

Workplace Struggles of Gender Non-Conforming People in the Middle East

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Introduction

Hegemonic gender identity, by definition, is supposed to fall into a binary: male or female, man or woman (Whitaker, 2016). The 21st, however, has blurred and disrupted this idea. Today, the world recognizes gender non-conforming people, non-binary people, and transgender individuals. However, these individuals continue to suffer from violence and discrimination in different aspects of their lives. Gender non-conforming people across the world are frequently unable to meet their basic needs (Mcfadden & Crowley-Henry, 2016). Added to this, is the fact that gender non-conforming individuals are often subjected to discrimination due to social norms and myths about gender identity. According to Lombardi et al. (2001), society sees gender non-conforming people as a threat because they challenge traditional understandings of the gender binary. This is especially true in communities that strictly adhere to tradition and cultural norms, leading to even worse discrimination and oppression. In his book *Unpopular Essays* (1950), Bertrand Russell writes that “collective fear simulates herd instinct, and tends to produce ferocity toward those who are not regarded as members of that herd.” This appears to be especially true in the Middle East where individuality, identity, and queerness are still viewed as a form of Westernization (Whitaker, 2016).

The view of the public on individuals who do not conform to normative concepts of gender expression has several outcomes on these individuals themselves and on the progression of the society as a whole. This is why it is important to use the law to combat gender-based discrimination in the workplace. These policies can help to encourage changes in societal attitudes toward gender. Combatting negative attitudes towards gender non-conforming people and promoting their inclusion in society is vital for ensuring they can access their basic human rights. This paper looks into the sufferings of gender non-conforming people in the Middle East.

The Realities of Gender Non-Conformism

The Context

Heteronormativity—which is the assumption that heterosexuality is the “norm”—has created a system wherein everyone who falls outside of the gender binary or who is not heterosexual is vilified as deviant, weird, and marginal (Boncori et al., 2019). The workplace tends to be a microcosm of society which is why gender non-conforming individuals are often discriminated against by their work surroundings. Further, the absence of laws that protect individuals considered to be “deviant” or “abnormal”—as society frequently portrays gender non-conforming people—allows for the continued mistreatment of gender non-conforming people with impunity.

In their book *Transgender and Gender Non-Conforming People in the Workplace*, Boncori et al. (2019) discuss the various micro-aggressions that impact LGBTQ people and transgender/non-conforming (TGNC) individuals. They argue that although “hidden discriminations” against these individuals tend to be brief, they remain frequent. Such aggressions can be carried out in various ways. These behavioral and environmental aggressions include, for example, staring at people who look “different,” or allowing heterosexual displays of affection to occur in public spaces while vilifying others. In the workplace, however, specific examples of these micro-aggressions can be even harder to identify. For example, the use of workplace name badges with a person’s dead name or the use of incorrect gender titles on calendars and in emails (Boncori et al., 2019, pp. 146-148).

In another book on transgender people in the workplace, McFadden & Crowley-Henry (2016) focus on the importance of looking into the hardships facing gender non-conforming people in order to better understand their experiences in the workplace and find ways to support them. For instance, Lombardi et al. (2001) have shown that more than 50% of transgender individuals have been victims of harassment and violence throughout their lives. Furthermore, data collected from self-report surveys, hotlines, and police reports in the US show that violence against non-conforming individuals frequently starts during adolescence in various forms and is more likely to be sexual in nature. This is in distinction to cisgender adolescents, who experience violence but do not experience sexual violence at the same rate as gender non-conforming people (McFadden & Crowley-Henry, 2016). To add, social support is also lacking for transgender individuals; trans individuals report lower levels of support compared to their cisgender counterparts. This is shown in statistics proving that gender non-conforming youth are more likely to be rejected by their families and schools, which leads to high levels of homelessness and illiteracy within these groups as compared to others (McFadden & Crowley-Henry, 2016).

This mix of physical, verbal, and emotional violence that gender non-conforming individuals experience can lead to self-harm. In a study conducted on transgender individuals in San Francisco, results showed that almost 35% of trans people interviewed had attempted suicide at one point in their lives (McFadden & Crowley-Henry, 2016). This is why it is crucial to understand the experiences of transgender individuals and gender non-conforming people (Davidson, 2016). These people are

likely to spend a lifetime fighting “gender battles” that will inevitably affect their perception of the workplace and the discrimination they face.

