

Women's Legal Empowerment in Employment in Saudi Arabia

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Abstract

Legal empowerment is an approach adopted by international organisations, civil society groups, and governments interested in development to improve the lives of the disadvantaged. In KSA, women's employment status warrants attention, as the country has consistently shown low female participation in the economy for decades. The situation is currently evolving due to new legal reforms that promote women's access to employment across various sectors, a development considered culturally revolutionary. This paper advocates examining the situation from a socio-legal perspective and proposes legal empowerment strategies as alternatives to the traditional rule-of-law orthodoxy. It particularly emphasises understanding Saudi women's agency and explores how they can effectively engage with the law to advocate for the promotion of their rights and interests. It employs the CLEP's framework, feminist and developmental approaches towards women's legal empowerment, recognising that legal reforms alone are insufficient to encourage women's full participation in the workforce. The study proposes strategies to empower women to overcome legal, cultural, and social barriers. The research is grounded in primary data collected through a survey, which investigated Saudi women's employment experiences, needs, challenges, and aspirations. The findings identify key legal empowerment strategies that most effectively enhance women's economic participation. These include continued legal reforms, the promotion of women's education, increased awareness of legal rights and societal responsibilities, and improved access to legal and financial training and support. Additionally, the thesis highlights the importance of promoting personal agency and self-awareness among women to address KSA's persistent low ranking in global indices for women's economic participation, despite recent efforts. This study argues that a legal empowerment approach tailored to the socio-cultural context of KSA can meaningfully help overcome persistent barriers and advance gender equality in the economic sphere.

Key Words

Women's Legal Empowerment, Employment, Feminism, Development, Socio-legal Study, Saudi Arabia, Laws and Regulations.

Acknowledgment

In the name of Allah, the Most Gracious, the Most Merciful.

اَلْحَمْدُ لِلّٰهِ, Thanks be to the Lord.

I am incredibly proud of how this thesis has turned out, and I hope that I have contributed to knowledge and paved the way for many researchers continuing in this field. The journey of conducting this research has been both beautiful and transformative, and it will always serve as a reminder of the power of will and determination to overcome any challenge. My time as a PhD researcher in academia has been among the most productive and unforgettable years of my life, for which I am truly grateful. I will always look back on my PhD journey with deep appreciation, inspiration, and fondness. I dedicate this work:

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Glossary of Arabic Words

Fatwa: A formal, authoritative ruling on a point of Islamic law; a scholarly opinion given (typically in writing) by a mufti or other Muslim juridical authority in response to a question posed by an individual or a court of law

Mahrams: Women's close male relatives with whom marriage is permanently forbidden

Hadith: The recorded body of tradition regarding the sayings and acts of the Prophet Muhammad

Saheeh authentic Hadith: verified reports of the Prophet's sayings, actions, or approvals, authenticated through an unbroken chain of reliable narrators. Each narrator must be morally upright, accurate, and consistent with established scholarly transmission, without concealment or contradiction, for the hadith to be accepted as authentic

Hijaz: The western region in KSA, where both the Holy Mosques are located

Hijab: The practice observed by some Muslim women of wearing concealing clothing

Ijtihad: The exercising of discretionary judgement (traditionally by a mujtahid) in order to deduce a law or rule of conduct which is not self-evident in the scriptural sources; the right to exercise this judgement (sometimes figuratively described as a gate, either closed or open depending on whether such a right is thought to exist)

Kafala: A programme in KSA that grants loans and encourages women to participate in the economy

Mufti: Muslim cleric or expert in Islamic law empowered to give rulings on religious matters, esp. a legal scholar competent to deliver a fatwa.

Najd: The central region of KSA

Nitaqat: Nationalisation of the workforce in KSA through providing incentives for employing Saudi nationals in the private sector.

Non-mahram: an individual of the opposite gender with whom marriage is permissible

Quran: The sacred book of Islam, the word of God as revealed to Muhammad by the archangel Gabriel over a period of years, written down in Arabic, and collected together after Muhammad's death.

Sabr: Patience, the capacity to endure (or preserve) in the face of hardship without complaint, a virtue and a part of faith, encouraging steadfastness and good actions even when facing challenges.

Sharia Law: a comprehensive system of religious law in Islam, derived from the Quran and the Sunnah

Su'udah /Saudisation: The Saudi government's initiative to increase the employment of Saudi nationals

Sunnah: Everything the Prophet Muhammad, peace be upon him, said, did, and approved, it encompasses the Prophet's entire way of life

Glossary of Acronyms

ADB: Asian Development Bank

CLEP/ The Commission: The Commission on the Legal Empowerment of the Poor

ESCWA: Economic and Social Commission for Western Asia

G20: The Group of Twenty

GASTAT: The Saudi General Authority for Statistics

GCC: Gulf Cooperation Council

GGGR: Global Gender Gap Report

HRSD: The Ministry of Human Resources and Social Development in KSA

ID: National Identification Card

ILO: The International Labour Organisation

KSA: Kingdom of Saudi Arabia

MENA: Middle East and North Africa

MOH: Ministry of Health (KSA)

NGOs: Non-governmental Organisations

OECD: Organisation for Economic Co-operation and Development

REDF: Real Estate Development Fund

UN: United Nations

UNDP: United Nations Development Programme

UNICEF: United Nations Children's Fund

WAD: Women and Development

WHO: World Health Organisation

WID: Women in Development

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Chapter One

Introduction and Formulation of the Research Problem

1.1 Introduction

Women are a main source of development for any society. Hence, without empowered women, it is almost impossible to implement any societal reforms. Throughout history, women have proven their prominent and effective role in driving change and decision-making.

