is unsuccessful (Mtango, 2004, 52). Families often marry off their daughters at a young age to men who are much older without any consent of their daughter. This is a simple business transaction with the girl being treated as property, regardless of her education.

Oppressing the freedom of movement proves to be problematic for Saudi Arabian women. Because men have such strict guardianship over women, women cannot travel within or outside Saudi Arabia without the consent of their father, husband, or even a son. Women are not even allowed to drive in Saudi Arabia making Saudi Arabia is the only country in the world where women do not have the right to drive (Fitzgerald, 2009). This is problematic because it prevents women from finding employment or traveling to and from a job. Saudi Arabia justifies this practice because driving it requires women to unveil themselves, however there is no Islamic basis for prohibiting women from driving" (Mtango, 2004, 60). Women's inability to drive furthers the disparity between genders in Saudi Arabia and deters from a woman's ability to enjoy the rights she deserves. Although women are being educated, their education can be worthless if they do not have the freedom or ability to travel to a place of employment.

Disparity between men and women in Saudi Arabia is augmented by the segregation of society. Saudi Arabian society disallows men and women from sharing public space, with implementation of these policies starting at a young age. For example, "By the age of seven, boys and girls are separated into the strictly divided world of men and women. All public facilities, such as restaurants and transportation, are segregated as a matter of law" (Mtango, 2004, 55). This segregation not only separates men and women but also impacts the quality of public space for women negatively. Segregation within society majorly impacts the quality and opportunities for education available for Saudi Arabian women because all Saudi Arabian

universities are either single sex or divided into separate male and female campuses" (Mills, 2009). Facilities are substantially inferior in universities designated for women than those for men; class sizes for women are larger, teachers for men are better trained...access to the library is limited (Mtango, 2004). Additionally, women are barred from studying certain subjects because they are not offered at their perspective university, again demonstrating inequity between men and women in Saudi Arabia. With women not receiving the same quality of education as male counterparts, they may not posses the same qualifications and skills to be employed. Also, with women being barred from certain careers, employment opportunities will be more competitive for women and they also may be disabled to attain jobs that are highly demanded in society.

The problems women face because of the segregated environment in which they live results in a disparity between the number of women attending universities and then being employed after graduation. Many of the factors described above attribute to women's access to education but their inability to find jobs or become employed. If women do not receive permission from a male guardian, they are consequently unable to be employed. Additionally, women are forbidden by law to work in an environment where they would be in the company of men because women are not permitted to be in the company of men who are not immediate relatives or their husband" (Mtango, 2004, 57). Disallowing women to be employed even when they have the same educational qualifications as their male counterparts not only creates a disparity between men and women but society suffers when a huge portion of its possible production is oppressed (Ottoway, 2004).

The social factors and norms within Saudi Arabia are somewhat accountable for the disparity of educated women and the amount of women entering the work force. The obstacles created by

a patriarchal society create an inferior identity for women with little to no opportunity to advance themselves outside the confinement of their home. Although women have an access to attaining an education, the quality of education they receive often falls short of Saudi Arabian men. The problems women are facing are deeply rooted in the oppressive cultural traditions that are also embedded within government policies. Allowing women to enter the work force would benefit women in terms of the fulfillment of their rights, but also it would be economically, politically, and socially advantageous for Saudi Arabian society as a whole.

Research Applications and Methodology (Research Design)

Our research will be conducted through qualitative interviews on the University of Dayton's Campus. According to the International Student Scholar Services office, the University of Dayton has a large population of students from Saudi Arabia with a total of 480 students (350 males and 130 females). Education is linked to augmenting a country's long-term economic growth and stability. For example, "a country's long-term economic growth increases by 3.7 percent for every year the adult population's average level of schooling rises" (Roudi-Fahimi, 2003). Due to the link between education and economic growth, the Saudi Higher Education Ministry has a scholarship program to send Saudi Arabian students to universities abroad. For example, Saudi presence on American campuses has grown significantly over the past seven years. Saudis amount to 4.5 percent of international students in the country (Harb, 2013). The goal of this study is to explore the perspectives and norms related to this complex topic within Saudi Arabia and gather information on the progression of women's rights within the region. With this study, we hope to gather various perspectives of various age ranges and of different sexes.

Ouestions for Interview:

- 1. Why did you choose to attend a University in the United States versus a University in Saudi Arabia?
- 2. How will an education in the United States enhance your ability to find employment when you return to Saudi Arabia?
- 3. What is the most challenging aspect of attending a university that is not segregated by gender? Do you enjoy the freedoms of a non-segregated learning environment?
- 4. Are there more majors available to you as a student in the United States that you would be unable to study in Saudi Arabian universities?
- 5. How did you select to study at a private catholic university versus attending a public university?
- 6. (For women) Since you are legally disallowed to drive in Saudi Arabia, do you abide by those laws in the United States, or do you follow cultural norms and practices that you experience here?

The second aspect of our research will be to explore the number of female students who have attended the University of Dayton within the past five years and compare by field of study, the current employment situation of alumni. This survey would be conducted to determine how women are seizing the opportunity to utilize their international education within Saudi Arabia or within the United States post-graduation. The results would demonstrate rather an international education provides women with more employment opportunities in Saudi Arabia or if upon returning home they still are subject to the highly gender segregated society. We hypothesize that

the lack of opportunity to enjoy one's right to employment will result a progressive stance on women's rights as civil society has taken measure to eradicate such a disparity in the employment sector and disrupt the institutional norms and policies that perpetuate such gender inequality. We also hypothesize that the lack of resource and agency that does not provide women the opportunity to enjoy their rights will continue in the underutilization of a crucial portion of the population that would be essential to eradicating developmental challenges facing the country.

Conclusion

It is important to note the deep gender segregation within Saudi Arabia is not due to its Islamic faith, but rather due to the oppressive ideologies cast by the Saudi Arabian government (Mtango, 2004). Various aspects of Saudi Arabian culture and religion better explain why some human rights violations against women are occurring but there are other factors that are further severing women's ability to be an empowered part of society, especially in the labor force. According to the Human Rights Watch, World Report of 2013, Saudi Arabia has made tentative progress toward extending the legal rights of women in the labor force. In July of 2012, the Ministry of Labor issued policies concerning women's work in clothing stores, amusement parks, food preparation and cashier position, that no longer require the permission of a male guardian. However, this does not discount the strict laws currently in place that reinforce the segregation of genders in the workplace and women still remain banned from various professions. Recently, some women in Saudi Arabia are banding together to fight for their right to drive. The activism of women demonstrates their dissatisfaction with their confined lives and how allowing women to drive would allow for further gender equality and opportunity. In a movement this year to gain awareness for the problem, one female protester Manal Al-Sharif

stated, "They kept telling the world that the women's driving issue was one for Saudi society to decide upon," she said. "Society is now showing it is supportive of the idea of women driving. The government's reaction makes it very clear this is not a societal decision. This is a political decision" (Jamjoom, 2013). Manal Al-Sharif and other women protestors are being supported by Amnesty International and other bodies to advocate for the right of women to drive. While initiatives and tentative progress has been made, institutional norms must be challenged and the legal and contractual laws must be put forth in order to propose sustainable progress toward the rights of women in the employment sector.

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