Recent Research on Gender Non-Conforming People in the Workplace

More recently, transgender and gender non-conforming people have been receiving more media coverage than before. Considering this increased media coverage, it is vital to ensure that media outlets are inclusive and representative, and that they fully understand the reality of being gender non-conforming (Davidson, 2016). In his paper on gender inequality in the workplace, Davidson (2016) highlights the inadequacy of media outlets using his National Transgender Discrimination survey, which was conducted in 2018. In this survey, Davidson defines the term “transgender” as an umbrella concept under which falls any individual who does not identify with the sex identity assigned at their birth. Davidson also focuses on the distinction between sex and gender. Davidson notes that while they are related, gender is a mere translation of biological realities into socially acceptable expectations and assigned roles for “men” and “women” (Davidson, 2016).

The National Center for Transgender Equality and the National Gay and Lesbian Task Force in the US conducted Davidson’s National Transgender Discrimination survey in 2008, which included a total of 1,389 non-binary people, 2,906 transgender women, and 1,347 transgender men. A survey this big is important for many reasons, in particular because it sets the foundation for future research on gender non-conforming individuals based on its findings (Davidson, 2016). Davidson’s (2016) survey tested four hypotheses:

- Gender non-conforming people who are out (out means people who have disclosed their gender and sexual identities to others) about their gender identity will encounter more negative employment outcomes compared to non-binaries who are not out about their gender identity.
- Gender non-conforming people who were assigned male at birth will encounter more negative employment outcomes than non-binaries who were assigned female at birth.
- Gender non-conforming people of color will encounter more negative employment outcomes than white non-binaries.
- Transgender women will encounter more negative employment outcomes than non-binaries. Transgender men will encounter better employment outcomes than non-binaries.

Survey results indicated that discrimination against gender non-conforming individuals is more likely to exist in job assigning than in employment, such that gender non-conforming people as a category are often employed but given less important jobs than cis-gender individuals. Another finding is that gender non-conforming people tend to conceal their gender identities when applying to jobs. Further, if they choose to come out, or divulge their gender identity, later on, they often are penalized. For the second hypothesis, there are conflicting results. These results appear to suggest that “outness” seems to be directly related to discrimination (hiring of assigned male at birth non-binary individuals) and to ongoing or long-term discrimination throughout the course of employment (toward assigned female at birth non-binary individuals), suggesting that non-binary individuals who are socially read as either “male” or “female” face

some of the same types of discrimination (positive for males, negative for females) that we would expect to see for cisgender men and women. For the third hypothesis, the numbers show that gender non-conforming people of color tend to experience racial bias in addition to gender discrimination. Unsurprisingly, gender is likely to intersect with race especially through stereotype reinforcement (Davidson, 2016). Finally, for the fourth and last hypothesis, results further indicate the importance of intersectionality, whereby being a woman and being transgender increases the discrimination these individuals face.

The Middle East

Tradition is important in many cultures, and especially in the Middle East. By definition, traditions are sets of common beliefs, practices, or ideologies passed down over the course of years and generations in an attempt to create a sense of unity among the individuals of one community. However, it can sometimes reinforce tight boundaries relative to self-expression and individual freedoms by over-projecting norms and expectations onto individuals, especially gender norms. As a result, tradition can feel suffocating and pressuring on non-conforming people (Marques et al., 2017).

Moreover, traditions tend to carry historical importance. Therefore, the people that choose to enforce certain dimensions of traditional practices are often granted a higher social standing, as they are considered to be doing the important work of maintaining culture. Relatedly, individuals who follow and maintain certain traditional practices also secure a better social position for themselves, even if this is limited to their immediate family members of communities. As a result, strong systems are crafted that maintain culture and punish or ostracize those who challenge it. Hinton and Hinton (2002) state that maintaining tradition is a form of social control that discourages any form of deviation from pre-established customs resulting in fear of rejection and ostracism in individuals who aim to express themselves outside the cultural realms of their society.

