

## Saudi Women's Rights Stuck at a Red Light

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PERHAPS NOWHERE IN THE WORLD do women lead a stranger life than in the Kingdom of Saudi Arabia. Saudi women constantly endure being treated like second-class citizens, even as men refer to them as “well-kept pearls and hidden treasures.” Despite everything said about the importance of women, women's rights are still a chink in the Saudi state's armor, and one of the most hotly debated, yet murkiest, topics in the country. It is difficult to even prioritize the long list of challenges facing Saudi women, which range from their political and legal disenfranchisement, to their curtailed liberties and restraints imposed by their legal guardians. The humanitarian crises facing women in Saudi Arabia are extreme and there is often limited recourse for women who have suffered sexual abuse or rape. However, this article will primarily focus on those offenses that are permissible, not just in practice, but also under the Saudi legal framework.

### **Struggling by Neighborhood Standards**

Glancing at the countries bordering Saudi Arabia, which share similar customs, traditions and tribal affiliations with the Kingdom, women in the other Gulf Cooperation Council (GCC) countries enjoy more robust political and civil rights. In Bahrain, for instance, women have served in parliament and as ministers, whereas Saudi women still need a *mahram* (a close male relative such as a father, son or uncle) to accompany them even to the supermarket. Other GCC countries, meanwhile, have used quota

systems to guarantee women a place in parliament, where they mix freely with men and engage in face-to-face debate, enjoying true equality. Women from the other Gulf states represent their countries as ambassadors – unaccompanied by male supervisors – whereas in Saudi Arabia, a woman’s male guardian is required to give signed permission (either open or for a defined period of time) in order for her to travel at all.

There are striking examples of women in the other GCC countries serving as ministers, such as Kuwait University Political Science Professor Masouma al-Mubarak, who was the first Kuwaiti female minister (See al-Mekaimi, page 54). She success-

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fully served in a variety of ministry posts, first as minister of planning, then as minister of administrative development affairs, then minister of transportation, and finally as minister of health in the 2007 cabinet. Saudi women, by comparison, are still not allowed to enter parliament as anything more than advisors; they cannot vote, much less serve as represen-

tatives. Even stranger, when Saudi men deem it necessary to consult women – generally on the more trivial local or social affairs – interaction between the sexes occurs only via video conferencing. The six women who serve as parliamentary advisors, the only political position women have attained in Saudi Arabia, seem to be there less in a serious capacity and more as décor.

Dr. Nora Alyousif, one of the Kingdom’s six state-appointed parliamentary advisors, denies that her position is merely a diversionary tactic, meant to distract from the plight of Saudi women.<sup>1</sup> She highlights the progress that has been made in Saudi Arabia, which has allowed a woman like her to become an advisor to the oil ministry: “The Saudi leadership is working hard on reform and supporting women ... Seventy years ago we were completely isolated from the world. The changes which are taking place are unmistakable, and we have finally started opening up.” Alyousif maintains that Saudi women, thanks to King Abdullah, have been given “a strong push for participation, and we have noticed a number of women and female ministerial representatives joining the king on his foreign tours.”

Alyousif attributes the lack of a political role for Saudi women to educational decisions: “Very few Saudi women major in political science, and this major used to be closed to women. By restructuring some of the universities and providing the major [to women], we are establishing the beginning of a new era in which young women study

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<sup>1</sup> Author interview with Nora Alyousif, March 20, 2007.

politics academically before applying it on the ground.” However, a careful analysis of the powers female Saudi officials possess shows that their positions are superficial. For example, Princess Dr. al-Jawhara bint Fahd al-Saud was undersecretary of education for women's colleges for 10 years before becoming president of Riyadh University for Women in April 2007. And yet, in a conference on women's rights, she told hundreds of women that as undersecretary she “did not have the necessary powers to make decisions, even though this position is the third highest ranking in the Ministry of Education.”<sup>2</sup>

### **Women out of the Public Eye**

In addition to the bleak political reality, there is a tacit ban on showing women in the media, though it is not illegal to do so. Women also have no protection should they be physically attacked for appearing in the media. Broadly speaking, Saudi society can accept women's success in various fields, but cannot accept seeing or coming into direct contact with them. Nonetheless, Saudis are complicit in hardliners' heaping abuse upon “rebellious” women who make their success known publicly through the media. This seclusion of women through censorship is by no means restricted to the working classes, and even women in the royal family are subject to the same restraints. Saudi princesses had never appeared in the pages of the local newspapers until May 2005, when Princess Loulwa al-Faisal, daughter of the late King Faisal, served as a delegate in a Saudi trade mission to the United States.

