



**Mediterranean Programme**  
**10th Mediterranean Research Meeting**

Florence & Montecatini Terme 25-28 March 2009



**Workshop 16**

***Social Rights and Working Women: Examining Labour Laws, International Conventions, and Women's Economic Citizenship in the Mediterranean Region***

**directed by**

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***Workshop abstract***

The era of globalization has seen two parallel but contradictory developments. On the one hand, global economic processes have led to increases in female labour force participation, with an expansion also of global norms and policies calling for attention to human rights and gender equality. On the other hand, these same global economic processes have been accompanied by rising unemployment, a reduction in the capacity of the welfare and developmental state, and the flexibilization of labour. The questions that this workshop addresses are: how do these processes affect the social rights of working women in countries of the Mediterranean region, especially the Middle East and North Africa? Does existing legislation protect or constrain women's economic citizenship? What is the response of civil society, especially women's groups?

This workshop will contribute to the ongoing conceptualization of rights-based development and of women's rights by focusing on a relatively under-researched dimension of citizenship rights: social rights and economic citizenship. Additionally, the workshop will advance empirical and comparative knowledge of legislative, policy, and activist environments in specific countries of the Mediterranean region.

### *Workshop description*

We propose a workshop that focuses on state policies and legislative frameworks for socio-economic rights, and on women's organized involvement in the definition and implementation of social rights and economic citizenship.

Concepts of social rights and economic citizenship have been elaborated in a number of international conventions as well as in historical and sociological studies. Following historian Alice Kessler-Harris (2001), we define economic citizenship as the right to equal opportunity in employment and income, or (as recommended by the ILO), decent wages for decent work. Social rights, as defined by T.H. Marshall (1964), are part of the panoply of the rights of citizenship, and entail rights to education, vocational training, employment, fair wages, trade unions, collective bargaining, and welfare. These concepts have been elaborated in the International Labor Organization's core labor standards, as well as in the International Covenant on Economic, Social, and Cultural Rights (ICESCR), and the UN's Convention on the Rights of Migrants and their Families. For women, economic citizenship and social rights are also defined in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and especially in the Beijing Platform for Action, as well as in the Charter of Women Workers Rights of the International Confederation of Free Trade Unions (ICFTU).

CEDAW and the Beijing Platform for Action include paragraphs pertaining to the conditions and rights of working women, and these are augmented by ILO conventions on non-discrimination and on maternity protection. Socio-economic rights are usually addressed in national laws, including labour legislation and pertinent social policies. In principle, the combination of international standards and norms and domestic social policies should protect socio-economic rights and guarantee the economic citizenship of working women. However, in many countries, laws and policies regarding working women's social rights are being revised or constrained in various ways, in part due to the spread of neoliberal economic policies and trade agreements. For example, in Algeria, unemployment insurance and anti-discrimination legislation have been introduced, along with laws against sexual harassment in the workplace; but irregular forms of labour, low wages, and the absence of a national policy on paid maternity leave undermine women's socio-economic rights.

Critics of economic globalization have argued that social rights and economic citizenship have been eroded by privatization and trade liberalization. In particular, feminist scholar-activists across the globe have argued that any benefits of increased demand for female labor and entrepreneurship have been offset by deteriorating work conditions and wages, pressures on women-owned businesses, continued gender-based discrimination, and weakly enforced or inadequate labor legislation (CAWTAR 2001, 2006; Moghadam 2005a; WIDE 1998).

In the Middle East and North Africa region, the era of globalization has seen trade liberalization, Islamization, and demands for women's participation and rights emerging in tandem and often in conflict with each other (Moghadam 2005b). As a result, the protection or expansion of women's socio-economic rights confronts at least two barriers: aspects of economic globalization and in particular the growth of precarious employment with little or no social protection; and the persistence of a gender ideology that has rendered women marginal in trade unions, government bodies, and other influential societal organizations. Women's collective action, therefore, has centered on the expansion of women's organizations (feminist networks, businesswomen's associations, various NGOs, and policy centers) that engage in advocacy, lobbying, and coalition-building to enhance women's participation and rights. In many countries, calls for legal and policy reform center on both

family law and labor legislation, and to achieve these goals, women's organizations have built coalitions with trade unions, human rights groups, and government agencies.

The workshop will show how state strategies for integration into the global economy have been affecting women's economic participation and social rights, and how women's collective action for legal equality and socio-economic rights has affected state gender policies and legal frameworks. A discussion of recent reforms of family codes and labor laws (e.g., Algeria, Morocco, Tunisia) will elucidate the contradictory effects of globalization and the complicated relations between states and women's rights activists in the region. The workshop also will examine labour legislation, the implementation of international conventions signed by governments, and women's socio-economic rights. Papers will include a survey of the legislation and policies that exist on socio-economic rights in the countries. We also will ask participants to assess the role of trade unions in the implementation of legislation and policies for women's economic citizenship. Some questions to be addressed are:

How do the various women's organizations define socio-economic participation and rights, and how do they mobilize women around these issues? How do they engage with governments, public policies, and institutions to implement social rights for working women?

What legislation exists that establishes women's social rights, in both the formal and informal sectors? What are the gaps or deficits?

How are trade unions involved in enhancing social rights and women's economic citizenship? What is their relationship with women's rights organizations?

