

# **The Sudden Surge in Gender Legal Reform in the UAE**

By

**Ranjana Sinha  
Karolin Lehmann  
Simeon Djankov**

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# **The Sudden Surge in Gender Legal Reform in the UAE**

Ranjana Sinha, Karolin Lehmann and Simeon Djankov<sup>1</sup>

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## **Abstract**

Since 2017, the United Arab Emirates have introduced several gender legal reforms after decades of poor performance on economic and social equality between women and men. This legal progress is motivated by a desire to promote the UAE as a destination for expatriate professionals and investors. Hidden behind these encouraging steps are slowly changing inequalities in economic opportunity. Governments in neighboring Gulf countries have also embarked on publicity campaigns around increased gender legal equality, with the goal of influencing perceptions on the role of women in society. The difficulties in this societal transformation are manifested in the gap between advertised and actual change.

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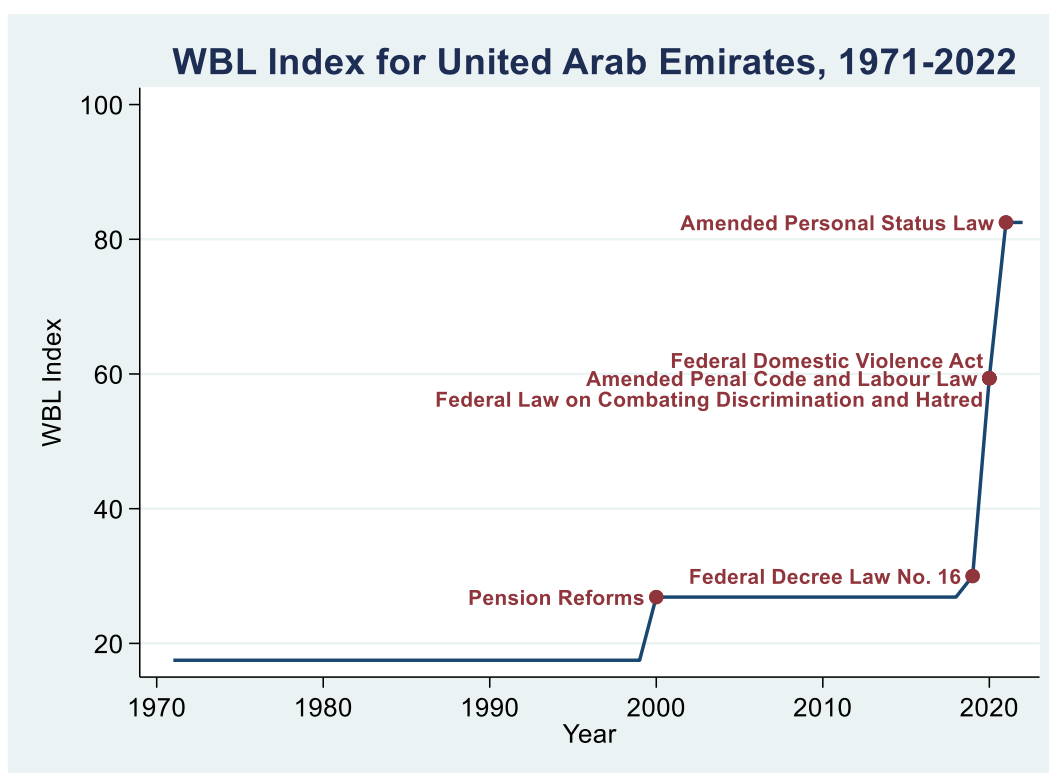
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## 1. Introduction

Middle Eastern countries fare poorly on measures of women's legal rights. The United Arab Emirates (UAE) are no exception, consistently ranking until recently at the bottom of international indices measuring gender equality and women's empowerment. In 2019, the UAE placed second to last on the World Bank's *Women, Business, and the Law* (WBL) Index, with a score of 29.38, implying that women had less than a third of the legal rights of men. Progress was lacking too, having only one legal reform in the area of pensions in the preceding half century (World Bank 2019). UAE also ranked 120<sup>th</sup> out of 153 in the 2020 Global Gender Gap index (World Economic Forum 2020).

Since 2017, however, the UAE has made significant progress toward legal equality of women, almost tripling its score on the WBL index to 82.5 in 2023 and surpassing the global average of 77.1 (Figure 1). The UAE placed 11<sup>th</sup> on the Gender Inequality Index published by the UNDP in 2022, up from 26<sup>th</sup> in 2019, and first among Middle Eastern countries (UNDP 2022). It also improved its score on the Global Gender Gap index in 2023, earning a rank of 71 (World Economic Forum 2023).

