

# **The Impact of Male Guardianship on Arab Women's Careers in the United Arab Emirates**

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*Arab countries have taken numerous steps to increase women's labor force participation. Yet, according to many Arab countries' labor laws, Muslim women are required to provide their potential employers a written permission to work from their legal male guardians (Mahram in Arabic). Her economic participation or career development would not be possible without Mahram's permission. This study aims to broaden the understanding of the impact of family members on Arab women's careers by exploring the factors that are important for Mahrams when considering allowing their female family members to work. This paper challenges the conventional career choice theories, such as the social cognitive career theory, by addressing one of its major shortcomings: the question of how free individuals are in their career choices.*

*Keywords: women, labor force participation, careers, United Arab Emirates, Middle East*

## **INTRODUCTION**

According to several Arab countries' labor laws, Muslim women are required to provide their employers a written permission to work from their legal male guardians. Mahram is a term in Arabic that refers to the legal male guardianship who significantly influences a woman's life. Mahram is either a woman's husband, father, brother, or even a son who has the power to make a range of critical decisions on her behalf. Without permission from Mahram, a Muslim woman cannot marry, go outside of her home, travel, work, rent an apartment, or file legal claims. Her economic participation or career development would not be possible without Mahram's permission.

This paper explores the important factors for Mahrams when granting permission to their female family members to work. This study challenges the conventional career choice theories, such as the social cognitive career theory, by addressing one of its major shortcomings, namely the question of how free women are in their career choices. While the Arab woman is free to seek employment in different industries and organizations, the final decision regarding her career choice lies with her Mahram.

Most Arab countries take steps to encourage women's economic participation, yet women's advancement both in terms of education and career advancement is subject to legal, religious, and, foremost, societal norms. Increasingly, career researchers call for accounting for both the individual's agency and the influence of the wider socio-cultural context of the region to develop an understanding of cultural realities that might be accountable for shaping/ binding women's careers (Afiouni, 2014).

Arab women form a very wide population group that expands from Oman to Morocco and beyond to other countries. While Arab women share the Arabic language and often the same religion, their socio-

cultural contexts vary significantly. Arab women in Morocco are not easily comparable to Lebanese or Emiratis due to the different realities that influence their career advancement. When studying Arab women, country-specific contexts should be used for describing the realities that influence their economic participation and careers.

For this paper, the United Arab Emirates (UAE) is chosen as a context to study Arab women's careers. The UAE has historically been one of the most traditional societies regarding women's position, yet today the country is the most modernized Arab country. Balancing the modern lifestyle and at the same time adhering to Islamic and traditional Arab values, is an important aspect of the Emirati identity of the 21st century. When it comes to the socio-cultural context of the UAE, Emiratis are relatively uniform in terms of ethnicity, with ancient regional tribal roots, and predominantly practice the austere Wahabi interpretation of Islam (Masoud, 1999). Regarding women's issues, the Wahabis tend to take the strongest and most conservative viewpoint when interpreting religious texts. There is also evidence of physical segregation in the workplace, in the belief that a woman's exposure to men may be regarded as harmful to her reputation (Gallant and Pounder, 2008; Metcalfe, 2008; Syed, 2008).

## **WOMEN'S ADVANCEMENT**

Emirati females account for more than 70 percent of university graduates. The contribution of Emirati women to economic activity has increased from a mere 5.4 percent in 1995 to 27.9 percent in 2022, and Emirati women hold 20 percent of the seats in the National Federal Council (UAE Ministry of Cabinet Affairs, 2022). Even though the change in female labor force participation is impressive, the unemployment rate among Emirati women has recently reached a high of 19.7 percent, compared to 8.2 percent for males. Furthermore, two-thirds of Emiratis are under 30, and youth unemployment is significantly higher than the overall unemployment rate of 20.8% in 2021 (UAE Ministry of Cabinet Affairs, 2022). One of the reasons for implementing 'Emiratization' policies was to encourage Emiratis to seek employment in the private sector.

In 2019, Emiratis made up only 0.5 percent of the private sector workforce (Clark, 2019). Females constitute 66 percent of the workforce in the government sector, of which 30 percent are in decision-making or leadership positions. However, the employment of nationals in the public sector has reached the "saturation point" as more and more Emirati national fresh graduates are seeking employment in higher paid, secure, and respected public sector. In light of the labor market dynamic in the UAE, Harry (2007) brings out that the bias against women in employment could continue to impede their participation in it, suggesting that it may even worsen if they are to compete with their male counterparts for the same positions.

