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Arab Women & The Women's Decade



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Arab Women and the Women's Decade

In July 1985, a **World Conference to «Review and Appraise the Achievements of the UNITED NATION DECADE FOR WOMEN»** will be held in Nairobi, Kenya. Parallel to this conference, an **NGO Forum 85**, to assess the progress made during the decade and develop strategies, will also take place in Nairobi.

Arab women, like their sisters, will participate in both events, as government delegates or representatives of non-governmental organizations (NGO's). They and other participants will debate the decade's main themes of **«Development, Equality and Peace»** and the subthemes of **«Education, Employment and Health»**. They will talk about their hopes, achievements and shortcomings in the last ten years and learn from others' experiences.

But concerned women who cannot go to Nairobi can still share in these exciting events by adopting certain strategies, as suggested by the International Women's Tribune Centre⁽¹⁾:

- By coordinating events, such as a **meeting of all women's groups** in their country or exhibitions of the work and achievement of their women.
- By organizing **letter writing, petition writing** or **audio-cassette campaigns** to voice their concerns in the media and to their country's delegation at Nairobi.

- By asking one of their delegates to the World Conference in Kenya to report back on issues debated there.
- By evaluating the progress made by women in specific fields during the Decade and publishing the results in newsletters, journals or books.

In this issue of *Al-Raida*, Rose Ghurayyib succinctly outlines the progress of Arab women in the fields of Political Rights, Education, Integration in Development, Women's Organizations and Personal Status Law (see. p. 7 - 9).

We have chosen to focus on the subject of **«Women and Legal Equality»** because of the importance of law as a tool for social change and because of the fact that the battles of many Arab feminists have been waged in this field.

We have included a **dossier on the Women's Decade** to refresh our memories and that of our readers about the major highlights of the past ten years and in order to evaluate where we were, and plan where we want to go. For if there are conclusions to be drawn about the major achievements of Arab women in the past decade they should go beyond simple stereotyped explanations.

Take **employment**, for example: Researcher Barbara Ibrahim⁽²⁾ states that before the mid 1970's Arab Women's absence from formal employment



was blamed on «patriarchal authority,» «segregation of the sexes,» or «the conservatism of Islam.» However since the mid 70's researchers have been applying more sophisticated models to test labor force participation. Cultural factors are only one element among an array of economic, social and beaureaucratic structures that shape employment patterns, she declares.

The same principle applies in the area of **development** where feminists have previously insisted on integrating women in the development process whereas new research findings from Third World Countries are demonstrating empirically that the integration of women in development does not necessarily take into account their well being nor their special needs. Further, some Arab researchers have even come to challenge the assumptions that there is a positive correlation between «education,» «women's labor force participation,» and «development.»⁽³⁾

In another area of controversy, while some Arab feminists believe they have to learn from the experience of women in other societies, others criticise those who copy **models of Western feminism**. As Fatma Oussedik points out: «All feminist issues are viewed in Algeria, as in many other developing countries, as an alignment with occidental Europe - that is, seen as undermining the nationalistic will.»⁽⁴⁾ These issues are also seen as a rejection of traditional values and cultures, which so

many Arab (men and women) are so proud of.

Thus it is in this atmosphere of push and pull between traditionalism and westernization that Arab women sailed through this decade sometimes through very rough seas. But if there has been a single striking attribute to these past turbulent years, it has been the opportunity to learn from each other (Arab and Western Feminists alike) and from our own mistakes. For we believe it is the knowledge that we women have acquired during the past that should help us implement new ideas and devise new strategies that will lead us intelligently and effectively into the 21st Century.

Wafa' Stephan

References:

- (1) Decade Update, No. 2, September 1984, p.4.
- (2) Barbara Ibrahim (Ford Foundation), **Arab Women and Industrial Employment: Some Issues for Discussion**. Paper presented at the Ayia Napa Workshop in Cyprus (May 21 - 23, 1984) organized by IWSAW.
- (3) Read Ashraf Hassouna's article «Education for Women - For What?» in **Cairo Papers in Social Science**, Vol.5, Monograph One, December 1977, pp. 49 - 54.
- (4) Fatma Oussedik, **Algeria. The Day - to - Day Struggle in Sisterhood is Global**, Robin Morgan (ed.). Anchor Books, New York, 1984, pp. 47 - 49.

UN Decade For Women 1975 - 1985

A. Introduction:

When the United Nations was formed, women's organizations around the world successfully pushed for inclusion of a commitment to the equal rights of men and women in the UN Charter.

The 1945 Charter affirmed its «faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women».

In 1947, a **UN Commission of the Status of Women** was established as a subsidiary body to the UN Economic and Social Council. It was eventually instrumental in establishing **1975 as International Women's Year**. It also played a key role in developing the World Plan of Action and in securing the UN declaration of **1975 - 85 as the Decade for Women**. The Commission adopted as its guiding principle the intent to «... raise the status of women... to equality to men in all fields of human enterprise, and to eliminate all discrimination against women...».