King Salman bin Abdulaziz Al Saud¹

Legal empowerment of women provides a strong foundation, enabling women to understand their legal rights and advocate for them within the community, thereby promoting gender equality and social justice. Legal empowerment equips women with the knowledge and resources needed to make informed decisions, participate in social reforms, and contribute to economic development, particularly in the employment sector. It is an approach that enables women to navigate their legal, economic, cultural, and work-related challenges while enhancing their agency and self-awareness, benefiting them as individuals and their society. Legal empowerment is the process of building the use of legal services and the legal capacity of the poor and disadvantaged.² It is one of the approaches recently used, in combination with other development activities, by organisations and civil society groups across the globe to promote development. The concept of legal empowerment is widely used; nonetheless, its definition remains differently interpreted, its root concept of ‘power’ is contested and although

¹ General Authority for Statistics ‘Saudi Women’s Report 2022’ < https://www.stats.gov.sa/Sites/Default/Files/Saudi_Women%27s_Report_2022_EN.Pdf > accessed 5th July 2024.

² Stephen Golub, ‘Legal Empowerment: Impact and Implications for the Development Community and the World Bank’ (2006) 2 World Bank Legal Rev 167.

its impacts are varied, they are not yet comprehensive.³ Among the positive reported impacts of legal empowerment is that it provides for stronger agency and increases the targets' legal knowledge.⁴ This thesis aims to explore empowerment, identify and examine the levers of Saudi women's empowerment within the legal context, propose strategies that enable women to effectively claim their rights, and determine what is lacking in existing policies and strategies, particularly in their absence within the legal empowerment framework. It also seeks to enable Saudi women to make strategic life choices by acting as agents who can define their goals and rights, utilising material, human, and social resources to demand, contest, and claim their rights under the law, as well as to demand accountability for breaches. This thesis presents analytical legal empowerment strategies within a coherent framework that addresses the needs of Saudi women to participate in the economy.

Several suggestions have been made to encourage Saudi women to participate in the economy and improve the country's global ranking in gender economic inclusion and equality. Nonetheless, conflicting views and a lack of research persist regarding the best ways to empower Saudi women and manage their skill development initiatives.⁵ Accordingly, the research identified the specific problem and proposes legal empowerment as a solution, aiming to thoroughly investigate the most suitable legal empowerment strategies for the economic inclusion of Saudi women in the Kingdom of Saudi Arabia (KSA) context. This solution is expected to make a substantial contribution to the rapidly evolving economic environment and to the development of socio-legal subject knowledge, particularly in the area of legal

³ Jo Rowlands, *Questioning Empowerment: Working with Women in Honduras* (Oxford: Oxfam Publications 1997); Laura Goodwin and Vivek Maru, 'What Do We Know about Legal Empowerment? Mapping the Evidence' (2017) 9 Hague J Rule Law 157.

⁴ Goodwin and Maru (n 3).

⁵ E.g. Hanan Al-Ahmadi, 'Challenges Facing Women Leaders in Saudi Arabia' (2011) 14 Human Resource Development International 2; Amelie Le Renard, *A Society of Young Women: Opportunities of Place, Power, and Reform in Saudi Arabia* (Stanford: Stanford University Press 2014).

empowerment, which is rapidly and continuously evolving. In summary, this research serves as a stepping stone toward advancing legal empowerment as a key framework for sustainable gender equality; it emphasises actionable recommendations that demonstrate how the proposed changes can create tangible impacts.

The process of legal empowerment has no single template; it can be approached from various angles. Three approaches have been proposed in the literature so far; legal empowerment was pursued as a manifestation of community-driven, rights-based, and law-oriented development.⁶ Community-driven development is an approach that involves beneficiaries in the design and management of the project, giving them direct control over decisions. It is believed to eradicate poverty, empower the poor and make development more inclusive.⁷ Rights-based development is grounded in human rights standards; projects are designed to promote and protect the rights of the disadvantaged, enhance their understanding of those rights, support their participation in development policies, and advocate for their rights when necessary. This approach is believed to analyse inequalities in development, thereby reducing discriminatory practices and promoting just distribution of power to foster development.⁸ Finally, the law-oriented approach aims to provide legal services and capacity building for disadvantaged groups by utilising various legal activities, which are expected to increase beneficiaries' understanding and awareness of their rights and obligations.