Figure 1: Changes in the Legal Status of Women in the UAE



Note: Hyland, Djankov, and Goldberg (2020) introduce the World Bank's *Women, Business and the Law* (WBL) index as a measure of legal equality between men and women. The WBL index charts the inequality in legislation that a woman faces as she navigates her working life, from the time she can enter the labour force through retirement. Scores range from 0 to 100, where a score of 100 implies that there are no legal inequalities between men and women in the areas covered by the index. The most recent data show that the global average WBL score in 2022 is 77.1 (World Bank 2023), implying that, on average, women around the world have about three-quarters the rights of men when it comes to laws affecting their economic opportunity.

Source: World Bank (2023); authors' own calculations.

In the past two decades female political participation in the country has improved considerably. This process started in 2004 with the appointment of the first female cabinet member, Sheikha Lubna Khalid Al Qasimi as the Minister of Economy. Dr. Amal Al Qubaisi was the first elected woman to the parliament (known as the Federal National Council) in 2006, and in 2015 she made history in the Middle East by becoming the first woman to lead a national assembly (Davis-Packard 2017). A President's Decree in 2019 mandated a 50% female quota in the Federal National Council and, consequently, the elected assembly later that year had women occupying 20 out of 40 seats.

The progress in legal change in the past half-decade is also evaluated in a historical perspective. The status of Emirati women in society has evolved throughout the 20<sup>th</sup> century simultaneously with the socio-economic transformation of the country. Preceding the discovery of oil, in the early decades of the 20<sup>th</sup> century, the economy of the UAE was based on agriculture, trade and a thriving pearling industry (el Mallakh 1981). Women played a strong economic role in this pre-oil period, with an active contribution to agriculture and the trading of pearls (Al-Sayegh 2001). Women from among the middle and lower social classes, free from the social restrictions placed upon their upper-class counterparts, enjoyed substantial economic freedom, trading in different goods, offering their services as tailors and seamstresses, and running retail shops, pearling ships, and real estate businesses (AlMutawa 2016).

The Great Depression of 1929 decimated the UAE's pearl industry (Aqil 2018). Women's economic conditions were hit the hardest, both because of declining demand in the pearls' trade and because they had to assume greater household responsibility as domestic help had to be let go (Al-Sayegh 2001). As oil was discovered in the neighbouring economies of Bahrain and Saudi Arabia in the early 1930s, many men migrated in search of better employment opportunities, leaving the burden of all domestic affairs to women (Sorkhabi 2008).

As the economic conditions of the country improved following the discovery of oil in the late 1960s, education for women became the government's priority. Female literacy rates rose from 22% in 1970 to 70% in 1985 (Al-Abed, Hellyer, and Vine 1997). However, contrary to the usual finding that economic growth and better education promote gender equality (Lerner 1958; Inglehart and Norris 2003), in the UAE women progressively lost economic and social opportunities as the country amassed oil wealth. Owing to difficult work conditions, women were encouraged to stay away from the oil industry and their willingness to work was further eroded by the fact that the men in their family made more money as the oil industry flourished (Ross 2008). Consequently, despite gains made in terms of education, women's participation in the workforce declined to below 20 per cent by 2022 and they became more likely to spend time in the household.

Starting in 2019, there has been significant progress in improving the legal rights of women in the United Arab Emirates. This progress is motivated by a desire to transform the UAE's foreign reputation as a destination for expatriate professionals and investors (Pinto 2019). Hyland, Djankov, and Goldberg (2021) list several reasons to be skeptical about the relationship between *de jure* gender equality and actual experience. A common finding in the literature is that deeply entrenched social norms often render legal reforms ineffective. Holden and Chaudhary (2013) and Ahmad, Batool, and Dziegielewski (2016) find that despite a legal change, women in Pakistan were not able to claim their inheritance, because of factors such as lack of education and forced marriage. Gedzi (2012) highlights a similar result in Ghana, where

reforms to inheritance laws led to few positive changes in terms of women's inheritance. Su and Djankov (2023) show that legal change in Zambia was undermined by existing customary law arrangements (Su and Djankov 2023).

An issue that comes up frequently when studying legal reform of property rights is legal pluralism (Sinha and Djankov 2023a,b). Bosio (2023) notes that the coexistence of different types of customary and formal laws can lead to a situation in which formal laws are disregarded if informal codes are less costly to execute, as is often the case. Reversion to informal courts, headed by village elders, leads to resolutions that favor men. Women's reluctance to resort to formal courts is also the subject of several studies. Siddique and Djankov (2023) find that victims of domestic violence and other kinds of marital dissonance may not even consider turning to the state for support.

The paper is structured as follows. Section 2 gives an account of the legal tradition that derives from Sharia. Section 3 details the progress in women's education and labor force participation in the country over the years. Sections 4 and 5 highlight the slowly changing outcomes and perceptions of women's economic role in the country. Section 6 establishes a regional comparison in progress towards gender legal reform across the Gulf Cooperation Council's member states. Section 7 concludes.