The Commission's concern with discrimination has prompted three international conventions:

- **The Convention on the Political Rights of Women (1952).**
- **The Convention on the Nationality of Married Women (1957).**
- **The Convention on the Consent to Marriage, Minimum age for Marriage and the Registration of Marriages (1962).**

Subsequently, the Commission drafted a single convention which was presented to and accepted

by the first World Conference on Women in 1975 at Mexico city. This became known as «**The Convention on the Elimination of All Forms of Discrimination Against Women**» and was adopted by the UN General Assembly on September 16, 1979. What follows is a detailed chronology of the UN Decade for Women.

B. Chronology:

12 December 1974

The UN General Assembly Proclaims **1975 as International Women's Year**.

The objective of the year was to define the requirements for a society in which women participate in a real and full sense in economic, social and political life and devise strategies towards these goals.

19 June - 2 July 1975

First World Conference on Women in Mexico City.

- More than 1,000 delegates from 133 countries adopt the World Plan of Action, representing a global consensus on what should be done to improve the situation of women.
- **The Draft Convention on the Elimination of All Forms of Discrimination Against Women** is approved by delegates.
- Delegates also adopt a **Declaration of Mexico on the Equality of Women and their Contribution to Development and Peace**.
- A parallel conference, **The IWY Tribune**

(International Women's Year Tribune), takes place in Mexico City. Some 6,000 women from 100 countries participated in 36 expert panels and over 200 workshops. The meeting has been called «one of the largest consciousness - raising sessions ever held».

December 1975

The UN General Assembly adopts a World Plan of Action and a resolution establishing 1975 - 1985 as the UN Decade for Women.

The International Institute for Research and Training for the Advancement of Women (INSTRAW) is established.

The Dominican Republic is identified as the host country in 1979.

1976

The Voluntary Fund for the UN Decade for Women (VFDW) is established to provide technical and/or financial support for women's projects in developing countries. The Fund supports over 300 projects in 89 countries with special priority given to the least developed.

January 1979

The UN General Assembly endorses the following **subthemes for the Mid-Decade Conference: Employment, Health and Education.**

July 14 - 31, 1980

The Mid-Decade Conference of the UN Decade for Women opens in **Copenhagen, Denmark**. 145 States participate with 1,326 delegates.

- 57 countries sign the Convention on the Elimination of All Forms of Discrimination Against Women and adopt a **Program of Action for the Second Half of the United Nations Decade for Women** to improve the status of women by the end of the Decade (94 «yes», 22 «no», and 22 abstentions).

- NGO's stage a parallel conference known as the **NGO Mid-Decade Forum**. It attracts more than, 8,000 participants from 128 countries who participate in over 2,000

workshops, panels, meetings and round-table discussions.

December 1980

UN General Assembly agrees to hold a 1985 World Conference to Review and Appraise the Achievements of the UN Decade for Women.

C. THE 1985 WORLD CONFERENCE

DATE:

15 - 26 July, 1985

LOCATION:

Kenyatta Conference Centre, Nairobi, Kenya

PARTICIPANTS:

Attendance will be restricted to representatives of governments and UN bodies.

Intergovernmental and non-governmental organizations with official status will also attend.

AGENDA:

- (1) Critical review and appraisal of progress achieved and obstacles encountered in attaining the goals of the UN Decade for Women at the national, regional and international levels.
- (2) Forward-looking strategies for the advancement of women up to the year 2000, at the national, regional and international levels, and for achieving equality, development and peace.

DOCUMENTS:

1. Review and appraisal of progress achieved and obstacles encountered at the national level based on information from governments.
2. World survey on the role of women in development in selected sectors of International Development Strategy.
3. Review and appraisal of progress achieved and obstacles encountered by the United Nations system.
4. A compilation of selected statistics and indicators on the status of women.

5. Forward-looking strategies for the advancement of women up to the year 2000.
6. Recommendations of the five regional preparatory meetings organized by UN regional commissions.
7. Situation of women and children living in the occupied Arab territories and other occupied territories.
8. Situation of women under apartheid.
9. Situation of refugee and displaced women.

SECRETARY GENERAL:

Ms. Leticia R. Shahani.

D. The Nairobi NGO Forum

Like the UN Conference, **Forum 85** will focus on «Equality, Development and Peace» and the sub-themes of «Employment, Health and Education», with special attention to the problem of rural women, the majority of whom live in developing countries.

Date:

8 - 17 July, 1985, Nairobi, Kenya.

Purpose:

To bring together women with varied backgrounds from the whole world to exchange information, learn from each other's experiences and plan for action to improve the situation of women after 1985.

PARTICIPANTS:

Everyone concerned with the status and condition of women may take part in the NGO Forum. Any topics related to the main themes and the subthemes may be presented.

PROGRAM:

Will include workshops, group meetings, working groups, panel discussions, daily briefings from the UN Conference, film shows and exhibits. It will be structured to permit the widest possible exchange of ideas and resources among participants.

Importance of 1985 Nairobi Conference

«This Conference is the culminating international event of the United Nations Decade for Women. Its significance is enormous: dealing as it does with half the world's population, some two billion four hundred million beings who, be they destitute women farmers struggling for a living to support their families or women pioneering in the field of science, affect in a most fundamental way the rest of humanity.

