

# Working Women and The Lebanese Legislation

Lamia R. Shehadeh

**T**o me the central question has never been one of whether or not to work, since work is another way of saying that one is making oneself socially and economically relevant. Work implies continuity and the effort necessary to become good at doing something of value. Work one must, to maintain self-respect and to enjoy a sense of achievement -- and to occupy time<sup>(1)</sup>

For many women the ability to make a living as an individual is becoming as important psychologically as it is for men. A paid job gives meaning to one's life as it measures his/her ability in terms that can be judged publicly and equally with others. The money here is not simply a medium of exchange but a standard of ability which has nothing to do with femininity but specifically with human capability. Women then need to loose isolation from the mainstream of life and exploit their capabilities. Paid work, autonomous activity and contact outside the home provide a sort of "psychic income" that can change a

woman's evaluation of herself. As Patricia Sexton says, "A job gives a woman something to talk about and someone to talk to; it makes it easier to stay alive and alert, to keep up with husband and child; it gives her organized purpose. More than this, it helps her face advancing years, when children scatter, [and] life changes."<sup>(2)</sup>

The large majority of working women, however, have been exempted from the perennial middle class argument over whether or not they should work. They have worked because they had to and for a long time too. Even in mid-nineteenth century England,<sup>(3)</sup> one out of every four married women worked; and this was over and above those who helped their husbands in their businesses and shops.

Finally, in addition to the need of women to work for self-fulfillment and realization, women constitute half of the population and their contribution to the productive process is imperative especially in times of crisis. Qasim Amine, at the

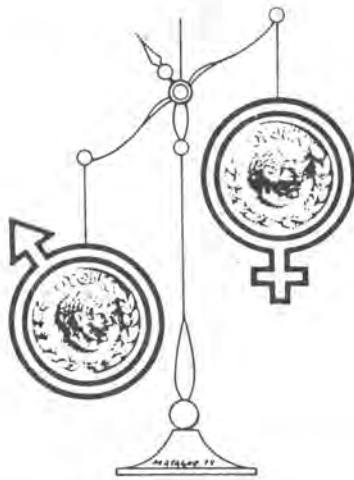
turn of the century, is quoted to have said: "Among the weaknesses in a society is the fact that the majority of its members are not involved in a productive work process . . . In every society women constitute half the population on the average. To condemn them to be ignorant and inactive occasions the loss of half the society's productive potential and creates a considerable drain upon the society's resources."

In order therefore to benefit most from half of the population whether on the economic, social or intellectual level, it is necessary to encourage that force to go out into the field by modifying not only the traditions, customs, and mores but most importantly laws governing the status of the working woman.

Although Lebanon is a founding member of the United Nations Charter of Human Rights which stipulates that no discrimination due to sex, color or creed, be practiced, we find that the Lebanese legislation discriminates against women on many levels. I shall not, however, go into all that, but shall confine my self to a limited description of the condition of the working woman under the Lebanese law.

While the constitution stipulates that every Lebanese whether male or female has the right to public employment,<sup>(4)</sup> we find that the law discriminates against women in several respects. Thus the Ministry of foreign Affairs stipulates that only single women are to apply for a position of the third category of the diplomatic corps. If she gets married

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to a foreigner she is transferred to the administrative corps within a period not more than three months, whereas the law stipulates nothing of the sort with regard to the male employee marrying a foreigner. Also, while the female employee pays all that is required for her pension her husband will not benefit from it unless he is greatly impoverished or unable to work. While a male government employee who is on pension is allowed to work for money provided it is not from the government, a female employee is not allowed to do so. Also a male employee is compensated for his wife and children, yet a female employee is compensated for her husband and children only if the former is incapacitated and the latter are her responsibility due to widowhood, total incapacity of the husband, or his absence from the country without any communication or, in case of divorce, her previous husband is unable to pay alimony. Again whereas a husband is paid seventy-five percent of the medical expenditures for his children, a wife is paid only fifty percent. A female government employee whose husband works for a private institution has to obtain a statement from the husband's employer

declaring that no educational benefits are given him. While this is true in the case of a female government employee, it is not so if the husband were a government employee. Finally, a married woman loses her legal capacity to engage in all kinds of business activities and has to obtain her husband's written permission. It is noteworthy that those who are legally incompetent, according to the Lebanese law, are those under age (below eighteen), those declared legally incompetent for reasons of insanity, mental derangement, stupidity, and inattentiveness and the married woman! Furthermore, the Labor Law has a separate section devoted to children and women; all employers are required to declare to the Ministry of Labor and Social Affairs their intention of hiring women and children under sixteen years of age, who are subject to restrictive laws for the sake of their protection and well being.<sup>(5)</sup>

In conclusion, Norman Podhoretz's description of the economic condition of normal men, in his story *Making It*, could very well apply to women who still avoid high ambitions and are plagued by the

inhibitions imposed upon them by society. He says "It is hard for the poor to make demands, for they know the demands will not be met and they learn to avoid the added bitterness of unnecessary disappointment by settling for whatever the world in its arbitrary way pleases to let them have."<sup>(6)</sup> •

#### Footnotes and References

- (1) Janeway, E., *Man's World, Woman's Place*. William Morrow and Company, Inc.: New York, 1971.
- (2) Sexton, P. "Speaking for the Working Class Wife," *Harper's Magazine*, October 1962.
- (3) No statistics are available in Lebanon.
- (4) Article 12 of the constitution.
- (5) For an easy and lucid presentation of the condition of women in the Lebanese Legislation Cf. Moghaizel, L., *Women in the Lebanese Legislation*. Institute for Women's Studies in the Arab World: Beirut, 1985
- (6) Podhoretz, N. *Making It*. Random House: New York, 1967.

**Dr. Lamia R. Shehadeh**  
**Director, Civilization Sequence**  
**Program, American University**  
**of Beirut**