## **2. Sharia and the Legal Rights of Women**

Some aspects of gender relations in the UAE have persisted due to the Sharia tradition from which the country's legal system is derived. Men continue to be perceived as the head of the household, the primary breadwinner, and the highest decision-making authority, despite the extent of women's economic contributions (Metcalf 2008). Polygamy remains common, primarily as a source of gaining influence in society, as does the marriage of under-aged girls (Al-Sayegh 2001).

Sharia (or Shari'ah) provides not only the basis on which law is written and administered but also functions as an overall guide on societal norms that govern all facets of human activity, extending beyond legal implications (Safi, 1990; Otto, 2008, p. 7). Yet, there is not one universal interpretation of Sharia law. The origins of Sharia are the Qur'an and Sunna (Jaffal, Shawabkeh and Al Obeidi, 2022). The Qur'an encompasses the verses disclosed by God to Prophet Muhammad, and the foundation of the Sunna rests upon the Prophet's explanations of those verses (Kamali, 2008). The teachings were further extended in upkeep with society's development. These extensions were driven by Islamic jurisprudence, which is composed of explanations and legal deductions provided by jurists (faqih), who rely on the legal opinion (fatwa) of distinguished jurists (muftis).

Although not legally binding, judges in the UAE often follow the practice of fatwas, which are regarded as authoritative declarations concerning points of Islamic law. As such, Sharia was not derived from a single entity but rather evolved from a consensus of knowledgeable muftis over numerous centuries (An-Na'im, 2006).

Jaffal, Shawabkeh and Al Obeidi (2022) differentiate between nations where Sharia is the only source of law versus countries where Sharia is *one of the* sources of law. The former includes Saudi Arabia, Pakistan, Iran and Afghanistan whereas the latter is practised in the UAE. For

the most part, the codification of Sharia into legal mechanisms did not start until after these countries gained independence in the late 20th century (Hallaq, 2009). Saudi Arabia, which is deemed the most traditionalist Islamic legal system, has formalised its constitution according to the Holy Qur'an and the Prophet's Sunna. Article 8 of the constitution states that the "Kingdom of Saudi Arabia is based on the premise of justice, consultation (shura) and equality according to the Islamic Shari'ah" (The Basic Law of Saudi Arabia, 1992). In contrast, the UAE's constitution does not prescribe Sharia as a legally binding rule but rather as a material source of law (Al-Muhairi, 1996). As such, the UAE's legal system is a mixture of common and civil law, where Sharia is mostly applied to family matters such as marriage, divorce, child custody and legitimacy as well as citizenship (Sfeir, 2000).

The adoption of Sharia law into the legal system provides distinct perspectives on women's rights. Even though women have been established as an important part of Muslim society, their legal rights did not evolve in the same way as men's (Warren, 2008). Mernissi and Lakeland (1991) argue that this is because of the patriarchal interpretation of Sharia law which was dominated by men. Additionally, Sharia law does not specify equality between sexes but rather adheres to the concept of "complementarity" (Jaffal, Shawabkeh and Al Obeidi, 2022). While equal in status, the physiological differences provide women and men with different roles, duties and rights (Almutawa and Magliveras, 2021). In contrast, the CEDAW – the international treaty adopted in 1979 by the United Nations General Assembly - aims "to eliminate all forms of discrimination against women to achieve women's *de jure* and *de facto* equality with men in the enjoyment of their human rights and fundamental freedoms."<sup>2</sup> The reservations of the UAE to CEDAW exemplify these different understandings of women's status in society.

Muslim marriages are considered a civil contract conveying rights and obligations (Jaffal, Shawabkeh and Al Obeidi, 2022). As such, under Sharia law and its concept of complementarity, the husband and wife have different rights and obligations within the union. Generally, the husband has the responsibility to financially provide for the family whereas the wife is required to take care of the household and children. In countries that use Sharia law as a material source as does the UAE, both men and women have the same rights when entering a marriage, choosing a spouse, or withdrawing from an engagement, which aligns with the rights stipulated in CEDAW (Jaffal, Shawabkeh and Al Obeidi, 2022).

However, a difference in entering a Sharia marriage between men and women is the requirement to obtain a male guardian's consent. That guardian usually is the father or a male family member, or in his absence can be taken over by a judge (Warren, 2008). Within a Sharia marriage, a husband maintains guardianship over his wife and children to provide for and protect them.

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<sup>2</sup> Committee on the Elimination of Discrimination against Women Committee, General Recommendation No. 25, Article 4, Paragraph 1.