⁶ Golub (n 2).

⁷ Ghazala Mansuri and Vijayendra Rao, 'Community-Based and -Driven Development: A Critical Review' (2004) 19 *The World Bank Research Observer* 1.

⁸ UN Sustainable Development Group, 'Human Rights-Based Approach' < <https://unsdg.un.org/2030-Agenda/Universal-Values/Human-Rights-Based-Approach#:~:Text=The%20human%20rights%2Dbased%20approach,Promoting%20and%20protecting%20human%20rights.> > accessed 30th May 2023.

These three approaches often overlap, making it challenging to draw clear boundaries between them.⁹ Both the first and second approaches could sometimes use law-oriented work. This thesis primarily follows the approach of The Commission on the Legal Empowerment of the Poor (CLEP/The Commission), which, as indicated in its report, posits that legal empowerment is rooted in a rights-based approach to development.¹⁰ The reference to the ‘rights’ here means the rights ascertained in and implemented by international human rights instruments and those embodied in national laws and government regulations. In addition to the CLEP approach, the thesis incorporates elements of the law-oriented approach to promote women’s participation in economic development, while also translating feminist theories into the discourse on women’s development. In this thesis, women’s legal empowerment is often associated with gender equality, as empowered women can achieve greater equality. It is also linked to economic growth, as the labour market is negatively affected by women’s disempowerment.¹¹ These assertions are based on evidence that suggests gender equality has a positive impact on economic growth and development. This robust contention holds across different country contexts, different periods, and model specifications.¹² Based on that, the connection between women’s empowerment, gender equality and economic growth is definite.

This research aims to identify the framework of women’s empowerment in the KSA, as there is a need to better understand Saudi women’s employment situation.¹³ It aims to influence KSA policies and strategies by demonstrating the relevance of legal empowerment

⁹ Ibid

¹⁰ UN Commission on the Legal Empowerment of the Poor, ‘Making the Law Work for Everyone’ (2008) Volume I, Commission on Legal Empowerment of the Poor and United Nations Development Programme, New York, 3.

¹¹ E.g. Ingrid Palmer, ‘Gender and Population in the Adjustment of African Economies: Planning for Change’ (1991) Geneva: ILO.

¹² E.g. Naila Kabeer and Natali Luisa, ‘Gender Equality and Economic Growth: Is There a Win– Win?’ (2013) IDS Working Paper 417; Naila Kabeer, ‘Gender Equality, Economic Growth, and Women’s Agency: The “Endless Variety” and “Monotonous Similarity” of Patriarchal Constraints’ (2016) 22 *Feminist Economics* 1.

¹³ E.g. Rafiah Almathami, Catheryn Khoo & Elaine Chiao Ling Yang, ‘Enablers for Empowerment: Saudi Women’s Employment in the Events Sector’ (2024) 49 *Tourism Recreation Research* 1.

in promoting women's rights. This is achieved by gaining and presenting clear insight into Saudi women's stance on their right to work and by better understanding their needs, perhaps by urging policymakers to work more closely with them. The objective of this research is to explore the concept of empowerment and to examine and analyse strategies and policies designed to facilitate women's empowerment. This is followed by a proposal and an evaluation of the most effective strategies, with a focus on the importance of a legal empowerment framework. For example, some studies suggested that Muslim women show resistance to working in mixed environments such as tourism¹⁴, while others indicated that Saudi women are open to working in the sector but need to be empowered.¹⁵ Either of these findings could constitute empowerment if Saudi women made their choices based on their unfettered agency and if ethical, societal, or religious challenges were eliminated. This thesis proposes strategies that empower Saudi women to define and pursue their goals, despite opposition, resistance, or dissent from society or individuals, while also advocating for their ability to fully realise their legal rights in employment and to identify the means to achieve them.

This introductory section outlined the approach to connecting economic development to gender equality in KSA, aiming to demonstrate the role that women's legal empowerment can play in achieving women's inclusion in KSA's economy. This chapter will introduce the study by first discussing the background and context of women in KSA. It will then outline the research problem and hypothesis, followed by a justification for the research and its rationale. Next, the aims and objectives are presented, followed by the methodology and scope of the

¹⁴ Lubna Mazro'ei & Susan Shaw, 'Building Muslim Women's Resistance through Tourism Employment' (2014) 13 *Tourism Culture & Communication* 3.

¹⁵ E.g. Rafiah Almathami, Catheryn Khoo-Lattimore & Elaine Chiao Ling Yang, 'Exploring the Challenges for Women Working in the Event and Festival Sector in the Kingdom of Saudi Arabia' (2022) 47 *Tourism Recreation Research* 1.

study. Finally, the research limitations will be discussed, along with an outline of the thesis structure.