This has severe consequences for gender non-conforming people who, as discussed earlier, present a “threat” to hegemonic gender norms. In a region like the Middle East, the conservative environment—for example, dress codes are often enforced by religious and governmental laws—coupled with an insecure political environment and a strong attachment to tradition contributes to an especially difficult environment for gender non-conforming people (Whitaker, 2016). One example of the rigid-minded disposition of the region relative to gender identity is reaction to the movie *The Danish Girl* (Hooper, 2015) which features the story of a transgender artist. As soon as it was shown in Qatar, complaints flooded social media platforms and the Culture Ministry thanked Twitter users for showing “unwavering vigilance” to combat the spread of queerness. In the United Arab Emirates, Oman, Bahrain, Jordan, and Kuwait, the movie was subjected to immediate censorship.

Gender norms are also rigidly controlled in the Middle East through censorship of clothing and other behaviors that are gender non-conforming, according to authorities and other institutions. Clothes are a form of self-expression, yet some conservative Islamic scholars tend to uphold what they call “proper dress codes.” For instance, in his book *Lawful and the Prohibited Islam* (2000), Yusuf al-Qardawi quotes the

Qur'an, stating that men and women should not "cross dress" under any circumstance (Whitaker, 2016). He then proceeds to explain the evils of such conduct on both the individuals themselves and the society they live in. Websites like Muttaqun Online carry this viewpoint forward; the website states that men ought to have beards and wear clothes that cover their bodies but not their ankles, insisting that anything else would be "unlawful." However, this discourse is comically ironic when placed in conversation with the theater, cinema, and other forms of art that require costumes, which is definitionally another form of cross-dressing (Whitaker, 2016). But, because costumes do not necessarily challenge gender norms and are often seen as benign, they more easily escape critique than a performing drag artist, for example.

In the region, gender non-conforming people are often marginalized. For this reason, they are invisibilized in discussions about issues like workplace discrimination and labor force participation. There is no literature in particular about gender non-conforming people in the workplace in the Middle East. Articles and studies done on the gender gap in the workplace are often oriented towards the discrimination women face and avoid a discussion about the discrimination facing gender non-conforming people. This exacerbates the already very limited amount of data available on the subject and contributes to the further marginalization of gender non-conforming people in the workplace.

Combatting Discrimination

While the discriminatory environment of the Middle East relative to gender non-conforming people is well documented, the limited research on gender non-conforming people in the workplace makes it difficult to produce any sweeping claims. However, there are still several strategies and policies that can be implemented to protect the rights of gender non-conforming people. As established above, gender non-conforming individuals often suffer from unsupportive surroundings at the levels of education, families, and peers (McFadden & Crowley-Henry, 2016). To combat this hostility, it is crucial to create an alternative environment where they can feel accepted and equal to their cisgender counterparts. That is why enforcing a healthy workplace void of any form of bias has to be the first step to be considered regardless of the nature of the job itself.

An equitable work environment, however, cannot be created overnight. Instead, creating a protective and safe workplace environment should be seen as a work in progress, where long-term action is emphasized. One way of bringing this vision to life is by introducing legal protections for gender non-conforming individuals. Examples from the US can be helpful when thinking about the types of policies that can protect gender non-conforming people in the workplace. For instance, since 1974, several versions of federal legislations were issued to protect queer and trans workers in the US like the Employment Non-Discrimination Act. Early versions of this act aimed to protect different sexual identities; however, they did not clearly protect gender identities. This created a hierarchy in terms of which gender identities are protected and those that are not (Kelly et al., 2020). This exclusion of gender identities from the bill created a sense of homonormativity, a phenomenon where gender queer individuals are excluded from the LGBTQ community in favor of creating a "completely gender-normative gay and lesbian community" (Kelly et al., 2020). Hence, to create an

effective workplace environment in the Middle East, it is important to introduce work policies that are inclusive of the LGBTQ community as a whole.

Another way to ensure the safety of gender non-conforming people is by protecting the disclosure of gender and/or sexual identities at work. It is true that one's own identity is private and a person should not be pressured to disclose this information. However, creating an accepting environment should make room for safe disclosures with the consent of the person or people involved. This is important because a safe workplace is only as safe as its most marginalized employees feel they are in that space. Feeling safe enough to disclose your own personal identity, should you want to, is therefore a strong reflection of the safety and inclusivity of a workplace. Over the years, scholars were able to identify a set of reasons for why gender non-conforming people choose to disclose their identities at work: recognition, authenticity, relationships, clarity, and safety. These reasons tend to get validated in team meetings, paperwork, colleague bonding activities, and other instances, all of which play an important role in the workplace (Kelly et al., 2020). Therefore, creating an environment where an employee feels safe to participate as their authentic self in these spaces is a strong indicator of how inclusive and safe a workplace is.