Although Saudi women are allowed to have their own identity cards, this right is not absolute, since their legal guardians have the authority to prevent women from obtaining these cards. Moreover, the law has not made identity cards obligatory for women. Some Saudis are known to even cover female relatives' pictures with black tape, lest the images prove too arousing. Travel restrictions are also imposed on women, who need the permission of a guardian to leave the country. In some cases, the guardian is a younger brother, no older than 20, forbidding a sister with a PhD to travel. Thus, women are almost completely sequestered from public space in the kingdom, not only in images, but in person. The dire consequence of this status quo is that even more fundamental women's rights, those relating to their security, health and general well-being, are kept from the fore, leaving no chance for much-needed change.

### **Overbearing Legal Guardians**

The thorny issue of the legal guardian affects every detail of a Saudi woman's daily life. She goes to school with permission from her guardian. She works as he pleases,

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2 *Al-Hayat*, local edition, November 30, 2006.

and he can force her to leave the job at any time. The legal guardian can either pressure a woman to get married and take her dowry, or refuse to marry her off and keep her income, all with the blessing of Saudi law. Moreover, this situation persists even though Islam prescribes financial independence for women. In a bold attempt to rebel against the authority of legal guardians, Hoda al-Geresi, chairwoman of the board for the women's branch of the Riyadh Chamber of Commerce, sent an open letter to King Abdullah arguing that Cabinet decision 120/2004, which addresses some aspects of women's independence, has still not been implemented. The decree, passed three years ago, aims to facilitate employment for women, and includes provisions opening women's centers to safeguard women against abusive legal guardians.<sup>3</sup> Speaking on behalf of businesswomen, al-Geresi criticized government interference that obstructs women from investing in a number of business ventures, in addition to the difficulties faced by Saudi businesswomen in obtaining permits for certain activities.

In addition to the Saudi businesswomen who oppose the current legal guardian policies, there are a number of enlightened men who also openly denounce the

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guardianship law. Dr. Abdullah Al-Fawzan, a sociology professor at King Saud University, argued for rethinking the current statutes and passing laws that prevent Saudi men from dominating women, which would clear the way for women to play a more critical role in the economy. Al-Fawzan has called for the government to put men and women on equal footing in investment, so as to free up the estimated one billion riyals (\$267 million) or more currently in women's bank accounts.

Al-Fawzan reasons that the administrative and legislative framework in Saudi Arabia “was designed to empower men. We live in a patriarchal society, and so the government should support women.”

Although the government has recognized that economically integrating women begins with education, and has accordingly improved educational opportunities for women, the next fundamental step is to boost the number of Saudi women in the workplace. Currently, roughly 300,000 Saudi women work, comprising 5 percent of the Saudi national labor force. Ironically, the constraints on female employment mean that women in the workforce are generally much better qualified than men, with half

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<sup>3</sup> *Al-Hayat*, local edition, February 21, 2007.

of working women possessing a college degree, compared to only 16 percent of men. Trying to describe this situation, Loulwa al-Saidan, a Saudi real estate investor, bitterly repeated an aphorism that has become common in the Kingdom:

'Everything is available for women in Saudi Arabia.' For me to go to any government agency or to the court to buy or sell property, as a woman I am obligated to bring two men as witnesses to testify to my identity, and four male witnesses to testify that the first two are credible witnesses, and actually know me. Where is any woman going to find six men to go with her to the court?! It's hard for me to get my legal rights, and a lot of women complain to me about this. Word has even spread among the women that the solution is to use one's connections, pay a bribe or be sharp-tongued.