Many problems remain unsolved, but undeniably the Decade has been instrumental in making governments and the public at large recognize the importance and magnitude of women's role in society. The coming Nairobi Conference will build on the experience of the Decade and adopt comprehensive and forward-looking strategies to ensure that women, in their multiple roles, can take their rightful place in society on an equal basis with men.

Women, as public figures, individuals, wives and mothers, have a stake in shaping the future. May this Conference serve as the catalyst which will usher in a dynamic, progressive and enlightened era in which women can contribute to and benefit from the sum total of humanity's aspirations and achievements».

Leticia R. Shahani
Secretary-General
of the Conference

NGO Suggestions for Forum 85

In a statement to the President of the Status of Women Commission, Kay Fraleigh, Chairperson of the NGO Committee on the Decade for Woman and International Alliance of Women Representative, reported the following (summarized) suggestions for Forum 1985.

1. *The Forum should be oriented towards action and implementation.*
2. *The opinions of NGO bodies should be taken into account both when the Forum decisions are formulated and at every stage of the preparatory process.*
3. *Grassroots participation: Governments and NGO's should endeavour to include in their delegations to the UN World Conference and Forum 85 women working at local levels.*
4. *More training for women in science and technology is essential to ensure that they benefit from advances in these fields. Re-training is needed for women «displaced» by technology.*
5. *The problems of rural women should be heavily emphasised, especially with reference to the International Water Decade.*
6. *The value of the woman's role in the home (unpaid!) should be emphasised, and their full participation in the community encouraged.*
7. *The UN World Conference and Forum 85 need to be widely publicised to reach all sections of society.*

(International Women's News)
(Vol. 78, 1983/2, p. 18)

Reviewing The Decade For Women In Arab Countries

The Decade 1975 - 1985 has been in the Arab World a period of tension and turmoil, following the 1967 disaster and the 1973 war. While a few Arab countries, like Egypt and Jordan, tried more or less successfully to remedy the devastating sequels of those events, other countries, like Syria, Libya, Yemen, reacted with violent upheavals which had their impact on the movement of women's liberation, started in the early part of the century.

Political revolutions, as factors of revolts against the past, may favor radical change in woman's status. In the Algerian war of liberation, in the Palestinian Liberation Organization, in the revolutionary Democratic Republic of Yemen, women shared with men the resistance operations and the struggle for independence. Yet those militant women complain that the Revolutions failed to satisfy their demands. Exception might be made regarding the Democratic Republic of Yemen where drastic changes in favor of women's status have recently occurred (See p. in this issue).

During this decade, some progress has been made in the field of women's political rights. In Jordan, Algeria and the Democratic Republic of Yemen, women have recently obtained the right to vote, while five other Arab countries had already enfranchised their women before the decade. In 1980, Jehan Sadat's intervention succeeded in raising the number of women to thirty in the Egyptian Parliament. In Algeria, the Parliament includes four women deputies. Several women have occupied ministerial positions in Egypt, Syria, Jordan and more recently in Tunisia and Algeria. Yet the contribution of politically active women to the feminist cause has been minimized by the fact that they belong to states dominated by one-party regimes. The right to vote has not been an effective tool in improving women's conditions, either because many of them do not put their right into practice or because their votes usually duplicate those of their male family members.

Education:

In the field of education, women have been

relatively successful, particularly on the higher level. The number of university women has steadily increased. In some countries, for example Kuwait, they out-number men (See **Al-Raida** No.23, p.10). But the rate of illiteracy among Arab women in general is still very high (around 80%), despite campaigns organized for the eradication of illiteracy in Kuwait and other progressive states.

They have also succeeded in entering all fields of employment including professions formerly monopolized by men in law, medicine, engineering, higher administrative work. Few of them however, occupy leadership positions. Their chances for promotion are highly limited.

Integration in development:

Women's general participation in development shows a noticeable rise between the years 1975 and 1980. From an average of 9%, the number of working women has risen to 25% in Lebanon, 20% in Democratic Republic of Yemen, 18% in Iraq, 15% in Jordan, 8.2% in Libya (**AL-Raida** No. 19, P. 14).

Women's Organizations:

Women's activity has doubled in the field of voluntary associations, welfare organizations and the like. Women's federations exist in almost all Arab countries. Women's societies have been active particularly in Egypt (Family Planning, Rural Pioneers), in Jordan (**Al-Raida** No. 8, p.10), in Bahrain where they enjoy the support of the Ministry of Labor and Social Affairs (**Al-Raida** No. 20, p.10 and No.22, p.8).

Women's congresses and conferences succeeded in bringing together women from various Arab or foreign countries, as, for example, the International Congress of the General Federation for Iraqi Women in Baghdad, 1980; the Second Regional Conference of Women of the Gulf Countries, Kuwait 1981; the Arab Women's Conference in Amman, 1983. An important Seminar discussing the status of Arab women took place in Beirut, 1981, organized by the Center for Arab Unity Studies. Cooperation took a further international dimension when feminists from seven Arab countries contributed to the production of **Sisterhood is Global**, a book presenting the

status and demands of women in 70 countries.