Aside from legal policies, simple gestures can mean a lot to minority groups and can contribute to the creation of a safer and more inclusive environment in the workplace. One step towards inclusivity could be revising dress codes while maintaining a professional attire. This can be implemented by not imposing gender specific clothing by enforcing an employee uniform. A second step could include creating gender neutral restrooms and facility access to support employees. An example of this is the restroom in the café Kalei, which is located in Mar Mikhael in Beirut, Lebanon, where they have three separate bathrooms one for women, one for men, and one where "anything works," as the sign indicates. This set up ensures that both staff and customers feel welcome, seen, and validated. A third step towards inclusivity is through healthcare. Every company or institution that provides health benefits to their employees should consider updating these plans to ensure that non-binary individuals' potential healthcare needs are covered by the policy.

Conclusion

Gender and sexual identity are at the heart of a person's identity. Therefore, protecting non-binary individuals whose identity does not fit into the "norm" should be a priority for all organizations, companies, and corporations who are striving to create a non-discriminatory and equitable workplace for their employees. While the issue of creating a gender non-discriminatory workplace environment is prevalent around the world, the Middle East remains a particularly difficult place for non-binary individuals to live and work. Therefore, it is critical that policy and advocacy efforts focus on challenging these conservative environments to protect non-binary individuals. As a public space, the workplace in the Middle East is under heavy surveillance; gender non-normativity is therefore highly monitored and often punished with impunity. This paper recommends that all activists and organizations working on issues related to the well-being of non-binary individuals also focus on the workplace, to ensure that workers who identify as non-binary are safe and protected.

REFERENCES

- Boncori, I., Sicca, L.M., & Bizjak, D.** (2019). Transgender and gender non-conforming people in the workplace: Direct and invisible discrimination. In S. Nachmias & V. Caven (Eds.), *Inequality and organizational practice* (pp. 141-160). Palgrave Macmillan. https://doi.org/10.1007/978-3-030-11644-6_7
- Davidson, S.** (2016). Gender inequality: Nonbinary transgender people in the workplace. *Cogent Social Sciences*, 2(1), 1–12. <https://doi.org/10.1080/23311886.2016.1236511>
- Hinton, D.E, & Hinton, S.D.** (2002). Self-expression through the arts in cross-cultural perspective: Discourse, communication, and innovation. *The Arts in Psychotherapy*, 29(4), 249–260.
- Hooper, T.** (2015). *The Danish Girl* [Film]. Focus Features.
- Kelly, M., Carathers, J., & Kade, T** (2020). Beyond tolerance: Policies, practices, and ideologies of queer-friendly workplaces. *Sexuality Research and Social Policy* 18, 1078–1093. <https://doi.org/10.1007/s13178-020-00512-3>
- Lombardi, E. L., Wilchins, R. A., Priesing, D., & Malouf, D.** (2001). Gender violence: Transgender experiences with violence and discrimination. *Journal of Homosexuality*, 42(1), 89–101. https://doi.org/10.1300/J082v42n01_05
- Marques, J. M., Lima, M. L., & Gouveia, W.** (2017). How Traditionality Shapes Young Adults' Beliefs about Personality Traits and Sexual Behaviors. *Frontiers In Psychology*, 8, 830
- McFadden, C., & Crowley-Henry, M.** (2016). A systematic literature review on trans* careers and workplace experiences. In T. Köllen, T. (Ed.) *Sexual orientation and transgender issues in organizations* (pp. 63-81). Springer. https://doi.org/10.1007/978-3-319-29623-4_4
- Bertrand, R.** (1950). *Unpopular essays*. Simon and Schuster.
- Whitaker, B.** (2016, February 8). Transgender issues in the Middle East. *Al Bab Blog*. <https://al-bab.com/blog/2016/02/transgender-issues-middle-east-1>
- Kelly, M., Carathers, J., & Kade, T.** (2020). Beyond tolerance: Policies, practices, and ideologies of queer-friendly workplaces. *Sexuality Research and Social Policy* 18, 1078-1093. <https://doi.org/10.1007/s13178-020-00512-3>