

# COMMENTS

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## **Bras and Ballots: Comparing Women’s Political Participation in Pakistan and Saudi Arabia**

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**ABSTRACT**

Two Muslim countries on the Persian Gulf have similar geographic locations, but they drastically differ in their policies for integrating women into the male-dominated political process. While Pakistani women have voted and held political office since 1947, Saudi Arabian women have yet to cast their first ballot. Pakistan's democratic government emerged from Great Britain, the birthplace of modern parliamentary democracy. And with this history, Pakistan carries forth a seemingly progressive model that reserves seats for women using a quota system. In part because of the quota system, the Pakistani people elected the first female prime minister of a Muslim country. In contrast, the conservative Saudi Arabian monarchy finally recognized women's right to vote in 2011, and no woman has ever held political office. Motivated by a traditional interpretation of Islam and an oil rich economy, Saudi Arabia slowly embraces women's political advancement.

This article explores the dichotomy between women's political participation in Pakistan and Saudi Arabia. Part I breaks down the reasons why Pakistan is a model for women's participation in a Middle Eastern country with an Islamic value system. First, Pakistani women hold a relatively large portion of political office, partly because Parliament reserves seats for women. Pakistan's government has employed a quota system since the country gained independence from Great Britain in 1947, and quotas for women continue today. Second, Pakistani women can look to Benazir Bhutto, the first female prime minister of a Muslim state, as a role model. Third, Pakistani women assert their rights, and they fight to share a voice at the decision-making table.

Then in Part II, this article discusses women's political participation in Saudi Arabia—a traditional country on the brink of great change. First, a brief examination of Saudi Arabian history displays the patriarchal roots stemming from the founding monarchy in the early 1900s. Saudi Arabia is far more conservative than Pakistan, both religiously and politically, but women achieved groundbreaking progress in September 2011 when Saudi Arabia held its last all male election. Women will cast their first ballots in 2015. But, why did it take this long for the voting franchise to extend to women? The glacial pace of progress results from two crucial factors of Saudi Arabian culture and identity: Islam and oil.

This article concludes with suggestions and projections for Saudi Arabia. What can Saudi Arabia learn from Pakistan, and what will

happen when Saudi Arabian women vote for the first time in 2015? Most likely, it will be difficult for Saudi Arabia to adopt a fast track quota system like Pakistan's. It is also highly improbable that Saudi Arabians would elect a female head of state because this country still clings to the male dominated monarchy. A feminist oriented shift would involve overturning Saudi Arabia's patriarchal roots, as well as interpreting Islam in a less conservative manner. Considering the low probability of a shift like this, substantial progress sits far beyond the precipice for Saudi Arabian women. The voting franchise marks a pivotal step towards political equality, but Saudi Arabia is unlikely to embrace Pakistan's model for female participation. Lastly, the author offers her own perspective on the importance of women's political participation, as well as reasons why every woman in the world should be able to vote and run for office.

## I

### PAKISTAN: THE MODEL FOR WOMEN'S PARTICIPATION IN A MIDDLE EASTERN COUNTRY WITH AN ISLAMIC VALUE SYSTEM

#### *A. The History of Quotas in Pakistan: An Effective Way to Get Women Involved and into Office*

Women have voted and held office in Pakistan since its establishment as an independent state in 1947. Pakistan currently uses a fast track quota model to integrate women into the political process.<sup>1</sup> By focusing on equality of results, fast track quotas function to compensate women for structural barriers. This model forces political parties to actively recruit women.<sup>2</sup> Dahlerup and Freidenvall, two political science professors at University of Stockholm, compare two different quota systems. In contrast to incremental quotas that involve a slower approach, the fast track model "represents the impatience of today's feminists, who are not willing to wait seventy to eighty years to achieve their goals."<sup>3</sup> Although the incremental approach was once favored, as employed by various countries in Scandinavia, the fast track approach quickly accomplishes effective

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<sup>1</sup> Khaled A. Beydoun, *Fast Tracking Women into Parliamentary Seats in the Arab World*, 17 SW. J. INT'L LAW 63, 75 (2011).

<sup>2</sup> Drude Dahlerup & Lenita Freidenvall, *Quotas as a 'Fast Track' to Equal Representation for Women: Why Scandinavia is No Longer the Model*, 7 INT'L FEMINIST J. POL. 26, 29 (2005).

<sup>3</sup> *Id.* at 30.

results for women.<sup>4</sup> Four Arab states utilize incremental quotas: Djibouti, Jordan, Morocco, and Sudan, but no Arab states utilize fast track quotas.<sup>5</sup> While Pakistan may not fall under the definition of an Arab state, it shares many of the sociopolitical and cultural obstacles that prevent female empowerment in Arab states, in particular a high female illiteracy rate.<sup>6</sup> Therefore, countries like Saudi Arabia can look to Pakistan for a successful strategy to place women in political office.

The tradition of reserved seats in Pakistan began in 1935 when it was still part of India, then a British colony. The Government of India Act, enacted by the British government, apportioned seats for women in the Council of State and the Federal Assembly. In the 1930s, women with strong property qualifications could vote in provincial elections. Six seats were reserved for women in the Council of State; the provincial legislatures of Madras, Bengal, Bombay, the United Provinces, Punjab, and Bihar selected each seat. Nine seats were reserved for women in the Federal Assembly. The electoral college, made up of the female members of each aforementioned provincial legislature, chose each seat. In addition to the election of women into the provincial and national assemblies, politically active Muslim women revived the Muslim League and mobilized voters during the 1930s and the 1940s. This tradition of female involvement in the political process carried over into the following decades.<sup>7</sup>

When Pakistan gained independence from Britain in 1947, the new country retained the reservation system for women. Pakistan also kept a British-style democratic government with a legislature, and the prime minister serves in the executive branch. The Parliament of Pakistan, known as the Majilis-e-Shoora, is a bicameral federal legislature with an upper and lower house. As a new nation, the Pakistani government drafted a constitution that reserved two seats for women in the Constituent Assembly, and the Third Amendment reserved a total of nine seats in the four provincial assemblies. Mohammad Ali Jinnah founded Pakistan and led the Muslim League. He emphasized the importance of women's participation and saw quotas as an essential condition for women's progress. However, the number of seats set aside for women represented less than three

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<sup>4</sup> *Id.* at 27.