As a result of cooperative work, studies about Arab women have multiplied: in Beirut (Institute for Women Studies in the Arab World), Cairo (Cairo University and Center for Women' Studies in Al-Azhar), Algeria (C.R.I.D.S.S.H), Iraq (Publications of the General Federation of Iraqi Women), Jordan (University of Jordan), Kuwait (Kuwait University, studies published in the **Journal of Social Sciences**).

Code for the Personal Status:

The claim for sexual equality in the code of the personal status has been the subject of serious studies in the Arab world. In Egypt, the claim was raised by leading figures like Dr. Muhammad Nuaihi of the American University in Cairo, Mrs. Amina El-Said, the well-known journalist and Dean of the Egyptian Journalists, (see **Al-Raida** No.29, pp.3 - 6), Dr. Nawal Saadawi, the renowned feminist

and author of several books on women's problems.

«We should remember» said the late Dr. Nuaihi in a lecture, «that laws regarding dealings between social groups are not fixed laws. They are side laws or branches that are subject to revision» (**Al-Raida** no.4, 1978). The following is an excerpt from a lecture by Amina El-Said: «The law giving a woman half of a man's share in inheritance, in return for his provision of her needs, was a gain at the time of its promulgation, but now it is a loss because reactionary forces are using that law as an excuse to lower the entire status of woman.» (**Al-Raida** No.10, 1979).

In Lebanon, the National Alliance of Lebanese Women presented on May 2, 1982, a document requiring the abolition of all forms of discrimination against women in legal rights.

The same call for abolition of sexism comes from Algeria and Morocco where women protest against

General Arab Women's Federation

The General Arab Women Federation was established on 12 December 1944, during the first meeting of women's delegates of the following Arab countries: Egypt, Iraq, Jordan, Lebanon, Palestine and Syria.

Leading feminist of that time and president of the Union of Egyptian Women, **Huda Sha'rawi**^{*} was elected **its first president**.

On that first meeting the Union demanded women's economic independence and called for the creation of bureaus for the protection of mothers and children and implementation of social security in all Arab countries. It also demanded equal pay for men and women.

The **second meeting** of G.A.W.F. was held in Beirut in 1949, after the death of Ms. Sha'rawi. Lebanese feminist **Ibtihaj Kaddoura** was elected president and the Federation's headquarters moved to Beirut. In 1954 the **third meeting** of G.A.W.F.

called for the improvement of women's personal status laws. Final resolutions taken during this session demanded the abolition of polygamy, to give working women a fully paid maternity leave of six weeks and give widows the right of guardianship for their children after their husband's death. This meeting stressed the importance of rural women's role and asked for the creation of «cultural awareness» centers, health and social ones in rural areas as well as the distribution of government land to nonowner agriculturalists. The Federation also called for the improvement of the family's economic standard, the development of local crafts, the abolition of custom taxes between Arab countries, the implementation of compulsory education for all citizens and the recognition of the political rights of women. The **Fourth G.A.W.F. conference** was held in Syria in 1957. During this session Tunisia, Morocco and Sudan sent in delegates for the first time.

The Federation continued meeting regularly till 1975 during which women delegates from 12 Arab countries met in Iraq. In 1981, The permanent bureau of the G.A.W.F. met in Rabat, Morocco, to discuss the future of the Federation after the exclusion of Egypt from the Arab League. It was

* See **Al-Raida** No.5 P.2.

the discrepancy existing between the Constitution which stipulates for complete equality between the sexes and the applied law which refuse to recognize this equality (See elsewhere in this issue: «Le Droit et le Condition de la femme au Maroc»; also in No.26, p.3 of **Al-Raida**, «Sexual Equality, Constitution and Islamic Law in Algeria».

Conclusion:

- 1 – This brief survey gives us reason to believe that, if conditions permit, the forward march of Arab women will continue along the lines already followed.
- 2 – Considering the emphasis given by feminist leaders, in the more progressive countries, to the claim of sexual equality in the personal status laws, we may assume that it will not be long before this demand becomes a reality. Its realization will then be the key leading to the abolition of all other forms of discrimination,

namely in politics, in employment and in the labor code.

- 3 – We should remember, however, that progress and achievement require a peaceful atmosphere to insure their growth. In a region assaulted by the fever of violence and the mad rush for armament, torn up by internal dissensions, devastated by war, peace is an urgent need for reconstruction and for the implementation of decisions and laws already promulgated. Besides the destruction it has caused, war has greatly impeded women's liberation movement in Lebanon, Iraq, Iran, Libya and other Arab countries. A larger proportion of refugees, illiterates and poor, are women. Violence against them is linked to the violence of war. The participation of Arab women in peace movements and conferences, locally or internationally, becomes an imperative task.