On local governance: is this a more accessible arena for the realization of women's social rights and economic participation? How do women make inroads into local decision-making, and with what impact on socio-economic rights?

What are some examples of strategies and good practices?

We expect most of the papers to be based on qualitative research methods, including a reading of the relevant primary and secondary sources, and a synthesis of existing studies. Quantitative information on women's employment patterns will be gleaned from national and international statistical yearbooks.

Our proposed workshop will contribute to the ongoing conceptualization of rights-based development (ESCWA 2008) and of women's rights by focusing on a relatively under-researched dimension of citizenship rights: social rights and economic citizenship. Additionally, the workshop will advance empirical knowledge of legislative and policy environments, and of activist strategies, in specific countries. Last but not least, the workshop will reflect on the distinction between the legal existence of rights, social awareness of rights, and the realization of these rights.

Both co-organizers have been involved in such efforts. While at UNESCO, Dr. Moghadam directed an international network on "Enhancing women's social rights through trade union leadership." [See [http://portal.unesco.org/shs/en/ev.php-URL\\_ID=8102&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/shs/en/ev.php-URL_ID=8102&URL_DO=DO_TOPIC&URL_SECTION=201.html)]

She also was part of the peer review of the ESCWA 2007-08 Report, which took place in Damascus in December 2007. As director of CAWTAR, Mme. Bouraoui sponsored a seminal study of gender and globalization, and another one on women and liberalization, and oversaw both publications. Recent publications include (with the IFC) *Women Entrepreneurs in: MENA: characteristics, contributions and challenges* (CAWTAR/IFC, 2007), and (in preparation), the *Fifth Arab Women*

*Development Report on Arab Women and Legislation*, which includes a discussion of economic rights. CAWTAR also has launched with MEPI a project on Arab Women and Local Governance, which focuses on women's political participation at the local level in Algeria, Egypt, Jordan, Tunisia and Yemen. (Further details on CAWTAR's records in the area of research could be found on the website [www.cawtar.org](http://www.cawtar.org).) The workshop could explore, among other things, the relationship between women's involvement in business and their involvement in local politics at the community level.

We hope to attract a broad array of participants from the region: academics, those involved in research and policy institutes, and women's rights scholars/activists. We are especially interested in encouraging younger scholars to pursue research in this area. We will solicit papers about the Maghreb, Egypt, Jordan, Lebanon, Turkey, and Israel (on the status of Palestinian/Arab women workers in Israel). For comparative purposes, we also hope to attract papers about southern Europe. These will be published either as an edited volume or as a symposium in a journal. The workshop directors will jointly author a conceptual overview [see Abstract, below].

### ***References Cited***

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### ***An Overview of Concepts and Issues***

The era of globalization has seen two parallel but contradictory developments. On the one hand, global economic processes have led to increases in female labour force participation, with an expansion also of global norms and policies calling for attention to human rights and gender equality. On the other hand, these same global economic processes have been accompanied by rising unemployment, a reduction in the capacity of the welfare and developmental state, and the flexibilization of labour. This raises the following questions: how do these processes affect the social

rights of working women? Does existing legislation protect or constrain women's economic citizenship? What is the response of civil society, especially women's groups?

Concepts of social rights and economic citizenship have been elaborated in a number of international conventions as well as in historical and sociological studies. Following historian Alice Kessler-Harris (2001), we define economic citizenship as the right to equal opportunity in employment and income, or (as recommended by the ILO), decent wages for decent work. Social rights, as defined by T.H. Marshall (1964), are part of the panoply of the rights of citizenship, and entail rights to education, vocational training, employment, fair wages, trade unions, collective bargaining, and welfare. These concepts have been elaborated in the International Labor Organization's core labor standards, as well as in the International Covenant on Economic, Social, and Cultural Rights (ICESCR), and the UN's Convention on the Rights of Migrants and their Families. For women, economic citizenship and social rights are also defined in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and especially in the Beijing Platform for Action, as well as in the Charter of Women Workers Rights of the International Confederation of Free Trade Unions (ICFTU).

CEDAW and the Beijing Platform for Action include paragraphs pertaining to the conditions and rights of working women, and these are augmented by ILO conventions on non-discrimination and on maternity protection. Socio-economic rights are usually addressed in national laws, including labour legislation and pertinent social policies. In principle, the combination of international standards and norms and domestic social policies should protect socio-economic rights and guarantee the economic citizenship of working women. However, in many countries, laws and policies regarding working women's social rights are being revised or constrained in various ways, in part due to the spread of neoliberal economic policies and trade agreements. For example, in Algeria, unemployment insurance and anti-discrimination legislation have been introduced, along with laws against sexual harassment in the workplace; but irregular forms of labour, low wages, and the absence of a national policy on paid maternity leave tend to undermine women's socio-economic rights. And while Algeria, Morocco and Tunisia have signed a number of key ILO conventions, they have not yet signed Convention 183 on Maternity Protection (2000).

Our conceptual and overview paper will cover the following issues: (1) defining *social rights* and *economic citizenship* as per the academic literature on citizenship and the relevant international conventions, especially as they relate to women, (2) the position and activities of trade unions (national and global) on women's social rights, and (3) the activities of women's organizations (women's rights groups, businesswomen's organizations, women-led think tanks) in the Euro-Mediterranean region, around these issues. We will draw from our own research and policy work, as well as the relevant primary and secondary sources.