1.2 Background and Literature Gap

The concept of legal empowerment has evolved in response to the limitations inherent in the rule-of-law approach that many non-governmental organisations (NGOs), donor agencies, and development-oriented organisations have adopted. The rule of law fosters development by providing access to justice, ensuring livelihood security, and protecting human rights.¹⁶ It provides a legal framework to strengthen the voice of the vulnerable, remedy violations of their rights, and, most importantly, support economic growth and development.¹⁷ Nonetheless, it has proven to have its limitations. To overcome the limitations of legal aid, a tool of the rule of law, legal empowerment initiatives emerged, departing from the traditional rule-of-law approach that often fell short of effectively addressing the needs of the vulnerable. Legal empowerment represents a fundamental shift in perspective; rather than treating the vulnerable as mere clients in need of assistance, it emphasises strengthening their agency and enables them to recognise both their rights and responsibilities. The conventional rule-of-law framework has also been critiqued as an elite-driven approach that fails to encompass the voices and experiences of those it aims to serve. This raises questions on the accessibility of legal systems, as such an approach may inadvertently perpetuate existing power imbalances. Accordingly, the essence of legal empowerment is to move away from the top-down approach and adopt a bottom-up approach, in which the relationship between policymakers, donors, and

¹⁶ UN and the Rule of Law, 'Rule of Law and Development' < <https://www.un.org/ruleoflaw/rule-of-law-and-development/> > accessed 4th March 2022.

¹⁷ Naila Kabeer, 'The Conditions and Consequences of Choice: Reflections on the Measurement of Women's Empowerment' (1999) United Nations Research Institute for Social Development, Discussion Paper No. 108.

¹⁷ UN and the Role of Law (n16).

marginalised recipients is one of partnership rather than assistance, as it used to be under the rule-of-law orthodoxy.¹⁸ This approach has the potential to create a change by ensuring the needs of the vulnerable are prioritised, and their demands are met by integrating them into the legal framework.

Over the past twenty-five years, international donors and development organisations have utilised four approaches to empowerment. Initially, they focused on the international rule-of-law agenda, aiming to reform judicial institutions and provide technical assistance to facilitate legal change. This approach is rooted in the law and development movements of the 1960s.¹⁹ Nonetheless, it often fell short of addressing the real issues faced by the marginalised, primarily because of a top-down perspective that rarely considered societal and individual contexts. The second approach focused on international assistance for access to justice, aiming to help the disadvantaged navigate the legal system effectively. Those initiatives often encountered practical barriers, such as economic constraints and limited legal awareness among potential beneficiaries. The third involved supporting non-state dispute resolution mechanisms, the rule of law programmes, which adopt a top-down legal framework as a foundation for women's rights. It has been criticised for its shortcomings, inconsistencies and poor results.²⁰ The application of a top-down legal framework often overlooks the cultural and social complexities that shape conflict resolution in many communities, revealing a gap between policy intentions and practical outcomes.

¹⁸ Lars Waldorf, 'Introduction: Legal Empowerment in Transitions' (2015) 19 *The International Journal of Human Rights* 3, 230; Lars Waldorf, 'Legal Empowerment and Horizontal Inequalities after Conflict' (2019) 55 *The Journal of Development Studies* 3.

¹⁹ Pilar Domingo and Tam O'Neil, 'The Politics of Legal Empowerment: Legal Mobilisation Strategies and Implications for Development' (2014) London ODI < <https://Media.Odi.Org/Documents/9008.Pdf>> accessed 12th December 2024.

²⁰ Ibid

In contrast, the emergence of the last mechanism of legal empowerment as a distinct approach represents a critical shift in understanding empowerment, which is the focus of this thesis. Legal empowerment has been described as a fluid concept²¹ because it has many definitions; it reflects a more participatory approach to empowerment, emphasising the agency of marginalised people. It was first introduced by the Asian Development Bank (ADB), which aims to assist members of developing countries in reducing poverty and improving the quality of life for their populations by focusing on economic development. The ADB's early definition of legal empowerment was in 2001, clarifying it as 'the use of law to increase the control that disadvantaged populations exercise over their lives'.²² Ever since, competing definitions have been formulated and applied. In 2006, the World Bank articulated a broader definition of the term, moving away from the focused approach of legal empowerment in the development arena. It elaborated that 'legal' in legal empowerment 'extends far beyond the confines of the purely formal legal system' and includes an institutional dimension.²³ It further elaborated that legal empowerment is 'the process of enhancing an individual's or group's capacity to make purposive choices and to transform those choices into desired actions and outcomes'.²⁴ Later in 2008, the CLEP -formed in 2005 by the United Nations Development Programme (UNDP) to focus on creating development initiatives- declared that it 'understands legal empowerment to be a process of systemic change through which the poor and excluded become able to use the law, the legal system, and legal services to protect and advance their rights and interests as citizens and economic actors'.²⁵

²¹ Ana Palacio, 'Legal Empowerment of the Poor: An Action Agenda for the World Bank' (2006) Washington, DC: World Bank.

²² Asian Development Bank, 'Law and Policy Reform at the Asian Development Bank' (2001) 7 < <https://www.adb.org/sites/default/files/publication/29683/lpr-adb.pdf> > accessed 18th June 2025.

