

**Obstacles hindering women's
access to economy, including
land and property,
in the Arab countries**

By

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Traditional roles of men and women in Islam

- The concepts of **qiwamah** and **wilayah (guardianship)**, are commonly understood to legitimize men's authority over women.
- These concepts were developed in classical Islamic jurisprudence (fiqh) over many centuries. Jurists developed the concept of **qiwamah** as a set of obligations and rights for men and women in marriage:
- **Husbands protect and provide; wives in turn obey.**
- Jurists understood **wilayah** to refer to the right and duty of fathers or male family members to exercise guardianship over their dependent wards (female or male).
- These two concepts are integral to both religious discourse on family relations as well as contemporary Muslim family laws, since most of these laws draw on rulings from classical fiqh schools.
- Source: Who Provides? Who Cares? Changing Dynamics in Muslim Families, by Musawah, the global movement for equality and justice in the Muslim family, Malaysia, 2018

Arab women's employment rates

- The Arab region has the world's lowest rate of female labour force participation - 18.4 percent compared to the global average of 48 per cent. By contrast, male labour force participation rates, at 77 per cent, are above the global average of 75 percent.
- Female unemployment in the Arab states is at 15.6 percent – three times higher than the world average.
- Women in managerial positions are low in the region, with only 11 percent of women holding managerial positions as compared to the world average of 27.1 percent.
- Unpaid childcare work result in women spending almost five times more hours than men on unpaid care work.
- Source: ILO World Employment and Social Outlook: Trends 2019

SDG5 evolution

- Despite the increase in the number of girls and women attaining education over the past decade, gender-based disparities continue to persist in the labor market, both in terms of income and opportunities to find a job or start a company. The region has the lowest women labour force participation rate at 20.8 percent in 2019. Compared to men, women also face a higher risk of unemployment and more barriers to enter the labor market. Women's unemployment rate in the region is the highest at 20 percent, compared to men's unemployment rate of 7.8 percent and to the world's average of 5.6 percent in 2019. This rate is especially high among youth, with female youth unemployment rate registering 38.5 percent, the highest in the world.
- Source: <https://www.arabdevelopmentportal.com/indicator/gender>

Women and land in the Arab world

- Women's land ownership varies widely in the Arab region and in other Muslim countries. In Jordan, women own 28.6 per cent of land, while in the United Arab Emirates the figure is just 4.9%, 2% in Egypt and in Oman less than 1 per cent.
- In practice, however, women in many Arab countries are unable to exercise their rights and access their legal shares due to cultural and social norms. The dispossession of women's inheritance is a problem in much of the Arab region, particularly in rural areas. Land grabbing following the death of a husband or father is common, and widows are sometimes deprived of access to their husband's land if they have no children.
- *UNESCWA, Women's entrepreneurship in the Arab region: Assessing the impacts of land and property ownership, 2023; FAO, Country Gender Assessment of the Agriculture and Rural Sector Egypt.*

Al-Azhar International Conference on Renovation in Islamic Thought, 2020

- “Any family member who contributes to the growth of the family wealth, such as the wife who would contribute with her money into her husband’s, and the children who work with their father in his business, should be compensated for. In such cases, the individual should be given an equal part of his/her contribution from the inheritance, if the amount of this contribution is known. If it is not, then it should be estimated by experts in their respective fields of activity”.
- *Source: <https://www.azhar.eg/en/Islam/Worship/details2/ArtMID/12191/ArticleID/49287/Final-Statement-of-Al-Azhar-International-Conference-on-Renovation>*

Egyptian Law does not include this renovation

- The issuance of Law No. 219 of 2017 impose penalties against anyone who intentionally refrains from handing over to one of the heirs his legal share of inheritance, or withholding a document confirming a share for an heir, which may have a severe impact on women. In social practice and cultural legacies, women may be deprived of their right to inheritance, or given money, but not given other assets, although the right to inheritance is guaranteed in the Constitution.
- *Source: UNDP, Women, Justice and Law, Egypt, 2022*

Musawah's modern approach

Musawah believes that a transformation of family relationships is necessary in the twenty-first century and possible from within Muslim tradition. We can shift our understanding of spousal and family relationships from one based on a hierarchical understanding of *qiwamah* – understood as men's authority over women – to one based on equal partnerships within families, where both spouses share responsibilities and rights in standing up for their families.

Source: [Who Provides? Who Cares? Changing Dynamics in Muslim Families](#), by Musawah, the global movement for equality and justice in the Muslim family, Malaysia, 2018

Recommendations

- Enact or strengthen legislation that addresses discriminatory social norms that dissuade women from inheriting wealth and accessing collateral. *Source: UNFPA, UNICEF, et al.; Situational Analysis of Women and Girls in The MENA and Arab States Region; A Decade Review 2010 – 2020*
- Unequal inheritance: In the MENA region, less than 5 percent of the land is owned by women. Asset ownership in the region is a marker of men's dominance; property ownership by women is a blow to rigid gender norms. Failure to address inheritance issues in some MENA countries could potentially undermine progress in female empowerment in other domains, especially economically. *Source: Wilson Center, Women Entrepreneurship in MENA: The Cases of Bahrain, Lebanon, and Tunisia*

Thank you for your attention
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