<sup>5</sup> Beydoun, *supra* note 1, at 72–73.

<sup>6</sup> *Id.*

<sup>7</sup> MONA LENA KROOK, QUOTAS FOR WOMEN IN POLITICS GENDER AND CANDIDATE SELECTION REFORM WORLDWIDE 59–60 (2009).

percent of all members of the Constituent Assembly.<sup>8</sup> Despite their small percentage, Pakistani women were present in politics from the very beginning. Jinnah's inclusive political philosophy laid the groundwork for women's future participation. Consistent with British tradition, Pakistan held its first provincial elections under the guidelines of the 1935 Government of India Act, but activist women remained unsatisfied.<sup>9</sup>

By 1948, Pakistani women demanded more reserved seats. The All Pakistan Women's Association (APWA) formed after thousands of women, calling for more seats, marched to the assembly chambers in Lahore. Pakistani women achieved results by immediately threatening conservative Muslim religious groups that wanted to restrict women's political activity. In 1953, when religious groups advised that women should be excluded from the political process, the APWA responded by insisting that ten percent of all seats be reserved for women in both the national and provincial assemblies for at least ten years. Mona Lee Krook, an expert on women in politics at Columbia University, wrote: "[C]ritics argued that many of these rights had not even been granted in the West, while supporters pointed out that women constituted 50 percent of the voting population and thus could not be ignored."<sup>10</sup> The APWA suffered defeat in 1955 when the governor general dissolved the assembly, ordered no elections, and reserved no seats for women.<sup>11</sup> Between the 1950s and the early 2000s, the amount of reserved seats for women fluctuated, but women and advocates continued their fight. Prime Minister Benazir Bhutto improved the status for women in the political process, but these improvements were reversed upon her defeat in office.<sup>12</sup>

After Pervez Musharraf violently rose up as the head of state in Pakistan, this time as president and not a prime minister, he implemented the current system for reserved seats in 2002. Pakistan set aside sixty seats for women parliamentarians; accounting for roughly twenty-two percent in the first election after Pakistan began using the fast track quota model. These sixty seats are filled through proportional representation, based on the number of popular votes received by political parties in the national elections. At the municipal

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<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* at 61.

<sup>11</sup> *Id.* at 62.

<sup>12</sup> *Id.* at 63–74.

government level, Pakistan reserves thirty-three percent of the seats for women.<sup>13</sup> This policy extended to other political bodies, and it accompanied a dramatic increase in the number of women elected to non-reserved seats.<sup>14</sup> In the first round of municipal elections in 2002, 2,621 women competed for 1,867 reserved seats. The women who won were largely illiterate, so NGOs held workshops to help the newly elected female politicians. In the national elections, more women ran than ever before; 281 women ran for the 60 reserved seats in the National Assembly, and 878 women ran for the 188 seats in the Provincial Assembly. Women also won thirteen unreserved seats in the National Assembly and eleven unreserved seats in the Provincial Assembly. Women gained more seats with two influential regulations: politicians had to be university educated and could not be criminals. These regulations required some male politicians to step down in favor of better-educated and more qualified women.<sup>15</sup>

Even with this success, reserved seats are not a panacea for female involvement in the political process. Quotas do not remove all barriers for women. Despite the reservation system, women still face substantial obstacles: the double burden (working both outside and inside the home), the gender imbalance of campaign financing, sexist attitudes women meet when working as elected politicians, and quotas may even help stigmatize female politicians as a group that needs extra help just to get elected.<sup>16</sup> Bushra Gohar, a female parliamentarian in Pakistan, criticizes the quota system while also recognizing its effectiveness.<sup>17</sup> Even with quotas, women are usually appointed to positions in social welfare and not typically in the traditionally masculine departments like finance and defense. Gohar comments on the twenty percent mandate by stating that “quotas [are not] a privilege for women. We should work toward building a society that recognizes people on their merit, regardless of their gender. To achieve that goal we need to give women equal opportunities.”<sup>18</sup> Despite what critics like Gohar see as shortcomings

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<sup>13</sup> SOCORRO L. REYES, QUOTAS IN PAKISTAN: A CASE STUDY, INT’L INST. FOR DEMOCRACY AND ELECTORAL ASSISTANCE, 2 (2002), [http://www.quotaproject.org/CS/CS\\_Pakistan.pdf](http://www.quotaproject.org/CS/CS_Pakistan.pdf).

<sup>14</sup> KROOK, *supra* note 7, at 76.

<sup>15</sup> *Id.* at 78–79.

<sup>16</sup> Dahlerup & Freidenvall, *supra* note 2, at 42.

<sup>17</sup> Farangis Najibullah & Farkhanda Wazir, *Politics as Unusual for a Pakistani Woman Amid the Taliban*, RADIO FREE EUROPE RADIO LIBERTY (Oct. 3, 2011), [http://www.rferl.org/content/pakistan\\_politicas\\_as\\_unusual\\_for\\_a\\_woman\\_amid\\_the\\_taliban/24347792.html](http://www.rferl.org/content/pakistan_politicas_as_unusual_for_a_woman_amid_the_taliban/24347792.html).

<sup>18</sup> *Id.*

of the quota system in Pakistan, it brings women to the decision-making table. Although Pakistani women rise to parliament through a mandate, the end result is that women are in parliament. Especially for a country like Saudi Arabia, implementing Pakistan's model could be necessary to increase women's political participation in the Arab world.

### ***B. Benazir Bhutto: A Woman's Success in Politics***

The life and achievements of Benazir Bhutto are perhaps the most unique aspect of Pakistan's political history. When comparing Pakistan to Saudi Arabia, Bhutto's career is the one triumph that Saudi Arabia could never replicate. In 1988, the Pakistani people elected Bhutto as the first female prime minister of a Muslim state.<sup>19</sup> Bhutto served twice as prime minister: from 1988 to 1990, and from 1993 to 1996. She was assassinated at a political rally in 2007.