The life of Arab women has become one of the most rapidly changing elements of Arab societies due to Westernization and modernization. Yet at the same time, in the Arabic politico-economic and patriarchal social systems, the role and place of women in the society are gendered and limited to the private sphere (Cundiff, 2017). When women participate in the workforce or engage in public life without authorization from the government, husbands, or elders, their actions are considered an obstruction, a threat to law and order, and directly disobeying societal norms (Ali and Machaira, 2013).

## **ISLAMIC PERSPECTIVE**

Islam allows women to own property, run a business; buy, sell, and lease; as well as be involved in various trades or contracts. Quran specifies that a woman can own money by the job she earns: {Whatever men earn, they have a share of that and whatever women earn, they have a share in that} (The Quran, 4:32). Hence preventing a woman from working outside the home without any clear justification is contradictory action to verse and women have their right to go out of the home to work provided they adhere to Islamic guidance.

Islamic scholars and researchers have categorized the Islamic guidance for women's work into three categories relating to the women themselves, the work involved, and the society at large (Asar and

Bouhedda, 2016). First, a woman is allowed to work outside of the home due to her economic needs either because she needs to support her family or she is a widow, a divorcee, or unmarried who does not or cannot ask for money from her extended family. A woman is also allowed to work outside of the home where her services are needed in society due to her gender, such as nursing or treating other women. The permission of the male legal guardian of the woman must be obtained before going outside her home to do permissible work. As an underlying rule, a woman can work outside of her home if she adheres to what Islam has taught in its teachings about women's manners. Second, the Islamic guidelines regarding women's work deal with the work type itself. The work activities need to be halal or permissible by Islam, and cannot result in sinful activities. Work should not prevent the woman from fulfilling her duties as a wife and/or a mother. Islamic scholars argue that the role of the wife and mother is greater than the need for female workers who could be replaced by many men, especially with the high rate of unemployment among men. The work also should not lead a Muslim woman to travel without Mahram or the woman's work should be suitable for the nature of women. Third, Islamic researchers hold that a Muslim woman should work in an Islam-friendly environment.

## **LEGAL CONTEXT**

The UAE is governed by Sharia (Islamic) and civil law. Issues pertaining to Muslim women are often drawn from religious principles and the UAE Labor Law (No. 8 of 1980) which continues to place certain restrictions on women's employment options and rights based on gender stereotypes. Article 34 of the UAE Constitution provides every Emirati citizen with the right to freely choose her occupation, trade, or profession. However, Article 29 prohibits the recruitment of women for "hazardous, arduous, or physically or morally harmful work" or other forms of work to be decided by the Ministry of Labor. Article 27 of the labor law states that "no woman shall be required to work at night," which is defined as "a period of no less than 11 successive hours between 10 p.m. and 7 a.m." This has often been interpreted as a ban on women working at night (Kirdar, 2010). Exceptions to this prohibition exist under Article 28 for instances in which a woman's nighttime work is necessitated by force majeure, is executive, administrative, or technical, is in the health services, or does not involve manual labor as decided by the Minister of Labor and Social Affairs.

The UAE Personal Status Law of 2005 prescribes every Muslim woman to have a male guardian, normally a father or husband, but in some cases a brother, uncle, or even a son, who has the power to make a range of critical decisions on her behalf. Without their guardian's consent, women cannot work or travel abroad, which violates their right to freedom of movement guaranteed by Article 29 of the UAE constitution.

While the UAE has taken great steps in improving women's role in society such as Emiratization policies and increasing women's political participation, the societal and familial perception of the role of women continue to pose the biggest barrier to women's labor force participation and career development.

## **METHODOLOGY**

As a foundational approach for this research, social constructionism is considered a welcome alternative to the study of careers due to its incorporation of themes relating to the social context within which careers evolve (Cohen et al., 2004). In career studies, social constructionism encourages us to acknowledge the relationship between career and social order and how context and social order influence the construction of a career (Omair, 2010). Social cognitive career theory proposes several factors that could influence individuals' career decision-making self-efficacy, such as personal variables (e.g. age and gender), contextual variables (e.g. perceived support or barriers from family, peers, and society), and experiential variables (e.g. learning sources) (Lent et al., 1994). While this paper is about Arab women, the specific context of this paper is the United Arab Emirates and the focus of the paper is Emirati women specifically. The term Arab women refer to women from Oman to Morocco with diverse social or cultural contexts. A woman's experiences in one Arabic country may not be comparable to another country. The author believes that the narrower the research context, the more accurate results can be gained from the empirical research.

Women's working lives and careers are traditionally studied through interviews or surveys conducted on female respondents. While the focus of this paper is women's careers, the need for permission to work from male guardians requires us to study the male respondents who, in this study context, have the ultimate power over women's employment choices.