²³ Palacio (n 21).

²⁴ Ruth Alsop, Mette Frost Bertelsen, and Jeremy Holland, 'Empowerment in Practice: From Analysis to Implementation' (2006) Washington, DC: World Bank, 1. <

<https://documents.worldbank.org/en/publication/documents-reports/documentdetail/286191468315851702/empowerment-in-practice-from-analysis-to-implementation> > accessed 29th July 2025.

²⁵ The Commission on Legal Empowerment of the Poor (n10) 3.

The Commission elaborated that it based legal empowerment on four pillars that reinforce and rely on each other. They are access to justice and the rule of law, property rights, labour rights and business rights.²⁶ In its report, the CLEP revealed that many people are living outside the protection of the law; they are excluded and often oppressed by the legal system, which makes them vulnerable to abuse and discrimination.²⁷ The interest in the concept arose as a result, and it gained acceptance among policymakers as a means of achieving developmental missions. A similar definition of the CLEP has been adopted by the United Nations (UN) General Assembly in 2009. It has been argued that it has tacitly endorsed that definition, giving it the status of soft law.²⁸ The UN Secretary-General stated that legal empowerment is ‘the process of systemic change through which the poor are protected and enabled to use the law to advance their rights and their interests as citizens and economic actors’.²⁹ While the evolution of these phases illustrates growing recognition of the complexity of empowerment in legal contexts, it also reveals ongoing challenges. The shift towards legal empowerment is notable; nonetheless, it still requires continuous re-evaluation of how effective the various definitions are in fostering genuine change for marginalised people, particularly in terms of how the empowerment mechanisms are effective in terms of accessibility and impact in real-world scenarios.

Additionally, scholars have provided their conceptualisation of legal empowerment too; the most important for this thesis is that of Golub, who is credited with the use and conceptualisation of the term in 2001 in the ADB study and subsequently provided a refined definition of the term, stating that:

²⁶ Ibid

²⁷ Ibid 3-4.

²⁸ Lars Waldorf, ‘Introduction: Legal Empowerment in Transitions’ (2015) 19 *The International Journal of Human Rights* 3.

²⁹ UN General Assembly, Report of The Secretary General, ‘Legal Empowerment of the Poor and Eradication of Poverty’ (2009) A/64/133, Para. 3.

Legal empowerment is the use of legal rights, services, systems, and reform, by and for the disadvantaged populations and often in combination with other activities, to directly alleviate their poverty, improve their influence on government actions and services, or otherwise increase their freedom.³⁰

Naila Kabeer referred to empowerment as the process by which those who have been denied the ability to make choices regain that ability.³¹ Kabeer viewed empowerment as a result, explaining that for empowerment to occur, control over resources, agency, and achievement are necessary.³² The thesis considers these definitions consistent with the CLEP's and adds additional elements to them. Golub considers legal empowerment both a process and a goal; he agrees with CLEP in some instances but regards it as a goal in others.³³ Kabeer agrees with CLEP that legal empowerment enables disempowered people to effect changes through their actions and adds a feminist approach to it. Based on the above definitions, it appears that the meaning of legal empowerment varies according to the interests of the organisations and the needs of the agencies where the projects are undertaken. For example, the World Bank undertook five projects in different countries and in each project, the meaning of legal empowerment differs.³⁴ In 2009, the ADB indicated that in legal empowerment: 'there is insufficient consistency, precision, and clarity about what it means, even among non-government organisation providers of legal empowerment services.'³⁵ Efforts to empirically demonstrate the further advantages of legal empowerment are ongoing.

³⁰ Stephen Golub, 'The Commission on Legal Empowerment of the Poor: One Big Step Forward and a Few Steps Back for Development Policy and Practice' (2009) 1 Hague Journal on the Rule of Law 101, 105.

³¹ Naila Kabeer, 'Resources, Agency, Achievements: Reflections on the Measurement of Women's Empowerment' (1999) 30 Development and Change 435.

³² E.g. Ibid

³³ Stephen Golub, 'Beyond Rule of Law Orthodoxy: The Legal Empowerment Alternative' (2003) Carnegie Endowment for International Peace Working Paper, 41 Rule of Law Series, Democracy and Rule of Law Project, Carnegie Endowment for International Peace, Washington DC, 26- 27.

³⁴ Alsop and others (n 24) 228-229.

³⁵ Asian Development Bank, 'Legal Empowerment for Women and Disadvantaged Groups: Final Report' (2009) Asian Development Bank < <https://www.adb.org/sites/default/files/publication/29170/legal-empowerment.pdf> > accessed 29th July 2025.