Rose Ghurayyib

decided to move the Federation's headquarters to Baghdad and **Manal Younes** president of the General Union of Iraqi Women was elected **General Secretary of G.A.W.F.**

A. Members:

- **The General Union of Jordanian Women.**
- **Union of United Arab Emirates Women.**
- **Democratic Union of Somali Women.**
- **General Union of Iraqi Women.**
- **Tunisian People's Women's Union.**
- **National Union of Moroccan Women.**
- **Union of Sudanese Women.**
- **Union of the Erithrean Woman.**
- **The Association of Mother and Child care in Bahrain.**
- **The Association of Omani Women.**
- **The Association of Yemeni Women.**
- **The Union of Lebanese Women.**
- **The Cultural Social Women's Association of Kuwait.**

B. G.A.W.F. Aims:

- Achieving Arab Unity and working towards the liberation of the occupied Arab territories.
- Informing world opinion on the status of Arab women and their role in their respective

societies.

- Working towards uniting the Arab Women's Movement on the international scene.
- Strengthening the spirit of cooperation between Arab women in the fields of social work, cultural activities, health prevention, family planning, child and mother care, concern for the elderly and the handicapped.
- Encouraging women's equal participation in the socialization and upbringing of children.
- Informing Arab women about their legal rights and encouraging them to demand it.
- Providing opportunities for women to continue their education and train them in various fields.
- Combatting discriminatory attitudes towards women.
- Involving women in society and demanding their participation in economic and social development.

References:

Source: G.A.W.F. Newsletter, December 1983, p.4 - 5.

For more information contact

**Mrs. Manal Younes, Editor G.A.W.F. Newsletter
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Convention On The Elimination Of All Forms Of Discrimination Against Women

A major step towards the attainment of the goal of equal rights for women was taken on 18 December 1979, when the UN General Assembly adopted the Convention on the Elimination of All Forms of Discrimination against Women. The 30 - article Convention sets out in legally binding form internationally accepted principles and measures to achieve equal rights for women everywhere.

By calling for equal rights for women, regardless of their marital status, in all fields (political, economic, social, cultural and civil), the convention recommends:

- national legislation to ban discrimination,
- temporary special measures to speed equality between men and women, and
- action to modify social and cultural patterns that perpetuate discrimination.

Other measures provide for equal rights for women in political and public life; equal access to education and the same choice of curricula; non-discrimination in employment and pay; and guarantees of job security in the event of marriage and maternity. The Convention underlines the equal responsibilities of men with women in the context of family life. It also stresses the social services needed - especially child-care facilities - for combining family obligations with work responsibilities and participation in public life.

Additional articles of the Convention call for non-discriminatory health services to women, including services related to family planning; and a legal capacity identical to that of men, and that all contracts and other private instruments that restrict the legal capacity of women «shall be deemed null and void». Special attention is given to the problems of rural women.

Opened for signature on 1 March 1980, the Convention was signed by 51 Nations at the Mid-Decade World Conference for Women in Copenhagen. On 3 September 1981, the Convention entered officially into force after the 20th Member State consented to be bound by its provisions.

By June 30, 1982 the Convention had 88 signatures.

Having briefly mentioned the basic premises of

the Convention, **Al-Raida** will make a «tour d'horizon » of some Arab countries who tried to change their personal status laws in favor of women. But first of all let us look at the definition of the term «**discrimination against women**» as set up by the Convention in **Article 1**.

For the purposes of the present Convention, the term «discrimination against women» shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status,... of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field»⁽¹⁾.

The Status of Women Under Arab Laws

In May 1974, women delegates representing eleven Arab States met in Beirut to discuss Arab Women's Status in the Light of the U.N. Convention on the Elimination of All Forms of Discrimination Against Women.

They ended their sessions with a number of resolutions, the most important of which were to ask those Arab States which have yet no laws on personal status to promulgate such laws which ensure the principle of equality between the sexes and to amend all existing legislation discriminatory against women⁽²⁾.

Lebanon was the first country in the Arab world to give women the vote (1953). Yet, 30 years later, Lebanese political and legal affairs are still totally male dominated. In Lebanon, where each of the various religious communities has its own personal laws, no change has taken place since 1917 except in the inheritance laws which in 1958 became separate for Muslims and Christians. Researchers on women's status in Lebanon argue that although the 7th amendment to the constitution stated that all Lebanese were equal before the law and had the same civil and political rights, the existence of a democratic system of government in Lebanon has ironically worked out against women. One reason advanced is that in democratic states, women have to fight their way up but in one party states women

are appointed.

In Syria, family laws were revised and promulgated in 1953, in Iraq in 1959, in Egypt in 1956⁽³⁾. In Libya, section three of President Kadhafi's Green Book affirms that «if men and women are equal as human beings, the biological functions of women impedes this equality»⁽⁴⁾.

Tunisia, which decreed its family code in 1956 is considered one of the most equalitarian countries in the Arab World as far as equality between men and women is concerned. The Moroccan, Algerian and South Yemeni personal status laws are explained in more details in this issue.

References: _____

- (1) The full text of the Convention can be obtained from any U.N. Office and also from IWSAW'S Documentation Centre.
- (2) For a more detailed account of the seminar, see *Al-Raida*, Nov. 1980, Vol. 111, No. 14, p.6.
- (3) See *Al-Raida*, August 1, 1984, pp. 3 - 6.
- (4) *Terre des Femmes*, Editions Maspero, Paris 1982, pp. 304 - 305.