The research material of this paper consists of twenty narratives from women's legal guardians which are in the form of written text. Emirati women in professional or managerial positions, aged between 24 and 30 years, were asked to contact their Mahrams to participate in this research. Twelve respondents for this study were husbands and eight were fathers of unmarried women. All Emirati women were at the beginning of their career development. The author believes that Mahrams' restrictions would be more prevalent in the case of younger women than the older ones with established careers.

## **EMPIRICAL FINDINGS AND DISCUSSION**

### **Sector and Industry-Specific Characteristics**

The public sector was the most common sector where Mahrams would like their female family members to work. All of the respondents expressed a strong preference for their female family members to work in the public sector. Public sector employment in the UAE has reached a saturation point (Al-Waqfi and Forstenlechner, 2012, Harry, 2007; Rees et al., 2007) and the UAE government has taken steps through Emiratization policies to attract Emiratis to the private sector. The proportion of Emiratis currently employed in the private sector is as low as 1 percent (Forstenlechner, 2010). Despite the Emiratization policies, which date back two decades, and the government's efforts to push Emiratis to work in the private sector, the male family members still prefer their women to work in the public rather than the private sector.

The main reasons for preferring public sector employment for women were higher wages, shorter working hours, and the industry's reputation. Seventy percent of the respondents mentioned that the concern for sexual harassment was one of the main concerns when considering employment options for their women. Public sector employment with segregated offices provides a safer environment for women to work. Omair (2009) explained that from the viewpoint of women managers in contemporary working life, this suggests that women can only leave the private spheres when completely covered and accompanied by a male guardian and women's managerial careers are only possible in segregated workplaces, where the interaction of men and women is excluded.

In this study respondents also believed that the public sector provides better career opportunities for women. When asked why private sector career development is not perceived as beneficial, the respondents suggested that private sector jobs are less stable and it would be harder for an Emirati woman to grow in her career. While the Emiratization policies suggest great career development opportunities for Emiratis in the private sector, the respondents of this study disagreed. The main reason was that public sector jobs are stable and secure, within time, women competing against other Emirati women, can reach higher positions, especially in segregated public sector offices. Our study respondents considered public sector institutions, education, non-profit organizations, and banking to be the most reputable industries. The least favorable choice for employment was in law firms, the construction industry, and hospitality.

### **Job-Related Characteristics**

When asked about the type of work Mahrams would find suitable for women, many respondents said that the work should not be physically straining or involve long working hours. Sales and marketing jobs were not favorable since they included interacting with a large number of people, either Muslim or non-Muslim men and women.

The most favorable jobs for an Arab woman are office-bound, such as administrative work, according to this study's respondents. This indicates that it is very important for Arab women's male family members to know that women are working in a safe environment with little mobility to external environments.

## Organizational Characteristics

Mahrams, in this study reported that organizational environment is another important factor to consider when allowing female family members to work. The main criterion is the demographics of the organizations. The ratio of men and women is important, as well as the ratio of Muslims and non-Muslims and the number of Emiratis working in the organizations. Preference is given to organizations with a high number of female employees, preferably Muslim and a good number of Emiratis. It is important for Mahrams that women work among other Emirati women. Few Mahrams (25%) mentioned that the nationality and gender of the supervisor were an important criterion. Female supervisors would be preferred over male and Emirati supervisors over other nationalities. These results indicate that Emirati men would like their female family members to work in environments that are similar to their domestic environments by being surrounded by Emirati women.

The organizations that deal with haram (forbidden according to Islam) products and services or engage in business that could lead to haram activities are considered unacceptable working environments for Arab women. Dealings with alcohol or other harmful substances or the hospitality and entertainment industry were brought as examples. The hospitality or entertainment industry may allow the mixing of men and women unrelated to each other and may result in unlawful activities.

## CONCLUSION

This paper contributes to the social cognitive career theory development by addressing one of its major shortcomings, namely the question of how free individuals are in their career choices. In the case of Arab women and based on the Islamic guidelines and several Arab countries' labor laws, Arab women are not often free to make their own career choices. In the context of this study, women need to submit written permission from their male legal guardians upon accepting an employment offer. While the Arab woman is free to seek employment in different industries and organizations, the final career choice decision lies with her Mahram, the legal male guardian. The results of this study show that despite government efforts to promote female labor force participation and increase the attractiveness of the private sector, the male guardians still hold a very traditional viewpoint of what jobs are acceptable for Arab women. Government efforts to promote Emiratisation need to be targeted at Emirati youth and their family members who ultimately are in charge of career choice decisions.

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