This thesis follows the CLEP definition of legal empowerment because it has been set as a process to serve two goals: protection and opportunity³⁶, which are among the goals of this thesis to protect Saudi women from being deprived of their rights to work by different barriers and to offer them opportunities to participate in the economy. Even though the CLEP grounds legal empowerment in international human rights law³⁷ which has been criticised as creating tensions in practice such as using customary justice mechanisms which violate human rights³⁸, this thesis, while it acknowledges the role human rights laws play and its limitations, it as stated in the introduction, does not focus on international and national rights-based approach concretely, law-oriented and development approaches are incorporated according to the needs of Saudi women. By examining KSA's context, the country's economic potential has been addressed numerous times and is argued not to be underestimated. With the high numbers of skilled workers and those under fifteen years of age, whom governments are emphasising and investing in, particularly in their education, the outcome is promising.³⁹ Even with this optimism about the workforce's capabilities, questions remain about whether the current reforms benefit women. The improvement in women's situation across various sectors in KSA is ongoing and appears promising, indicating the kingdom's ability to provide opportunities and create jobs compatible with 21st-century development. Nonetheless, considering the scope and pace of these changes is crucial, and scrutinising the nature of these reforms is imperative. The World Bank noted in 2020 that KSA was among the top ten economies to improve, driven by comprehensive reforms across a range of indicators, including mobility, the workplace, marriage, parenthood, entrepreneurship, and pensions.⁴⁰ Those indicators ought to be analysed

³⁶The Commission on Legal Empowerment of the Poor (n10) 28.

³⁷ Ibid 4.

³⁸ Lars Waldorf, 'Legal Empowerment and Liberal- Local Peace-Building', In Matt Saul and James Sweeney (Ed.) *International Law and Post-Conflict Reconstruction Policy* (Abingdon: Routledge 2015) 230.

³⁹ Abbas J Ali, 'Middle East Competitiveness in the 21st Century's Global Market' (1999) 13 *Academy of Management Executive* 1.

⁴⁰ World Bank Group, *Women, Business and the Law 2020* (Washington, DC: International Bank For Reconstruction and Development / The World Bank 2020) <

as interconnected parts of the broader socio-economic fabric of the country; they ought to be translated into tangible employment opportunities, equitable gender treatment and noticeable change. This is because the employment gap between men and women remains clear and substantial, particularly in the Gulf region.⁴¹ Perhaps what is needed is more than the enhancement of the structural framework for women's employment; actual implementation, inspection, and monitoring of such initiatives are required to facilitate Saudi women's full participation in the economy.

The current state of Saudi women's employment in KSA reflects decades of low economic participation. Recently, the country has initiated promising initiatives to increase this low rate, and the progress is gradually becoming evident. In the past five years, the Global Gender Gap Report (GGGR), which measures gender inequality in health, economy, education, and political empowerment, has shown the country's global ranking. The most distinctive economy ranking achieved by KSA, as shown in Table. 1 below was in 2022, when it began moving up from the bottom ten in the global ranking. It was noted as one of the most improved countries in closing its gender gap. 2024 was also distinctive for KSA, as it demonstrated significant progress on the equality ladder, with female labour participation reaching 43.2%.⁴² The 2020 GGGR index⁴³ ranked KSA 146th; the highlights were gaps in women's managerial positions and political representation. The most apparent gap in its 147th rank in the 2021

<https://Openknowledge.Worldbank.Org/Bitstream/Handle/10986/32639/9781464815324.Pdf?Sequence=10&IsAllowed=Y> > accessed 17th February 2022.

⁴¹ Sanja Kelly, 'Recent Gains and New Opportunities for Women's Rights in the Gulf Arab States' (2009) Freedom House. <

<https://www.freedomhouse.org/sites/default/files/Women%27s%20Rights%20in%20the%20Middle%20East%20and%20North%20Africa,%20Gulf%20Edition.Pdf> > accessed 4th January 2022; Beverly Dawn Metcalfe, 'Women, Empowerment and Development in Arab Gulf States: A Critical Appraisal of Governance, Culture and National Human Resource Development (HRD) Frameworks' (2011) 14 Human Resource Development International 2.

⁴² World Economic Forum, 'Global Gender Gap 2024: Insight Report' (2024) <

https://www3.weforum.org/docs/WEF_GGGR_2024.Pdf > accessed 5th December 2024, 38.

⁴³ World Economic Forum, 'Global Gender Gap Report 2020' (2020) <

https://www3.weforum.org/docs/WEF_GGGR_2020.Pdf > Accessed 3rd March 2022.

GGGR index was women's income, which was, on average, only 24% of men's.⁴⁴ In the Regional GGGR index, KSA ranked 15th among the 19 countries in the Middle East and North Africa (MENA) in 2021.⁴⁵ In 2022, it became the most improved country in the region, ranking 6th among the 14 ranked countries.⁴⁶ It maintained its improvement until the last 2024 report. It is essential to bear in mind that the MENA region continues to have the lowest female labour force participation, underscoring the work that needs to be done in the countries.