Although much of Bhutto's tenure was riddled with rumors of corruption, her administration advanced women's rights. In particular, she encouraged women's access to lobbyists and politics. Paisley Dodds, the Associated Press' London bureau chief, wrote that Bhutto's rise must be understood "within the prism of South Asia, a region that has had more female leaders than any other part of the world. There's been Indira Gandhi in India; Sirimavo Bandaranaike and her daughter, Chandrika Kumaratunga, in Sri Lanka; Sheikh Hasina and Khaleda Zia in Bangladesh, and, of course, Bhutto."<sup>20</sup> During her time in office, Bhutto gave women's rights a central role in her agenda. She freed all female prisoners from Pakistan's jails, she requested that the government make a list of all laws that discriminate against women, and she changed the way that women were portrayed in the media.<sup>21</sup>

However, Bhutto did not accidentally rise to power. Like most Pakistani politicians, both male and female, Bhutto belonged to a political dynasty. Her father was a former prime minister as well as the founder of the Pakistan People's Party. Even with this advantage, Bhutto still faced challenges. After the election in 1988, there was an

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<sup>19</sup> Anita M. Weiss, *The Consequences of State Policies for Women in Pakistan*, in *THE POLITICS OF SOCIAL TRANSFORMATION IN AFGHANISTAN, IRAN, AND PAKISTAN* 412–44, 412 (Myron Weiner & Ali Banuazizi eds., 1994).

<sup>20</sup> Paisley Dodds, *Bhutto's Mixed Legacy for Women's Rights*, CBSNEWS (Feb. 11, 2009, 3:39 PM), <http://www.cbsnews.com/stories/2008/01/03/world/main3669380.shtml>.

<sup>21</sup> Weiss, *supra* note 19, at 439.

initial disagreement about whether Islamic Shari'ah law allowed women to serve as prime minister. This disagreement halted when a religious pronouncement stated that a "prime minister is not the emir, or the head of the state (i.e., president), who must be a man, but is rather the head of a political party."<sup>22</sup>

When women with the connections like Bhutto face obstacles, the possibilities definitely look grim for unconnected women attempting to enter into the political world. In her book, Bhutto speculated on the challenges facing women breaking into this arena. Shortly before her death, Bhutto wrote that "[l]ike most women in politics, I am especially sensitive to maintaining my composure, to never showing my feelings. A display of emotion by a woman in politics or government can be misconstrued as a manifestation of weakness, reinforcing stereotypes and caricatures."<sup>23</sup> Bhutto serves as an icon of what a Muslim woman can accomplish by working within a system of patriarchy. Bhutto, aware of the stereotypes, overcame the immense odds when she became prime minister. Although her life ended in tragedy, Bhutto paved the way for female politicians to follow. While women in Saudi Arabia have yet to hold a single political office, any politician, male or female, could enact Bhutto's agenda for empowering women.

### *C. Women in Pakistan Face a Variety of Obstacles*

Pakistan may be relatively progressive when compared to Saudi Arabia, but Pakistani women confront their own challenges. Some religious scholars believe that the election of women to legislative bodies is against the spirit of Islam, and that the free mixing of men and women could lead to social disorder.<sup>24</sup> In addition, the Taliban's influence places female politicians in danger, especially in Western Pakistan. The Taliban specifically targets women. Pakistan's female politicians, like Parliament Member Gohar, frequently receive death threats. Gohar states that she has "no intention of leaving politics because of the death threats . . . . We all die one day, with or without the Taliban attacking us."<sup>25</sup> Despite these threats, women remain interested and motivated by politics in Pakistan.

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<sup>22</sup> *Id.*

<sup>23</sup> BENAZIR BHUTTO, RECONCILIATION: ISLAM, DEMOCRACY, AND THE WEST 1 (2008).

<sup>24</sup> KROOK, *supra* note 7, at 61.

<sup>25</sup> Najibullah & Wazir, *supra* note 17.



In addition to these violent threats, massive female illiteracy and a strict patriarchal regime stall progress for women in Pakistan.<sup>26</sup> In 2011, when compared to men, women in Pakistan had only a fifty-nine percent literacy rate.<sup>27</sup> Even with progressive legislation and programs, extenuating circumstances maintain the male dominance in politics. Although women have been able to vote in Pakistan since 1947, Amber Rose Maltbie, a political law associate at a California law firm, wrote about what impacts women's attempt to vote. Maltbie speculates that "persistent patriarchal norms, in conjunction with violent threats by religious militants, keep women home on Election Day . . . . [T]he women-only polling stations in Pakistan offer a disservice to women."<sup>28</sup> In 2002, social and religious groups intimidated women into staying home and staying off the ballot. In some regions, religious leaders threatened a social boycott on the families of women who ran for reserved seats. This would result in losing access to water and grazing grounds for cattle. Conservative Muslims persuaded judges to invalidate female candidacies, and some groups asked for the destruction of the house of female voters. In the most extreme cases, women running for office were beaten and even killed by their husbands.<sup>29</sup> In 2008, women had roughly an eight percent turnout.<sup>30</sup> Quotas and role models are not enough to obtain an even gender split at the polls and on the ballot. Legislation encouraging female participation faces an uphill battle when illiteracy and patriarchy stand in the way. But Pakistan's form of patriarchy is far less severe than Saudi Arabia's.

## II

### SAUDI ARABIA: PATRIARCHY, A FUNDAMENTALIST INTERPRETATION OF ISLAM, OIL, AND A REJECTION OF PROGRESS

#### *A. The Saudi Arabian History of Patriarchy Stalled Progress for Women*

Compared to Pakistan, Saudi Arabia's more traditionalist ideologies create a culture that rejects gender equality in the political

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<sup>26</sup> Dahlerup & Freidenvall, *supra* note 2, at 34.