Algerian Women Win Legal Rights

On May 29, 1984, eight years after the declaration of the «Algerian National Charter», also known as the «Algerian Civil Code», the Algerian Parliament voted at long last for a more equitable «Personal Status Code for Women.»

The Parliament, which includes four women deputies, has already attempted four times to vote for this new code (1964 - 1972 - 1980 - 1982). At each time Algerian women expressed more or less openly their rejection of the draft presented, until it was written in its present final form which has still to be signed by the president.

Before this new code, the Civil Code, promulgated in 1975, stayed silent about the personal status of women and, although it proclaimed the equality of men and women in principle, it maintained Islamic laws which placed men as the head of the family. Moreover, in courts, women were subjected to the «case-by-case» rule, which judged each case according to the strictest interpretation of the Islamic Law or Shari'a.

However, the last draft of the 250-article code, which deals with engagement, marriage, dowry,

polygamy, repudiation, inheritance and tutorship, has redressed many injustices in favor of Algerian women.

For instance, although it allows polygamy in theory, in practice it will be hard for a man to take more than one wife if he doesn't treat each equally.

Moreover, the new legislation allows a woman to ask for a divorce if her husband decides to take a second wife. It also gives women the right to choose a husband and forbids their legal tutors to impose marriage against their will.

The new law allows a woman to ask for divorce in case her husband becomes handicapped, or behaves badly towards her, or leaves the marital home without a legal excuse for more than one year.

In the case of divorce, the woman is the one who keeps the children.

Moreover, the legal age of marriage was set out at 21 years for males and 18 years for females.

The law of inheritance - which beforehand did not permit women to inherit and gave the state the right to inherit in the case of the absence of a male inheritor - gives women **almost equal rights** to men.

In sum, this new «Personal Status Law», which still has to be signed by the Algerian President comes at a time when many changes are occurring in the country.

A big campaign encouraging family planning is currently being waged in Algeria, where population growth has risen from 3.13% in 1969 to 3.24% in 1982.

At last, it is worth noting that although Algerian women played an important role in the Liberation War against France and many became doctors, lawyers, engineers, etc., twenty two years after independance (1962), Algeria remains a male-dominated country compared to neighboring Tunisia.

In 1975, Tunisia's President Habib Bourguiba forced through a new code abolishing repudiation and polygamy, making Tunisia the first country, with Islam as its state religion, banning polygamy.

References: _____

- (*Al Hawadeth*, 15 June 1984, p.32)
- («Algerie, Hiver 1982: des Femmes Contre l'Enfermement Juridique», *Terre des Femmes*, La Decouverte, Maspero, 1982, p.305 - 307).

(Le Droit et la Condition de la Femme au Maroc)

Amina Massaoudi Houary, a Moroccan Lawyer, attempts to show in her 80 - page study of women's rights and conditions in Morocco, published by the U.N. in 1982, that Muslim law as presented by the Koran and the Hadith admits the equality of the sexes. However, this law has been unable to do away completely with discrimination imposed by custom and traditions. To these inherited prejudices we may add the contradictory practices inherited from colonial days, which encouraged a woman's confinement in the home and imposed on her a large share of the injustice imposed on the man.

Reforms Introduced by Islam:

1. Abolition of the «Wa'd» a practice by which baby girls were killed as soon as they were born in times of famine or disaster.
2. Binding the validity of marriage with the agreement of the betrothed, both male and female.
2. Women's right to inheritance was confirmed, together with her right to administer her property by herself.
4. Care for both parents in old age is the principal duty of sons.
5. A woman has the right to keep her maiden name after marriage. The use of her husband's name instead of her father's or her family's name has been borrowed from Western customs.
6. Though divorce was permitted within certain limits, the Koran considers it «a practice most hated by God».
7. Polygamy was allowed only if the husband is able to ensure justice between his wives, a condition equivalent to forbiddance.

The Moroccan Constitution

It acknowledges the political and civil rights of the Moroccan woman, and the equality of both sexes before the law, but its influence remains precarious as compared with that of established ideas and stereotypes.

Code of the Personal Status

Contradictory articles:

The code acknowledges a woman's right to

administer her property, yet it contains an article which requires her husband's agreement before her undertaking a commercial activity. Another article without legal foundation requires her husband's permission to obtain a passport.

Family Laws

Many of these laws are incompatible with the demands of modern civilization. The following are the principal examples:

1. Illegitimate children are excluded from all rights enjoyed by legitimate ones.
2. The husband is the sole provider for the family.
3. The mother has the right of the children's guardianship for a fixed period, but the father may withdraw that right and monopolize all authority over the children.
4. Assent by both parties is required for contracting marriage, but in undeveloped communities this condition is totally ignored by parents and guardians.
5. The dowry or brideprice must be mentioned in the marriage contract to make it valid.
6. Mixed marriages:
A Muslim man is allowed to marry a Christian or a Jewish woman, but a Muslim woman may not marry a non-Muslim unless he is converted to Islam.
7. Divorce:
The author gives details about the forms of divorce, all of which fail to guarantee a permanent living for the divorced woman. She has the right to a pension from the husband as guardian of the children in their minority, a task which she has to give up if she has been condemned by the court for adultery or if she marries a man who is not a relative to the child at a prohibitive degree, nor is a guardian designated by a will.
8. Filiation is permitted under certain conditions, but legal adoption is forbidden by Islam. A foundling may be taken in by a family, but he has no right to inheritance unless the adoptive parents decide to legate him a share.
9. Inheritance laws in Islam are highly complicated. They favor males at the expense of females. Their application is often handled in a way confirming sexual discrimination.