### 3. UAE's Progress Towards Women's Rights

Since 2017 the UAE has been active in introducing gender legal reforms. First, the government set about establishing committees and collecting information on laws that discriminate against women in the socio-economic lives of the Emiratis and amend those laws to integrate women into society on an equal standing as men (UAE General Women's Union 2019). A federal decree-law passed in 2017 amended previous laws that required married women to obtain written consent from their husbands before applying for a passport. For the first time, women were allowed to apply for passports in the same way as men (World Bank 2020).

As a first step to addressing international criticism on the issue of unequal gender rights, the UAE adopted the recommendations concerning gender equality in the Beijing Platform for Action in 1995. The government also ratified the Convention for Elimination of All Forms of Discrimination Against Women (CEDAW) on October 6, 2004, albeit with several significant opt-outs. These exceptions ran counter to articles in the Convention that include inheritance laws, the right of women to pass on their nationality to their children, legal capacity, and women's status in family and marital relations (International Federation for Human Rights 2010). Such exceptions were an attempt to navigate the country's Islamic heritage by not condoning legal reforms that contradict Sharia law (Davis-Packard 2017).

The motivation behind this surge in gender reforms is subject to some debate. The underlying idea of socio-political evolution, which is characterized by the gradual development of legal changes, does not apply to the UAE (Saeed, 2021). Similar strides towards human rights and laws eliminating the discrimination against women in other countries were largely driven by the positive impact of international initiatives, e.g., CEDAW in 1981 or Paris Principles in 1999 and more recently the SDGs in 2015 and the #MeToo movement in 2017 (Hesketh and Williams, 2021). This is consistent with theories of evolving social identity, which document transitions driven by global influences (Larson and Shevchenko, 2003).

Saeed (2021) describes the UAE's legal shift towards gender equality as a positional strategy. Moreover, Pinto (2019) investigates the transformation of the UAE's foreign reputation and identifies its status-seeking steps, which explain the surge in gender reform. Given the continuing discrepancy between advertised policy and economic and social outcomes, the UAE appears to use gender equality as a means to burnish its international image (Pinto, 2019). Due to its focus on attracting foreign financial and human capital, the presence of expatriate professionals has required change in the country's gender policies (Hesketh and Williams, 2021).

In 2017, roughly two years before legal changes began to take shape, the UAE established a Gender Balance Council, which promoted the active involvement of Emirati women within both societal and governmental spheres. This progress owed much to the contributions of Sheikha Fatima bint Mubarak, the wife of Sheikh Zayed, who is acknowledged for her pivotal role in improving the status of women in the UAE in expanded opportunities for women in education (Alwahedi, 2015). This is one of several examples of women in the royal household who take on carefully-choreographed roles on gender issues (Hesketh and Williams, 2021).

The women's legal rights movement that exists in the UAE has been described as "state feminism" (Pinto 2012). All organizations dedicated to the advancement of women's rights are affiliated with the government. Annual events on gender issues, such as the Emirati Women's Day and the activities of the General Women's Union and the Dubai Women Establishment

are sponsored by the government (Davis-Packard 2017). The UAE Gender Balance Council has a self-described goal of improving the country's position in global rankings on gender equality.

The year 2019 saw a wide range of gendered legal reform meant to improve the conditions in place for working women and addressing domestic violence and sexual harassment, though it did not criminalize marital rape (Al Amir 2018). Federal Law No. 11 of 2019 on Combating Discrimination and Hatred, amending a previous law, prohibited discrimination in employment based on gender. Federal Decree Law No. 4 of 2019 amending Federal Law No. 3 of 1987 (the Penal Code) criminalized sexual harassment at the workplace. A new Labour Law was enacted in 2019 with anti-discriminatory provisions that allowed women to work at night, to work in industrial and dangerous jobs, and prohibited employers from firing pregnant workers. A new decree-law on social security allowed women to be heads of households in the same way as men, and the Federal Domestic Violence Act addressed for the first time the issue of domestic violence.

The wave of gender legal reforms continued into the year 2020, with new legislation that further improved the status of women in society. An amendment to the Personal Status Law gave women the right to choose where to live, to travel outside her home and her country, get a job in the same way as a man, and to not obey her husband. The authorities introduced amendments to the Personal Status Law in 2019 and 2020, including revoking a provision that had obliged women to “obey” their husbands under article 56 while still maintaining language that wives are obliged to maintain the house and its contents and breastfeed their children unless there is an impediment.<sup>3</sup>

However, article 71 still provides that a woman can lose her right to financial maintenance from her husband if she refuses to have sexual relations with him without a “lawful excuse,” abandons the marital home, or prevents her husband from entering the marital home.<sup>4</sup> A judge can, under article 72, still deem a woman in breach of her spousal obligations if she leaves the house or goes to work for a job deemed outside “the law, custom, or necessity,” or if the judge considers it against the family's interests.<sup>5</sup>

Federal Decree Law No. 6 of 2020 permitted women to receive equal remuneration as men for rendering work of equal value and allowed paid parental leave. By the end of these reforms, the country had made great strides ahead on the WBL index, increasing its score from 30 in 2019 to 82.5 in 2023, and emerging as the leader among Middle Eastern countries in terms of gender-equal legislation. Sector-specific legal biases remain. For example, hospitals are required to have women show a marriage certificate to access some forms of sexual and

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<sup>3</sup> Decree on Federal Law No. 5 of 2020 and Decree on Federal Law No. 8 of 2019 amending some provisions in Federal Law No. 28 of 2005 on Personal Status, art. 56.