### **Sexual Harassment and Abuse in Saudi Arabia**

Even though reliable statistics on levels of sexual harassment and abuse in Saudi Arabia are difficult to find, it is clear that they are major problems. Segregation and severe sexual repression fuel sexual harassment and, the patriarchal nature of society and lack of political and economic empowerment for women exacerbate the situation. A troubling dimension of sexual harassment in the Kingdom is widespread sexual abuse by male relatives. According to Sohila Zain Ulabdin, a member of the National Society for Human Rights, a Saudi human rights advocacy NGO:

Those harmed by harassment and rape by relatives at different ages are often the minors or young girls of divorced mothers. The problem usually begins with the father obtaining custody of the girls. The father himself becomes the first to abuse them, followed by brothers, then more distant relatives, and there are even cases of rape and pregnancy, whereupon the girl may be tried and imprisoned. The abusive male is rarely punished, unless it happens to be a case drawing attention, whereupon the criminal is jailed for a short period, then returns to carry out his crimes again.<sup>4</sup>

### **On the Bright Side of Things**

Despite all the aforementioned negative aspects of Saudi women's experience, there are several positive developments to note, though they are few and far between. First is the increasing role of women in civil society, as evidenced by activist efforts to open pro-women's rights organizations, the establishment of a mobile center for reporting sexual harassment, and the launch of a program to confront violence against women

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<sup>4</sup> *Al-Arabiya*, September 11, 2007, <http://www.alarabiya.net/articles/2007/09/11/39002.html>.

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and children. These developments hint at a substantial shift in the character and agenda of Saudi civil society. The shift began with the approval of the creation of the Saudi Journalists’ Syndicate in 2003, followed by a March 9, 2004 royal decree to establish the National Institution for Human Rights, and continued with another decree on Sept. 12, 2005 to set up the Saudi Committee for Human Rights.

However, the size and role of these organizations remain hostage to the problems within Saudi society. For instance, charities comprise some of the oldest and strongest organizations in Saudi civil society, and are mostly led by women. Yet these are public-interest organizations, and while some of them provide services like shelter to victims of domestic violence, they are still far from firmly standing up for women’s rights. Their autonomy is also subject to the passage of legislation.

There are also a number of instances, albeit sporadic, of Saudi women rising to prominence in various fields. Dr. Nora al-Nahed, a professor of family and community medicine, was named the director of the UN Population Fund’s office for the Gulf region, headquartered in Oman. In the financial sector, Lubna Olayan is the chief executive of Olayan Financing, and is on the board of several other leading companies. *Time* magazine listed her as one of the world’s 100 most influential people in 2005, and the Arabic-language *Forbes* magazine ranked her as the most powerful businesswoman in the Arab world. Olayan is an active participant in the annual World Economic Forum, co-chairing it in 2005, and is one of the trustees of the Arab Thought Foundation.

Another obstacle facing Saudi women is their virtual banishment from performing in or attending the arts, theater and sports. A Saudi woman performed on stage for the first time in Riyadh in 2005, while Saudi women first sat in the audience during a men’s theatrical performance at an academic institution in 2006. However, these bursts of activism remain sporadic, and hardly represent the crystallization of a changed cultural view of the relationship between women and the arts.

Although women in Saudi Arabia are banned from forming sports clubs, this does not stop them from finding creative ways to take part in sporting events. For instance, Saudi women travel to neighboring countries to cheer on the national soccer team, and locally, female students in Saudi cities can celebrate soccer victories or other events as long as they still observe the strict dress code, of course. However, these are only faint glimmers of hope that barely distract from the structural crisis that Saudi women face. The problems still facing women in Saudi Arabia are overwhelming and multifaceted,

rooted in, and perpetuated by tribal, cultural and religious dynamics. A sad irony is that women outnumber men in Saudi universities, yet are unable to use their talents for economic empowerment and independence. As more Saudis and foreigners press for reform, perhaps that faint glimmer of hope will grow into a ray of light for the next generation of Saudi women. ■