10. Penal law contains a certain amount of sexual discrimination. For example, a spouse suspected of adultery is pursued by the consort instead of the court. A wife is judged more severely than the husband. Alleviating circumstances are granted to a man who kills or injures his spouse when he surprises her in a flagrant act of adultery.

11. Prostitution is forbidden by law but is practiced in a clandestine way which aggravates its evils.

The rest of the study devotes 30 pages to the conditions of health, education and work. The following paragraphs serve to point out a few noteworthy contents.

A. Health services are mostly concentrated in cities, while rural areas are relatively neglected.

B. Family planning is encouraged by the state which produced a five-year plan of 1968 - 1972 to reduce the high birth rate from 5.4 to 4.5% in 1972, and later on, to 3.5% in 1980 - 1985. The population of Morocco, which counted 11,626,232 in 1960, rose to 15,370,250 in 1971⁽¹⁾. Abortion is allowed within restrictions.

C. Problems resulting mainly from over population:

a. Unemployment: 9% of the active population are unemployed; 53% are below 20 years of age; 75% are non-active.

b. Housing for the rapidly increasing population forms another problem.

D. Education:

a. There is a slow increase in the number of school girls. In primary classes, the female population rose from 33% of the total in 1970 to 36% in 1977. The number of schools is far from meeting the local need.

b. High percentage of illiteracy:

There were 12 million illiterates, making up 80% of the population; The average percentage of illiterate women for that year was 80%.

E. Vocational Training:

Huge efforts for the vocational training of women, especially the semi-illiterate ones, are being spent by both the public and the private sector. But because these efforts are scattered and not coordinated, their scope is limited.

In higher vocational training, women are

generally attracted by three professions: medicine, pharmacy and law.

F. Work:

44% of women working outside the home are below the ages of 25.

71% of active women are housekeepers.

24% of working women are in administrative positions.

19% are in the industrial sector.

61% are in services.

Increasing number of women in the rural sector: The law of equal pay for equal work, including men and women, is confirmed by the constitution.

Women are generally relegated to inferior jobs and have little chance for promotion.

G. Social Security:

On the whole, the laws of social security grant women a fair amount of protection.

Maternity leave: 10 weeks for government employed women, 10 weeks for those working in the private sector.

Recommendations:

The author thinks, as many others do, that Muslim law being neither inflexible nor immutable, is capable of adaptation.

Because the institutions of public and private laws, including the labor code, the law of obligations and contracts, of civil procedure and international law, are strongly influenced by Western legislation, it follows that the most important reform should be that of the following recommendations:

1. Abolition of polygamy, a step already taken by Tunisia, Iraq, Syria and Turkey.
2. Application of the law which gives women full right to administer their property.
3. Elucidation and revision of the law regulating mixed marriages.
4. Amendment of the law of separation of property by requiring a woman to take part in the financial support of the family.
5. Inheritance laws require a reform which does away with the injustices imposed on women in remote days; i.e., in early Islam, when a drastic change in their favor could not be adopted.

6. Women's complete integration in development should be part of a general development plan adopted by the state, in conformity with the Declaration of Human Rights and with the spirit of the Moroccan constitution which recognizes the equality of citizens without regard to sex.
7. The United Nations and other international organizations can contribute in a large measure to the task of women's liberation in Morocco.

Conclusion:

Amina M. Houary's work forms an inclusive and systematic study of women's conditions in Morocco. It tries to show 1) the intrinsic relation

between women's need and those of the country «Underdevelopment, in Morocco is inherent to women's backwardness»; 2) that the inferior condition of women is more a result of entrenched tradition than an outcome of the Moroccan constitution or of the Muslim law, both of which are often **misunderstood** or **misapplied in favor of traditional behavior, while they both carry the roots of equality between the sexes.**

R. G.

Reference:

- (1) According to an article published in An-Nahar paper Beirut, 12/4/1984, the number has recently risen to 20 million.

Book Review

State Policies and Position of the Women Workers in the People's Democratic Republic of Yemen. (1967 - 1977)⁽¹⁾

This book is based mainly on personal interviews conducted by the author during a research visit to Democratic Yemen at the end of 1977. Part of the information on women factory workers was obtained through an officially approved questionnaire supplemented with interviews with officials, factory managers and people from different walks of life.

The introduction surveys the constitutional and legal reforms carried out by the new Socialist regime since 1967. The rest of the book deals with the following topics regarding women: political involvement, education, employment and women factory workers.