<sup>4</sup> See Decree on Federal Law No. 5 of 2020, art. 2 amending art. 71 of the Federal Law no. 28 of 2005 on Personal Status, which removed language that previously provided that she could lose her right to financial maintenance if she left the marital home or refused to travel abroad with her husband without a lawful excuse.

<sup>5</sup> Decree on Federal Law No. 5 of 2020 amending some provisions in Federal Law No. 28 of 2005 on Personal Status, art. 72 amended the reference from the wife to spouse. It now states that it would not be a violation of spousal obligations for “either spouse to leave the house or to work in accordance with the law, custom, or due to necessity, and it is for the judge to uphold the interest of the family in these matters.”



reproductive healthcare in both public and private hospitals and to report women to the authorities if they suspected extramarital sex.<sup>6</sup>

Moreover, women who have children out of wedlock cannot obtain birth certificates for their babies.<sup>7</sup> Children born to a parent with an expired passport, identification card, or residency visa are not issued birth certificates.<sup>8</sup> This disproportionately impacts migrant women due to the frequency with which employers confiscate their documents, including passports and residency permits.

There has been some doubt about how effective their gender reforms have been and to what extent such reforms helped to improve gender outcomes. Hesketh and Williams (2021) discuss this question by investigating historical and cultural factors and their potential influence on the UAE's policies on gender equality. The UAE has been vocal in their claims to promote gender equality and women's rights. The application of these laws will take some time and hence reliable data on outcomes is still missing.

### 3.1 The Status of Migrant Workers

Despite the progress made in gender legal reform, female labor force participation has failed to catch up. Women constitute 45.7% of the labor force (UAE Gender Balance Council, 2023), but most of them are foreign nationals working in the service industry in jobs that are considered unfit for Emirati women. Most Emirati women work in the public sector in fields like education and public health. The private sector is regarded as unsuitable for women owing to its long working hours (Dubai Women Establishment 2018; UAE General Women's Union 2019).

The wealth and economic expansion fueled by the oil industry created a huge demand for foreign labor, particularly those on temporary contracts. According to ILO estimates, only 12% of the 9.1 million Emirati population are nationals; foreign migrant workers comprise the majority. A Human Rights Watch report in 2014 highlighted the abuse and exploitation faced by female migrants working as domestic help at the hands of their employers (Human Rights Watch, 2014). These migrant workers receive almost no protection under the UAE labor law; coming under the purview of the *kafala* sponsorship system, private employers have complete rights over the foreign workers they hire, including their pay, living arrangements, and working schedules.

The most common reports of abusive treatment relate to unregulated working hours, employers withholding payment of wages, with little to no rest; the more serious allegations include verbal and physical abuse, sexual violence, and confiscation of passports. Some migrant workers complain of their employers taking away their cell phones and restricting their movements

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<sup>6</sup> "They have to be punished": the mothers trapped in the UAE by 'love crimes,'" The Guardian, October 12, 2020, <https://www.theguardian.com/global-development/2020/oct/12/they-have-to-be-punished-the-mothers-trapped-in-the-uae-by-love-crimes> (accessed February 25, 2021).

<sup>7</sup> "Marriage as a prerequisite," Official UAE Government Portal, <https://u.ae/en/information-and-services/social-affairs/having-a-baby/marriage-as-a-prerequisite-for-having-a-baby-in-the-uae> (accessed February 26, 2021).

<sup>8</sup> "Frequently Asked Questions – Birth Certificate Issuance," Department of Health Abu Dhabi <https://www.doh.gov.ae/faq> (accessed January 26, 2021); Human Rights Watch Report, "I Already Bought You: Abuse and Exploitation of Female Migrant Domestic Workers in the UAE," October 2014, [https://www.hrw.org/sites/default/files/reports/uae1014\\_forUpload.pdf](https://www.hrw.org/sites/default/files/reports/uae1014_forUpload.pdf).

outside the household. Many scholars have described the *kafala* system as “modern slavery” (Deen 2019). In the UAE it is part of the social contract that promises to citizens control over migrant labor in exchange for curtailed political and social freedom. While the UAE passed a 2017 law on domestic workers which provides some labor rights, it falls short of fair treatment (Qadri 2020).<sup>9</sup>