Table. 1

The Global Gender Gap Index	KSA Rank	(Results by Subindex) Economic Participation and Opportunity
2020 rankings	146 out of 153	148 out of 153
2021 rankings	147 out of 156	149 out of 156
2022 rankings	127 out of 146	128 out of 146
2023 rankings⁴⁷	131 out of 146	130 out of 146
2024 rankings	126 out of 146	125 out of 146

Table. 2

The Global Gender Gap Index rankings by region (Middle East and North Africa)	KSA Rank
2020 rankings	15 out of 19
2021 rankings	15 out of 19
2022 rankings	6 out of 13
2023 rankings	7 out of 13
2024 rankings	6 out of 15

Recent data suggest that legal reforms that provide employment opportunities for women are significant, but they may not be the only means of enhancing women's economic participation. KSA has been formulating action plans to target women's participation in the country's economic development.⁴⁸ The country began to include women in its national plans,

⁴⁴ World Economic Forum, 'Global Gender Gap Report 2021: Insight Report' (2021) < https://www3.weforum.org/docs/WEF_GGGR_2021.pdf > accessed 6th December 2024.

⁴⁵ Ibid.

⁴⁶ World Economic Forum, 'Global Gender Gap Report 2022: Insight Report' (2022) < https://www3.weforum.org/docs/WEF_GGGR_2022.pdf > accessed 1st June 2023.

⁴⁷ World Economic Forum, 'Global Gender Gap Report 2023: Insight Report' (2023) < https://www3.weforum.org/docs/WEF_GGGR_2023.pdf > accessed 5th December 2024.

⁴⁸ For Example, Kingdom of Saudi Arabia, Ministry of Economy & Planning, 'The Eighth Development Plan 2005 – 2009' < https://planipolis.iiep.unesco.org/sites/default/files/ressources/saudi_arabia_eighth_development_plan.pdf >

most clearly in 2005, with its Eighth National Plan. For example, one of the key goals of this plan was to increase women's participation in the economy, expand economic opportunities, and remove constraints on their participation.⁴⁹ The Ninth Development Plan was more comprehensive than the previous one, as it incorporated most of the issues facing Saudi women, whether social, economic, educational or health-related. The plan aimed to increase women's participation in the economy while also enhancing their roles and status within the family and society.⁵⁰ Nevertheless, neither plan aimed at women's empowerment to seize employment opportunities provided by the government or the private sector, nor to act as agents and choose to participate in the economy. The Tenth Development Plan⁵¹ was the first to focus on women's empowerment and placed it as one of the country's general goals. It proposed twelve policies to achieve women's empowerment, with the main goal of increasing the number of Saudi working women and decreasing their unemployment rate by the end of the Plan.⁵² This has been followed by Vision 2030, the latest National Development Plan⁵³, which further aims to empower women. The agenda outlined in this Plan includes expanding employment opportunities for Saudi women and empowering them through policies that encourage cultural change and societal acceptance of women in the workforce.

In addition to the country's national plans, most women-centred debates in KSA focus on social change for women.⁵⁴ This is based on the belief that altering the perception of gender

> accessed 27th February 2022; Kingdom of Saudi Arabia, Ministry of Economy & Planning, 'Objectives of the Ninth Development Plan 2010–2014' <

<https://www.mof.gov.sa/en/about/oldstratigy/ninth%20development%20plan%20-%20appendix-مدمج.Pdf>

> accessed 27th February 2022.

⁴⁹ KSA, Ministry of Economy & Planning, 'The Eighth Development Plan 2005 – 2009' (n 48).

⁵⁰ KSA, Ministry of Economy & Planning, 'Objectives of the Ninth Development Plan 2010–2014' (n 48)

⁵¹ Arab National Development Planning Portal, 'The Tenth Development Plan 2015-2019 KSA' <

<https://andp.unescwa.org/node/1239> > accessed 3rd March 2022 [Arabic Version].

⁵² Ibid 80.

⁵³ Kingdom of Saudi Arabia, 'Vision 2030' <

https://www.vision2030.gov.sa/media/rc0b5oy1/saudi_vision203.pdf > accessed 29th June 2021.

⁵⁴ E.g. Nora Alarifi Pharaon, 'Saudi Women and the Muslim State in the Twenty-First Century' (2004) 51 *Sex Roles* 5/6; Mona Al-Munajjed, 'Women's Employment in Saudi Arabia: A Major Challenge' (2010) Booz & Co. < <https://www.scribd.com/document/31477319/Womens-Employment-In-Saudi-Arabia-By-Booz-Co> >

roles can enhance women's employment opportunities and career progression. Research indicates that social context and gender equality play crucial roles in empowering women.⁵⁵ Other scholars have added family networks to the social context as vital factors in supporting women's empowerment in employment.⁵⁶ Nonetheless, effective strategies to address these prevailing beliefs still require further exploration. This thesis addresses this gap by arguing that most of the challenges faced by Saudi women in the employment sector can be resolved. Firstly, the role of women in economic development must be acknowledged. Close attention to the case of women in developed countries confirms that no society can carry out reforms based on principles of equal opportunities and justice without this acknowledgement.⁵⁷ Secondly, it is crucial to raise awareness among women and the public about women's legal rights and the significance of their participation in economic development. This thesis will highlight the importance of feminist approaches in this regard.⁵⁸ Furthermore, it is necessary to implement policies and legal reforms that specifically empower women. Overall, understanding the historical and theoretical development of social and economic inequality, along with a cultural awareness of gender roles, would assist in studying the challenges faced by women,⁵⁹ as highlighted in this thesis. This understanding is vital to appreciating the complexities of gender and to developing legal empowerment strategies that enable women to participate in the economy.⁶⁰ Overall, the above paragraphs provided an overview of legal empowerment, its