<sup>27</sup> Unicef, *Pakistan Statistics*, UNICEF, [http://www.unicef.org/infobycountry/pakistan\\_pakistan\\_statistics.html](http://www.unicef.org/infobycountry/pakistan_pakistan_statistics.html).

<sup>28</sup> Amber Rose Maltbie, *When the Veil and the Vote Collide: Enhancing Muslim Women's Rights Through Electoral Reform*, 41 MCGEORGE L. REV. 967, 989 (2010).

<sup>29</sup> KROOK, *supra* note 7, at 78.

<sup>30</sup> Maltbie, *supra* note 28, at 989.

arena, and Saudi Arabia's archaic legislation reflects this subjugation. While a law student at Rutgers, Purva Desphande wrote about how it is well accepted that "[O]f all the other Middle Eastern countries, Saudi Arabia has always been the most conservative. The women in this country have been the most guarded. The law has always been the most severe and has placed the most limits upon women."<sup>31</sup> But how long is "always?" The history of the Saudi Arabian monarchy stands in stark contrast to the history of democracy and quotas in Pakistan.

In 1902, Abd al-Aziz bin Abd al-Rahman Al Saud captured Riyadh and launched a thirty-year mission to unify the Arabian Peninsula. Abd al-Aziz named Saudi Arabia as the Arab capital and instated the rules that continue to govern the country today. Saudi Arabia's Basic Law states that the throne shall remain in the hands of sons from Abd al-Aziz's lineage, and this law has been upheld since the country's establishment. The monarch functions as both the chief of state and head of the government, and the royal family appoints members to the cabinet known as the Council of Members. The Saudi Arabian Constitution does not allow for democracy or a bicameral legislature like in Pakistan, instead the Saudi state is governed by a monarch according to Islamic law known as Shari'a.<sup>32</sup>

The Saudi Arabian monarchy exerts excessive control over its citizens, but not without protest. Political dissent began in Saudi Arabia in the 1950s, and by the 1990s the demonstrations became increasingly violent.<sup>33</sup> Religious scholars and intellectuals called for radical reforms. Eventually new methods of activism emerged, and this led to the "al-Qaeda in the Arabian Peninsula's" terror campaign, which launched domestic attacks from 2003 until 2006. Despite the violence, some peaceful reformists continued submitting petitions and manifestos for a constitutional shift. The Saudi Arabian government paid little notice to the political protests and made few modifications, even through most of the 2011 Arab Spring.<sup>34</sup> Relative progress only recently arrived in Saudi Arabia.

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<sup>31</sup> Purva Desphande, *The Role of Women in Two Islamic Fundamentalist Countries: Afghanistan and Saudi Arabia*, 22 WOMEN'S RTS. L. REP. 193, 193-94 (2001).

<sup>32</sup> CENTRAL INTELLIGENCE AGENCY, CIA: THE WORLD FACTBOOK: SAUDI ARABIA (2006).

<sup>33</sup> Stéphane Lacroix, *Comparing the Arab Revolts: Is Saudi Arabia Immune?*, 22 J. DEMOCRACY 48, 49 (2011).

<sup>34</sup> *See id.*

***B. After a Decade of Improvements, Saudi Arabian Women Will Vote for the First Time in 2015***

Considering the conservative history, it is no surprise that Saudi Arabia was one of the last Middle Eastern countries to grant the voting franchise to women. In September 2011, Saudi Arabia held its last all-male election as King Abdullah, the Saudi Arabian monarch and Abd al-Aziz descendant, granted women the right to vote and run in future elections. The next election cycle takes place in 2015. Neil MacFarquhar, writing for the *New York Times*, reported that “[d]espite the snail’s pace of change, women on Sunday [September 25, 2011] were optimistic that the right to vote and run would give them leverage to change the measures, big and small, that hem them in.”<sup>35</sup> King Abdullah, the eighty-seven-year-old monarch addressed a crowd by saying, “We refuse to marginalize the role of women in Saudi society.”<sup>36</sup> This public statement displayed an unprecedented trend toward incorporating women. Abdullah’s actions serve as the high watermark for government policies that benefit women in Saudi Arabia. In the last twenty years, traditional Middle Eastern monarchs began to endow more democratic rights, and Saudi Arabia finally followed along with the rest of the region.

Saudi Arabia’s decade of change began in 2001 when the government issued the first identification cards to women. By 2004, local elections were held for the first time in forty years. For many in Saudi Arabia, this public vote represented a fundamental and historic transition from a time when even the word “election” was once taboo. For years, people in Saudi Arabia could not hold public debates or gatherings, but this time the government introduced irreversible empowerment.<sup>37</sup> Despite this development, election officials relied on an ambiguous administrative law to prevent women from voting—the government was apparently worried that there would not be enough women to run the women’s only polling stations, and only a fraction of women possessed the identification card required for voting.<sup>38</sup> Like in Pakistan, segregated polling stations represent one of many

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<sup>35</sup> Neil MacFarquhar, *Saudi Monarch Grants Women Right to Vote*, N.Y. TIMES (Sept. 25, 2011), <http://www.nytimes.com/2011/09/26/world/middleeast/women-to-vote-in-saudi-arabia-king-says.html?pagewanted=all>.

<sup>36</sup> *Id.*

<sup>37</sup> *See id.*

<sup>38</sup> Maltbie, *supra* note 28, at 983–84.

obstacles that restrict or prevent women from voting, but the shift to incorporate women into Saudi Arabian politics was just beginning.

In February 2005, the inaugural Saudi Arabian nationwide election highlighted a change in government policies. Samia Nakhoul, writing for the *Daily News* from Beirut Lebanon, opined about the significance of this election. He observed as the world watched and speculated that these first ballots would “ease the grip of an absolute monarchy that [had] only reluctantly started to contemplate sharing a little power with its subjects—or at least those among them who are male.”<sup>39</sup> Male adults elected half of the council seats while women and people younger than twenty-one were excluded from the process. The monarchy appointed the other half of the council seats. Ironically, male candidates sought the help of women for campaigning. Candidates asked women to lobby their husbands and brothers for votes.<sup>40</sup> The monarchy recognized that women savored their first taste of politics, and women wanted more.