#### 4. Changing Outcomes

To assess the gap between new legislation and actual outcomes, a variety of composite indices are available. The UAE government commonly refers to the Gender Inequality Index (GII) maintained by the United Nations Development Programme (UNDP). The GII focuses on the levels of gender-based disadvantages across education, employment, political representation, and health (UNDP, 2023). In 2020, the UAE scored 0.049, which makes it the best-performing nation in the MENA region and 11th in the world. Unlike focusing solely on differences in levels, the Global Gender Gap Index (GGGI) emphasizes gaps, providing a detailed view of gender parity. Similar to the GII, it comprises four subcategories: education, health, economy, and politics. The UAE's overall gender gap score stands at 0.712, ranking it 71st in the world (World Economic Forum, 2023). In education and health, the UAE outperforms global averages, achieving parity in tertiary education enrolment and sex ratios at birth.

Yet, considerable gender gaps persist in economic participation and opportunity, placing the UAE 128th out of 145 countries in the GGGI (Hesketh and Williams, 2021). Despite women's higher educational attainment, this advantage has not translated into improved employment opportunities. Women in the UAE still lag behind in labor force participation (which in 2022 was just 18.3 per cent) and estimated earned income compared to men. Hesketh and Williams (2021) argue that this may be due to social inertia and the UAE's emphasis on traditional family values and a large state subsidy to Emirate families.

The UAE also exhibits significant gender gaps in the equality of political representation. Even though women constitute half of parliament, only 18 per cent of the ministerial positions are held by women (World Economic Forum, 2023). More importantly, the UAE seems to have made use of methodological differences in the definition of political representation in parliament. According to Pinto (2019), the UAE appoints ‘just enough’ women to parliamentary positions to achieve high rankings in international indices without adjusting for the women who are actually elected. This approach creates a significant discrepancy between appointed and elected officials, which does not accurately represent female political empowerment (Pinto, 2019). Similarly, out of the roughly 100 heads of mission throughout UAE's embassies and consulates, only nine are women (Ministry of Foreign Affairs, 2023).

Understanding the different computations of global indices such as the GGGI and the GII demonstrates how they can be shaped into channels of signaling (Pinto, 2019; Hesketh and Williams, 2021). While the UAE is included in these global indices, the country faces significant data gaps. According to the UN Women Data Hub, approximately 60 per cent of all indicators tracking gender-related dimensions within the Sustainable Development Goals (SDG) framework are currently unavailable for the UAE. Data related to critical issues such as care work and domestic labor, the gender pay gap, and domestic violence remain absent. These

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<sup>9</sup> “UAE: Domestic Workers’ Rights Bill a Step Forward; Enforcement Mechanisms Needed,” Human Rights Watch news release, June 7, 2017, <https://www.hrw.org/news/2017/06/07/uae-domestic-workers-rights-bill-step-forward>.

substantial data gaps pose an obstacle to conducting a comprehensive analysis of women's outcomes in the UAE.

## **5. Changing Perceptions**

The UAE has made substantial efforts to transform the international perception of Emirati women in society. Considering that most of legal gender reform has only passed in the last five years the government could not expect dramatic improvements in gender equality. Instead, the UAE government is actively employing status-seeking strategies, using its progress towards gender legal equality as a means to enhance its global reputation (Hesketh and Williams, 2021). Their advertising strategy is concentrated on two key areas: highlighting the increased representation of women in politics and drawing attention to the professional accomplishments of a select group of women occupying high-level decision-making positions in business and public service (Pinto, 2019).

The second area of the advertising campaign focuses on 'trailblazing' women in unique positions of power. State-sponsored Emirati newspapers and wire services run numerous articles on women occupying positions such as surgeons, pilots, engineers, professors, ministers, and diplomats. These women have a choreographed public life, are highly educated and work in predominantly male fields. Their achievements are often framed in nationalistic terms, symbolizing the new Emirati standard (Pinto, 2019).

Many of the featured women are part of the royal family. Sheikha Lubna Khalid Al Qasimi, niece of Sheikh Sultan bin Muhammad Al-Qasimi, the ruler of one of the seven Emirates, made history as the UAE's first female minister. Similarly, Sheikha Fatima bint Mubarak, the third wife of Sheikh Zayed bin Sultan Al Nahyan - ruler of Abu Dhabi, is featured as the founder of the Gender Council. Emirati Major Maryam al-Mansour, wife of Sultan bin Saeed Al Mansoori, a former cabinet Minister, made international headlines being the first female fighter pilot. One may question the validity of this advertising campaign as to the life of ordinary Emirati women.