The last chapter includes a note on methodology, a review of the main attitudinal changes since 1967 and a conclusion.

According to the author, Democratic Yemen constitutes a valuable case study for two reasons. First, newly-implemented reforms mark its government's policy towards women as being one of the most radical in the region. Second, it is a Muslim country which has been influenced by Socialist doctrine.

The 1970 constitution recognizes women as part of the «working people» and calls on women not yet involved, to take part in «productive work». Article 34, states that «all citizens are equal in their rights and obligations (and) all are equal in the eye of the law».

As a result, the following legal reforms were introduced:

1. Marriages were to come under greater state control, and to be registered by the state.
2. Arranged marriages were to be made illegal.
3. The minimum legal age for marriage was fixed at 16 for women and 18 for men.
4. Polygamy was forbidden except in certain exceptional circumstances.
5. The amount of the brideprice or «mahr» was limited to 100 dinars.

6. Both spouses shall participate in bearing the expenses of marriage and establishing the conjugal home.
7. «All divorces have to be processed through the courts,» and unilateral divorce was abolished.
8. Mothers acquired the right of custody over their children for a more extended period of time than is usual (until the age of 10 for a boy and 15 for a girl).

The new laws have refrained from attacking «veiling» in its various forms and clitoridectomy or female excision (Khitān). They are tolerated by women leaders on the ground that they are anachronisms which in the long run will not fail to disappear.

Attitudinal Changes

During the past 25 years, female industrial workers seem to have undergone the following attitudinal changes:

1. They prefer smaller families.
2. They often postpone marriage until their early twenties.
3. They often postpone childbearing to their early or mid-twenties.
4. They express the desire to continue working after marriage.
5. They sometimes obtain domestic help from their husbands.
6. They are encouraged to join political organizations. A fairly high percentage of them are members of the General Union of Yemeni Women, of **Youth Organizations** and many of these members are politically involved.

Veiling

There is a general optimism among members of the Women's Union that veiling will gradually disappear. On the streets of Aden, few women are completely veiled; most wear the sheidor (or chador) as a cloak draped loosely around their shoulders, and relatively few wear face veils.

Limiting Factors:

1. Domestic pressures:
 - a. Child-care remains a problem for working

women, since the provision of kindergartens is very limited. Working women are still under considerable pressure to leave work as a result of domestic responsibilities.

2. Work restrictions:
 - a. The work allocated to women is often the most tedious and repetitive.
 - b. Promotion prospects are rare.
 - c. The level of remuneration is low.
 - d. The lack of a firm career or employment orientation among women is a significant factor in causing them to leave their jobs.

Conclusions

State intervention and the implementation of radical reforms have done much to improve the position of women in Democratic Yemen. Yet legal changes and Party proclamations will not, in themselves, enable women to attain equality with men. Domestic responsibilities and work restrictions already referred to contribute to the high dropout rate among women. The kin-based female support structures which assist working women are not a solution. Hence the following changes are recommended:

Child-care facilities for pre-school children should be made available, especially for working mothers.

Prolonged maternity leaves and other privileges should be given to working mothers, encouraging their return to work.

Opportunities for further training and promotion are necessary to ensure women's interest and persistence in working.

Equally important is the elimination of sexual division of labor.

R.G.

(1) By Maxine Molyneux, International Labour Office Geneva, 1982. (**Women Work and Development 3**). See **Al-Raida**, May 1, 1981, Vol. IV, no. 16, p.10. «Women in South Yemen» by Maxine Molyneux.

(2) For more detailed information about this subject read the article by Maxine Molyneux entitled: «**Legal Reform and Socialist Revolution in Democratic Yemen: Women and the Family**» in the **International Journal of the Sociology of Law**, May 1985 issue.

25th World Conference of the World Association of Girl Guides and Girl Scouts



«Participation, Development, Peace». This is the theme of the United Nations International Year of Youth in 1985. By adding «Engagement», we have the theme of the 25th World Conference of the World Association of Girl Guides and Girl Scouts (WAGGGS); which took place from the 17th to the 26th of July 1984 at Marymount College at Tarrytown, New York.

Participants representing the National Organization of Girl Guides and Girl Scouts of Lebanon were: Mrs. Mona Torbey, Mrs. Hoda Salamoun Ghorra, and Miss Malou Kerlakian.

The World Conference, which meets every three years in a different part of the world determines the general politics of WAGGGS which is composed of 104 organisations with more than 8,3 million members.

The 25th World Conference fixed the plan to

follow for the next three years and provided a forum at which experiences and information in the developmental field were exchanged.

It also studied the affiliation of new member organizations: The United Arab Emirates was recognized as an Associate Member of the World Association. The Bahrain Girl Guides Association as well as the Associations of Botswana, Ecuador, Nepal and Uganda were recognized as full members this year.

Four new members of the World Committee (12 members) were elected, among them Mrs. Hoda Salamoun Ghorra of Lebanon. Moreover, the conference discussed «World Problems» concerning technology, the social and physical aspects of population increase, the need for mutual comprehension and World Peace, problems of communication and work with migrants and refugees.

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