King Abdullah commenced his progressive trend with the Saudi Arabia 2005-2009 Development Plan.<sup>41</sup> King Abdullah’s reign marked significant reform efforts focused on education and the status of women, but unfortunately the results of such efforts are precarious at best.<sup>42</sup> As part of the Development Plan, King Abdullah named the promotion of women in society as one of his priorities.<sup>43</sup> After the first nationwide election, change began creeping into Saudi Arabian society.<sup>44</sup> Seven months later, Saudi businesswomen in Jeddah started campaigning for election to a local trade and industry chamber.<sup>45</sup> This was the first vote of its kind for women.<sup>46</sup> In November 2005, seventy-one total candidates ran for office in the Chamber of Jeddah, and seventeen were women.<sup>47</sup> King Abdullah continued his overhaul

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<sup>39</sup> Samia Nakhoul, *Analysis: Saudi Municipal Vote Signals Some Change*, DAILY NEWS (Feb 10, 2005), [http://www.dailytimes.com.pk/default.asp?page=story\\_10-2-2005\\_pg4\\_5](http://www.dailytimes.com.pk/default.asp?page=story_10-2-2005_pg4_5).

<sup>40</sup> *Id.*

<sup>41</sup> Souhail Karam, *Women Run for First Time in Saudi Polls*, DAILY TIMES (Nov. 27, 2005), [http://www.dailytimes.com.pk/default.asp?page=2005\11\27\story\\_27-11-2005\\_pg7\\_45](http://www.dailytimes.com.pk/default.asp?page=2005\11\27\story_27-11-2005_pg7_45).

<sup>42</sup> Roel Meijer, *Reform in Saudi Arabia: The Gender Segregation Debate*, 27 MIDDLE EAST POLICY 80, 80 (2010).

<sup>43</sup> Karam, *supra* note 41.

<sup>44</sup> *See id.*

<sup>45</sup> *See id.*

<sup>46</sup> Souhail Karam, *Saudi Women to Get First Taste of Polls*, RED ORBIT (Sept. 15, 2005), [http://www.redorbit.com/news/international/240552/saudi\\_women\\_to\\_get\\_first\\_taste\\_of\\_polls/](http://www.redorbit.com/news/international/240552/saudi_women_to_get_first_taste_of_polls/).

<sup>47</sup> Karam, *supra* note 41.

of inequality by opening the King Abdullah University of Science and Technology (KAUST) in September 2009. He also made two new appointments, a minister of education and a minister of justice, and the West applauded these actions.<sup>48</sup>

King Abdullah's reform measures, highlighted by the 2005 election, signaled a pivotal step towards the 2011 decree allowing women to vote and hold office. But why 2011, and why did it take this long? In order to understand this slow transition to the female voting franchise, one must also understand two vital aspects of Saudi Arabian society: Islam and oil.

### *C. Saudi Arabia as the "Birthplace" of Islam*

Saudi Arabia interprets Islam in a strictly fundamentalist manner. This fundamentalist interpretation, deriving from Saudi Arabia's title as the "birthplace of Islam," prevents women from obtaining any substantive political rights. As a result, progress sluggishly arrives in Saudi Arabia. Unlike in Pakistan, where Islamic values influence the law, Islam is actually codified into law in Saudi Arabia. As the Arab world's lone formal theocracy, Saudi Arabian religion remains greatly intertwined with government.<sup>49</sup> The Quran is not a misogynistic text on its face, but the Saudi Arabian government interprets the Quran in a way that severely limits the rights of women.<sup>50</sup> Saudi Arabia's attempt to paint itself as the epicenter of Islam demands an appearance of religious fervency and conservatism. Government leaders therefore use the Quran to reinforce Arab customs and traditions. Saudi Arabia exemplifies an extreme method of using Islam to govern. Because of its position as the birthplace of Islam, Saudi Arabia clings to archaic Islamic values, and this limits the possibility of substantial reform.<sup>51</sup> If Saudi Arabia continues to label itself as *the* traditional Muslim country, then it is unlikely to advance beyond patriarchy. Female integration into the political process is therefore less probable in Saudi Arabia than in the rest of the Middle East.

In particular, Saudi Arabia is founded upon the most traditional and conservative form of Islam known as Wahhabism. Kahled Beydoun,

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<sup>48</sup> Meijer, *supra* note 42, at 81–82.

<sup>49</sup> Beydoun, *supra* note 1, at 75.

<sup>50</sup> *Id.* at 81.

<sup>51</sup> Hossein Esmaeili, *On a Slow Boat Towards the Rule of Law: The Nature of Law in the Saudi Arabian Legal System*, 26 ARIZ. J. INT'L & COMP. L. 1, 9 (2009).

an Egyptian-American who protested in Cairo during the 2011 Arab Spring, wrote about hyper-patriarchy in Saudi Arabia. He describes Wahhabism as a “textual interpretation hallmarked by its intolerance for other Islamic traditions and modernity,”<sup>52</sup> including women’s rights. Wahhabism preaches that women have no place in the public sphere, particularly in politics. This religious interpretation poses one of the most significant obstacles for women who wish to enter the political arena in Saudi Arabia. Beydoun wrote: “[t]o say that *Wahhabism* is the ‘established or entangled’ sect in Saudi Arabia is a severe understatement. Rather, it is the prism by which law and policy is shaped and ratified; a prism that thoroughly perceives the political participation of women as unholy and wholly abhorrent.”<sup>53</sup> Wahhabism functions as the most important and the most anti-progressive aspect of the Saudi Arabian legal and political system.<sup>54</sup> This strict version of Islam determines the oppressive laws that limit the freedom of all Saudi Arabian people, especially women.