Yet, there seems to be a paradox when it comes to these carefully curated perceptions of Emirati royalty. Upper-class women face more social restrictions than their middle-class counterparts. Being in the public eye makes it necessary for these women to conform to Sharia principles. Any action on their part that can be interpreted as crossing the line of "propriety" invites public backlash and questions the ability of the men of the royal family to "control their women". The women of the royal family have a dual role: they are portrayed as emblems of progress and female advancement but are also responsible for upholding the traditional values of the dynasty (Blake 2023).

Several women belonging to the royal family have attempted to escape this dualism. Those who succeeded talk about the set of contradictions that their life in the UAE was. While they had the freedom to pursue higher education and move without a hijab, behind closed doors they were expected to submit to male guardianship (Grigoriadis 2020). In a society where a family's honour rests on the woman, there are many rules that dictate how a woman should conduct herself, who she should socialize with, who she should stay away from, what she should study, what career she should pursue, whether to focus more on her career or on raising a family and so on. Those who live by the rules are flaunted in public view as the epitome of modern womanhood, while the ones who rebel are banished from the public eye (Grigoriadis 2020).

The experiences of women within the UAE's ruling family reveal a pattern of attempted escapes and struggles against a rigid and controlling system. Princess Shamsa's escape from her family in the UK in 2000 ended in her abduction and disappearance upon her return to Dubai (Bowcott and Haroon, 2020). Similarly, in 2018, her sister, Princess Latifa, made a daring escape attempt but was ultimately captured and subjected to years of imprisonment and torture in Oman. These cases shed light on the harsh consequences faced by those who seek to break free from the confines of royal life. Similar stories were uncovered about Princess Haya in 2023 and Sheikha Bouchra in 2000. These accounts illustrate the complexities and challenges faced by royal women in the UAE when they seek independence or voice their concerns within a highly controlled environment.

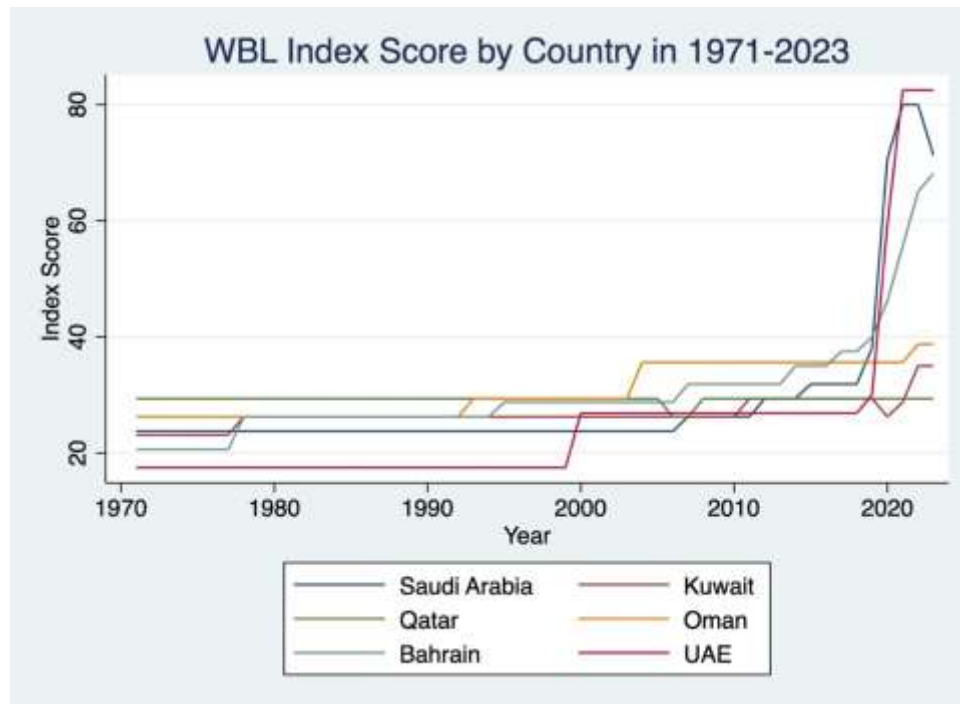
## **6. Regional Comparison on Progress towards Gender Legal Equality**

A telling pattern emerges when comparing the UAE's effort to advance gender legal equality with similar progress in several other Middle Eastern nations, including Oman, Bahrain, Saudi Arabia, Qatar, and Kuwait. To provide a comprehensive view of these comparisons, Figure 2 maps the WBL index for the five member nations of the Gulf Cooperation Council (GCC) between 1971 and 2023. Until the early 2000s, the region experienced little to no progression in gender legal reforms. Reforms started to slowly take shape in the early 2000s, spearheaded by the UAE, which was the worst-performing country in the region at that point in time. However, as Figure 2 highlights, no meaningful legal change for both the UAE and Saudi Arabia came before 2019. Bahrain also made gains in its gender reforms in parallel with these two countries, with a score of 68 by 2023.