Wahhabism informs the Saudi Arabian laws that prohibit women from driving, traveling without male guardians, or going out in public.<sup>55</sup> The driving laws highlight Saudi Arabian hyper-patriarchy. Saudi Arabia is the only country in the world that bans women, both Saudi and foreign, from driving. Although there are no written laws prohibiting women from driving, the policy is rooted in conservative Islamic tradition.<sup>56</sup> Religious scholars suggest that the dangers associated with women drivers are “incompatible with Islamic values about protecting women.”<sup>57</sup> This belief is also portrayed in the Saudi media that idolizes mothers who stay at home and serve in a domestic capacity. In the 1990s, the Saudi government produced a television show set to a choir of singing children who sang, “I am a Saudi woman, and I don’t drive a car.”<sup>58</sup> A woman may only drive if she has a proven need to drive. Specially designated, professional women, like physicians and teachers, are allowed to drive if they are older than thirty-five. However, no woman is allowed to drive after dark.<sup>59</sup>

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<sup>52</sup> Beydoun, *supra* note 1, at 81.

<sup>53</sup> *Id.* at 82.

<sup>54</sup> Esmaili, *supra* note 51, at 15.

<sup>55</sup> Maltbie, *supra* note 28, at 968.

<sup>56</sup> Associated Press, *Saudi Woman Sentenced to Ten Lashes for Driving Car*, THE TIMES OF INDIA (Sept. 28, 2011), <http://timesofindia.indiatimes.com/world/middle-east/Saudi-woman-sentenced-to-10-lashes-for-driving-car/articleshow/10155100.cms>.

<sup>57</sup> ELEANOR ABDELLA DOUMATO, GETTING GOD’S EAR 221, 221 (2000).

<sup>58</sup> SEAN FOLEY, THE ARAB GULF STATES BEYOND OIL AND ISLAM 189 (2010).

<sup>59</sup> DOUMATO, *supra* note 57.

The driving laws are just one example of legislation that limit a woman's freedom. These policies represent a larger framework that restricts women's rights under the guise of protection.

In the early 2000s, more and more women began standing up to the Saudi Arabian government. Wajeha al-Huwaider is a Saudi Arabian born feminist who wrote her own column in three local newspapers in 2002. However, her column only lasted until 2003 when the Ministry of Information told the newspaper editors to stop carrying her articles.<sup>60</sup> She then began writing on the internet, and by 2006 she protested in the King Fahd Causeway with a sign that read "Give women their rights." Al-Huwaider was arrested twenty minutes into her demonstration. The Guardianship Law mandated that she could only be released into the custody of her guardian, her brother. One week later, she was arrested and banned from traveling because she tried to organize other women to demonstrate. In 2007, Al-Huwaider launched the campaign to lift the ban on women's driving, and she soon received attention from the world. She wrote: "I had always been surprised by how passive Saudi women were. I used to wonder why they accepted being humiliated and treated as subhumans. Later, I discovered the reason was their own fear. However, during the last two years, women have started to show more courage."<sup>61</sup>

This courage became visible in June 2011 when women's rights activists began driving by the dozens. As a sign of protest and necessity, women started a campaign in hopes to reform the conservative laws. In September 2011, two days after King Abdullah decreed that women would be able to vote in 2015, the Saudi Arabian government sentenced a woman to ten whip lashes for defying the kingdom's prohibition on female drivers. This marked the first time that Saudi Arabia prescribed a legal punishment for breaking the driving ban.<sup>62</sup> This severe reprimand sent a wave of mixed signals throughout Saudi Arabia as people questioned Abdullah's promises of reformation.<sup>63</sup> Even though Abdullah promoted women's rights, lower government officials continued to govern as if their King never endorsed women's suffrage, and this is consistent with the Wahhabi tradition.

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<sup>60</sup> Wajeha al-Huwaider, *As a Feminist, I'm on the Front Line*, THE PROGRESSIVE, Dec. 2011/Jan. 2012, at 27.

<sup>61</sup> *Id.* at 28.

<sup>62</sup> Associated Press, *supra* note 56.

<sup>63</sup> *Id.*

The Wahhabi ideology treats women as a separate and inferior category when compared to men; women are emotionally and intellectually weaker. Eleanor Abdella Doumato, a scholar and professor about topics in the Middle East, wrote: “The pejoration of women’s capabilities . . . and affirmation of their dependence on men . . . have been overtly stated . . . under the Wahhabis in the context not of side issues but of matters of defining importance in the Wahhabi worldview, and they have been confirmed with the authority of the scripture.”<sup>64</sup> Ever since King Ibn Saud created the modern state of Saudi Arabia in the 1930s, Wahhabism legitimizes Saudi Arabian policies, and Saudi Arabia in turn defines Islamic law.<sup>65</sup> This circular pattern of religious interpretation and legislative creation exists at the peril of women’s rights. Progress is rejected in favor of patriarchal tradition.

However, there is more than one way to interpret the Quran. Unlike in Saudi Arabia, a far less conservative and more accepting form of Islam influences the democratic government in Pakistan. In her book, Bhutto wrote: “the tradition of Islam has allowed me to battle for political and human rights . . . Islam denounces inequality as the greatest form of injustice. It enjoins its followers to combat oppression and tyranny . . . [I]t shuns race, color, and gender as the basis of distinctions within society.”<sup>66</sup> Saudi Arabia needs to adopt the model of Islamic interpretation expressed by Bhutto if it ever intends to replicate Pakistan’s system that provides political opportunities for women. The Quran can be read to endorse equality or inequality, segregation or integration, justice or injustice. Pakistan’s government chooses one modality of argument while Saudi Arabia’s government chooses another.

#### ***D. Saudi Arabia’s Oil-Driven Economy Influences Government Policy that Restricts Women’s Rights***

Pakistan and Saudi Arabia share geographic and religious similarities, but their economies are drastically different. While Pakistan is more diversified in terms of imports and exports, oil drives Saudi Arabia’s entire economy. The following facts demonstrate the role of oil in the Saudi Arabian economy:

- Saudi Arabia possesses 25% of the world’s proven petroleum reserves;

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<sup>64</sup> DOUMATO, *supra* note 57, at 225.

<sup>65</sup> *Id.* at 231.

<sup>66</sup> BHUTTO, *supra* note 23, at 17–18.



- Saudi Arabia ranks as the world's largest exporter of petroleum;
- The petroleum sector accounts for roughly 75% of Saudi Arabia's budget revenues, 45% of the Gross Domestic Product, and 90% of its export earnings;
- Roughly 5.5 million foreign workers play an important role in the Saudi economy, for example, in the oil and service sectors.<sup>67</sup>

Oil's importance is traceable to two crucial events. First, in 1912, the British Admiralty decided to transform its fleet of steam turbine engines from coal to oil, thus making "oil the most prized strategic commodity in the world."<sup>68</sup> Second, in 1932, the Bahrain Petroleum Company (BAPCO) discovered petroleum in commercial quantities on the Arabian side of the Gulf.<sup>69</sup> This discovery, coupled with the new demand, transformed the power dynamics by concentrating wealth in the hands of the Saudi Arabian monarchy.<sup>70</sup> Armed with a rapid influx of money from its oil exports, the Saudi Arabian government built religious schools and mosques to spread the Wahhabi ideals.<sup>71</sup> Consequently, oil is largely responsible for the dominating subjugation that pervades Saudi Arabian culture and crushes the freedom of women.

Oil placed Saudi Arabia on the map as a global powerhouse, and this forced oil-dependent countries to cater to and support conservative Saudi Arabian ideology. In particular, the United States and Europe have a financial interest in maintaining an oppressive state for women in Saudi Arabia in order to keep an efficient oil economy—women stay at home, men work, and nobody is educated or literate enough to challenge the system. From a policy standpoint, it may be better for the United States and Europe when women have reduced economic and political opportunity.<sup>72</sup> Michael Ross, a political science professor at University of California Los Angeles, noted why oil rich states have atypically strong patriarchal economic structures: "when fewer women work outside the home, they are less likely to exchange information and overcome collective action problems; less likely to mobilize politically, and to lobby for expanded rights; and less likely to gain representation in

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<sup>67</sup> CENTRAL INTELLIGENCE AGENCY, *supra* note 32.

<sup>68</sup> FOLEY, *supra* note 58, at 19.

<sup>69</sup> *Id.*

<sup>70</sup> *Id.* at 20.

<sup>71</sup> Al-Huwaider, *supra* note 60, at 28.

<sup>72</sup> See Michael L. Ross, *Oil, Islam, and Women*, 102 AM. POL. SCI. L. REV. 107, 107 (2008).

government.”<sup>73</sup> Oil restructured Saudi Arabia’s economy by taking women out of the work force, and this also delayed women’s political progress. Saudi Arabia became even more conservative in order to shut out the Western influence that accompanied the millions of foreign workers necessary to expand its oil production. This patriarchal revival of traditional ideas transformed the position of women for the worse.<sup>74</sup> The influence of this oil-rich economy impacts the very essence of the Saudi Arabian lifestyle, and women suffer the most.

With the discovery of oil in 1932, the Saudi Arabian monarchy attempted to create a new kingdom. King Ibn Saud merged the oil-rich states located on the Arabian Peninsula and issued a decree formally establishing Saudi Arabia. This led to the strength of the Saudi Arabian monarchy.<sup>75</sup> And throughout the region, the Arab Gulf governments expanded their power because of a unique mix of adherence to traditional values while also using new technologies and streams of revenue to reinforce the archaic monarchical structure.<sup>76</sup> Especially after the 1979 Iranian revolution, the Arab Gulf states implemented conservative Islamic policies to assure their national public that they could offer stability.<sup>77</sup> The Islamic revival continued into the 1990s.<sup>78</sup>

In order to maintain tradition and sustain the oil rich economy, Saudi Arabia adopted Wahhabism. However, this sect of Islam was not part of Saudi Arabia’s original tradition; it was actually not enacted into legislation until the 1930s—almost 30 years after Abd al-Aziz bin Abd al-Rahman Al Saud launched his mission to unite the Arabian peninsula. The Saudi Government used rhetoric and propaganda to create the façade that Wahhabism played a central role in the history of Saudi Arabia. Therefore, the Saudi Arabian monarchy made it appear that restricting women was the way it had always been, and the way it would always be; in actuality, this was not the case. The dress code of long white garments for both men and women, as well as the rejection of female religious expression, was all part of the plan to counter the Western influence:

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<sup>73</sup> *Id.*

<sup>74</sup> FOLEY, *supra* note 58, at 174.

<sup>75</sup> *See id.* at 22.

<sup>76</sup> *Id.* at 57.

<sup>77</sup> *Id.* at 56.

<sup>78</sup> Meijer, *supra* note 42, at 81–82.

Saudi Arabia was acutely aware of these various threats to orthodoxy and acted to counter them vigorously. At the heart of the Saudi Program was a vision of a society that was technologically advanced but that rigidly upheld conservative Islamic values. This vision was without precedent in either Saudi history in particular or in Islamic tradition in general. A critical benchmark for the success of this new society was the absence of women in public settings. Banning women from public places allowed the government to provide tangible proof that it was addressing the concerns of many conservative Saudis.<sup>79</sup>

While most scholars point to Wahhabism as the reason why women lack political rights in Saudi Arabia, some scholars point to oil. Michael Ross highlighted this theory when he wrote that “[w]omen have made less progress toward gender equality in the Middle East than in any other region . . . . I suggest that oil, not Islam is at fault . . . . Oil production reduces the number of women in the labor force, which in turn reduces their political influence.”<sup>80</sup> Ross believes that petro-dollars counteract progress and empower sympathy for Wahhabi hyper-patriarchy. This belief is supported by statistics that display how women suffer when oil production expands. Ross states that “[i]n general, the States that are richest in oil (Saudi Arabia, Qatar, United Arab Emirates, and Oman) . . . have been the most reluctant to grant female suffrage, have the fewest women in their parliaments, and have the lowest scores on the gender rights index.”<sup>81</sup> Ross’ argument is particularly convincing because it explains why Pakistan shares similar geography and religious values, but the women experience greater political freedoms in Pakistan than in Saudi Arabia. Oil and its impact on the economy is the pivotal difference between these two nations, and oil created the need for Saudi Arabia’s more conservative Islamic interpretation.