In Qatar, Kuwait and Oman, progress did not occur in the legal rights of women, though there are indications that political will was in place. Qatar's WBL index score of 29.6 remains dormant from 1971 until 2023, with negligible changes in 2006. Between 1971 and 2023, Kuwait increased its index score by roughly 13 points with a score of 35. In Oman, gender reforms occurred slowly, increasing its WBL score by about 12 points from 26 in 1971 to 38 in 2023. All three Gulf nations trail regional and global patterns in the expansion of women's legal rights.

In a five-year period, between 2017 and 2022, Saudi Arabia significantly improved its standing on the WBL index, achieving a 38.8-point increase and advancing by 60 positions in global rankings. The government implemented reforms across six out of the eight indicators covered by the index, garnering global media attention for several of these initiatives. For example, in 2018, as part of Vision 2030, Saudi Arabia introduced new laws that lifted the driving ban as well as granted women greater freedom of movement, eliminating the requirement for male guardian permission for travel and passport acquisition (Rizvi and Hussain, 2021). Moreover, amendments to the Civil Status Law enabled women to be registered as co-heads of their households, allowing women more power in the private sphere (Abalkhail, 2017).

Figure 2. Changes in the Legal Status of Women across GCC member states



Source: World Bank (2023); authors' own calculations.

These legal adjustments extend protection to women in the workforce, encompassing measures such as criminalizing sexual harassment in employment, preventing employers from terminating a woman's employment during pregnancy and maternity leave, and equalizing the retirement age for both genders at 60 years, thus promoting longer working lives, increased earnings, and contributions for women (Rizvi and Hussain, 2021). In 2020, Saudi Arabia also prohibited gender-based discrimination in access to financial services. These changes have impacted approximately 6 million Saudi women aged 21 and above. These reforms aim to elevate women's participation in the labor force from 22% to 30% (Abousleiman, 2020).

In Bahrain, ongoing reforms have been directed by the Supreme Council for Women, which initiated the passage of legal measures addressing workplace sexual harassment, including the imposition of criminal sanctions for those found guilty (Abousleiman, 2020). In 2023, Bahrain revoked Article 353 of its 1976 Penal Code, a law that permitted rapists to avoid prosecution by marrying their victims. Many rape survivors were pressured into marrying their rapists by their families to avoid social stigma, perpetuating their trauma instead of facilitating recovery (United Nations, 2023). Additionally, Bahrain has initiated legal change in the recognition of women as heads of their households, though this process is yet to result in legislative amendments (Abousleiman, 2020).

In examining Figure 2 and the timing of legal reforms in the Gulf countries, it becomes apparent that Bahrain, the UAE, and Saudi Arabia followed a similar trajectory, with significant legal change occurring after 2019, when a burst of law-making activities became apparent. This synchronicity invites hypotheses about the common factors that may have motivated these governments to act during this specific time frame.

One plausible hypothesis is the influence of the Arab Spring, a transformative period of political and social upheaval that swept across the Middle East in the early 2010s. The Arab

Spring saw widespread protests and calls for political change, which might have prompted Gulf governments to re-evaluate their policies and image (Szalai, 2017). In response to the regional unrest, these countries sought ways to strengthen their international reputation. In this context, improving gender legal equality could have been viewed as a stratagem to demonstrate commitment to societal reform. Furthermore, the economic diversification efforts underway in several Gulf nations, notably the UAE and Saudi Arabia's Vision 2030 initiatives, have placed these countries under increased scrutiny by global investors.

On the other hand, Kuwait, Qatar, and Oman have experienced little improvements in the legal status and rights of women. Qatar has not passed any gender legal reforms since 1971. Kuwait and Oman, while making some changes to their legislation, are laggards too. This result raises questions about whether they are pursuing a different approach or facing bigger political challenges. Oman's slow progress in gender legal reforms is attributed to its former leader, Sultan Qaboos bin Said, who ruled the Sultanate from 1970 until his death in 2020 (Hussein and Goldsmith, 2020). Kuwait's gender legal reforms have been led by various civil associations and women's movements which have been demanding equal rights since the 1970s but exhibit infighting among themselves (Maktabi, 2016). Qatar has focused on migrants' rights, thrust into the public view during the 2022 World Cup.

## **7. Conclusions**

The UAE have made significant strides towards gender equality in legislation since 2017. The commitment to improving women's economic prospects and labor force participation is supported in ministerial speeches, government reports, and newly-created institutions. However, this legal progress is yet to affect the lives of many women. Women migrant workers have hardly any rights. Most women in the privileged upper-class and royal families live dual lives behind closed doors and in public.

The recent narrative of gendered legal reform in the UAE is optimistic and it is representative of similar legal progress in other Gulf countries. For this progress to affect economic and social outcomes, however, legal reform has to continue until equality becomes the norm.

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