However, both Saudi Arabia and Pakistan rank low in the 2012 Women’s and Girl’s Rights Index (WGRI). Of the 197 countries studied and ranked from worst to best, Saudi Arabia ranks fifth and Pakistan ranks twentieth.<sup>82</sup> In contrast to Ross’ theory, the low ranking of both countries reveals that the status of women depends on more variables than simply oil.

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<sup>79</sup> FOLEY, *supra* note 58, at 185.

<sup>80</sup> Ross, *supra* note 72, at 107.

<sup>81</sup> *Id.* at 116.

<sup>82</sup> *Global Analysis Mapping Reveals Women and Girls Face ‘extreme risk’ of abuse*, WOMEN NEWS NETWORK (Nov. 17, 2011), <http://womennewsnetwork.net/2011/11/17/global-analysis-mapping-women-girls-abuse/>.

Although the emergence of the oil economy influenced the adoption of Wahhabi values, it is difficult to completely adopt the Ross hypothesis that we should “blame oil not Islam” for women’s lack of rights. Both oil and the conservative interpretation of Islam function at the expense of women’s rights in Saudi Arabia. Oil and Wahhabi Islam simultaneously exist with a symbiotic relationship – the insatiable need for oil keeps Wahhabism alive, and Wahhabism maintains the patriarchal structure that keeps the oil economy thriving. However, one thing is for certain, both oil and Wahhabi values restrict women. Both prevent the progress required for women to formally join the political process. Thus, the main distinction arises between Pakistan and Saudi Arabia. When compared to Saudi Arabia, Pakistan’s interpretation of the Quran leads to a greater vision of equality, and its diversified economy creates more opportunities for women to vote and hold office. An analysis of Saudi Arabia reveals the opposite; women have never voted and have never held office because the religion is more conservative and the economy is less diverse. These two factors create a pejorative and sexist culture.

#### *E. What Can Saudi Arabia Learn from Pakistan?*

Pakistan and Saudi Arabia are distinct in their history. In contrast to Pakistan’s deep roots entrenched in democracy, Saudi Arabians live under an oppressive monarchy that only recently granted elections. Women’s participation in politics, whether voting or holding office, has been commonplace in Pakistan since its founding as an independent state in 1947. In Saudi Arabia, however, the monarchy began with a vision of passing the throne only to sons of the founder, and women were never considered. If Saudi Arabia implements a system like Pakistan’s, then Saudi Arabia would be attempting to reverse thousands of years of history in that region.

Pakistan’s religion and geography make it a realistic model for Saudi Arabia, but also a challenging one. Even if Saudi Arabia expanded upon a woman’s right to vote and run for office, female disenfranchisement extends beyond administrative barriers. As women’s rights grow, traditional Islamic backlash also intensifies.<sup>83</sup> Progressive legislation is only the first step. Dahlerup and Freidenvall speculate: “What is crucial is how elected women use their new political power, what *critical acts* they perform in order to mobilize the resources of the political systems to improve the situation for

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<sup>83</sup> Maltbie, *supra* note 28, at 996.

themselves and for women in society in general.”<sup>84</sup> Women can only take advantage of these policies if cultural norms shift, patriarchy lessens, and a few brave women pave the way for others.

#### **CONCLUSION & FUTURE PROJECTIONS: WHAT HAPPENS NEXT?**

The Saudi Arabian policies that emerged in 2011 display a trend towards bringing women into the political process. However, King Abdullah also sends mixed signals about women's equality by endorsing the punishments against women who attempt to drive.<sup>85</sup> Those who attempt to establish political equality lead a treacherous path because the restrictions on women are largely unchallenged, even by many women activists who work to liberalize their position in society. Suggestions to work within the monarchy are largely unsuccessful because of the systemic acceptance of overt sexism in all aspects of Saudi culture.<sup>86</sup> Instead of working within the current government structure, a more extreme overhaul is necessary to grant women a level playing field in politics. When the polls open to women in Saudi Arabia for the first time in 2015, one can only hope that a strong turnout will effectuate positive change. However, many other obstacles exist, especially considering that women are still prohibited from driving. Thus, progress will have to be a collaborative effort that comes from both women *and* men. Instead of lobbying their husbands and brothers, women need to cast their own ballots and elect leaders who best represent their unique needs.

The Saudi Arabian government could look to Pakistan as a model for both reservations and political role models, but it seems unlikely that a conservative monarchy would take advice from a democracy. While both Pakistan and Saudi Arabia are Islamic countries on the Gulf, the differences seem overwhelmingly distinct, especially when it comes to history, Islamic interpretation, and economic structure. Therefore, it is improbable that Saudi Arabia will be the Pakistan of the Arab world, but the 2015 election holds the promise that change sits on the horizon.

From the author's perspective, one cannot downplay the importance of women's political participation. In the United States, where women achieved suffrage in the 1920s, *all* eligible adults, regardless of race and gender, enjoy the right to vote. The United

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<sup>84</sup> Dahlerup & Freidenvall, *supra* note 2, at 42.

<sup>85</sup> Associated Press, *supra* note 56.

<sup>86</sup> DOUMATO, *supra* note 57, at 229.

States may be an unrealistic goal for Saudi Arabia, but we should hope that the every person in every country could simulate our electoral and participatory freedom. In liberal Oregon it is common to see the bumper sticker that reads: “When women vote, Democrats win.” However, this thesis is far too limited. In actuality, when women vote, everyone wins. As a whole, women represent over half the population; women are our wives, mothers, sisters, aunts, cousins, and friends; women are educated and informed; women offer a distinct perspective; women deserve the right to vote and run for office—even in Saudi Arabia.