accessed 17th July 2025; Almathami and others (n15); Mohamed A. Abou-Shouk, Maryam Taha Manna and Ahmed Mohamed Elbaz, 'Women's Empowerment and Tourism Development: A Cross-Country Study' (2021) 37 *Tourism Management Perspectives* 100782.

⁵⁵ For Example, Karen Oppenheim Mason and Herbert L. Smith, 'Women's Empowerment and Social Context: Results from Five Asian Countries' (2003) Washington, DC: Gender and Development Group, World Bank; Naila Kabeer, 'Women's Economic Empowerment and Inclusive Growth: Labour Markets and Enterprise Development' (2012) 44 *International Development Research Centre* 1.

⁵⁶ For Example, Almathami and others (n13).

⁵⁷ Bahiya Jawad Aljishi, 'Reforms and Political Participation of Women in the Kingdom of Bahrain' (2013) 11 *Turkish Policy Quarterly* 4.

⁵⁸ Such as, Andrea Cornwall, 'Women's Empowerment: What Works?' (2016) 28 *Journal of International Development* 342.

⁵⁹ Valentine M. Moghadam, 'Women's Economic Participation in the Middle East: What Difference Has the Neoliberal Policy Turn Made?' (2005) 1 *Journal of Middle East Women's Studies* 1.

⁶⁰ Beverly Dawn Metcalfe, 'Gender and HRM In the Middle East' (2007) 18 *International Journal of Human Resource Management* 1.

definitions, and the current essential contextual factors in KSA, including its history and recent developments. The following lines highlight the gap in the literature that this thesis fills.

There is a wealth of quantitative research on women's employment and economic participation in KSA.⁶¹ Nonetheless, qualitative studies focusing on the legal empowerment of women in the economic sector in KSA are scarce, leaving a gap in understanding the links between quantitative and qualitative data and the reasons behind the numbers and percentages. Many existing studies on women's legal empowerment in KSA are often general. For example, Rizvi and Hussain⁶² examined recent governmental reforms in KSA aimed at empowering women across social, familial, and economic sectors, which they found to be successful in achieving the country's 2030 vision. The study found that the reforms are indeed empowering Saudi women and yielding current and future benefits for them. Other studies have focused on Saudi women's education and awareness as tools to empower women in the employment sector. Al-Qahtani et al. discussed women's economic empowerment, ascertaining how empowerment in one sector can lead to empowerment in another.⁶³ The study found that the educational empowerment of women in KSA would directly lead to women's economic empowerment, while political empowerment could indirectly, through academic empowerment, enhance women's participation in the country's economic sector. Indeed, women's education is a key factor in economic participation,⁶⁴ as it increases their awareness of their inequalities and empowers them to assert their employment rights.⁶⁵ Moreover, studies

⁶¹ E.g. World Bank Report, 'Saudi Arabia Human Capital Index 2020' (2020) <

https://databank.worldbank.org/data/download/hci/hci_2pager_SAU.pdf> accessed 10th January 2022

⁶² Lubna Javed Rizvi and Zahid Hussain, 'Empowering Woman Through Legal Reforms- Evidence from Saudi Arabian Context' (2021) 64 *International Journal of Law and Management* 2.

⁶³ Maleeha Mohammed Zaaf Al-Qahtani, Tarek Tawfik Yousef Alkhateeb, Haider Mahmood, Manal Abdalla Zahed Abdalla and Thikkryat Jebri Obaid Talalah Qaralleh, 'The Role of The Academic and Political Empowerment of Women in Economic, Social and Managerial Empowerment: The Case of Saudi Arabia' (2020) 8 *Economies* 45.

⁶⁴ Kabeer and Luisa (n 12).

⁶⁵ For Example, Abdulmalik Al-Haj and Nouf Abdullah Al-Nasser, 'The Working Women's Awareness of the Problem of Glass Ceilings in the Saudi Arabia Kingdom: A Field Study on a Sample of Employees of the

have discussed social norms and women's familial responsibilities as barriers to economic participation in KSA⁶⁶, while others have focused on family and society as enablers in Saudi women's empowerment, such as Almathami et al., which studied Saudi women's empowerment in the events sector.⁶⁷ The study primarily focused on the role of family and society in enabling women's participation in the economy by easing Saudi women's access to tourism sectors.

The studies above recognised the importance of women's empowerment, the significance of women's education and awareness, the role of legal reforms in women's lives, and the effects of family and society on their employment. Nonetheless, the existing research remains insufficient to comprehensively address the reasons for Saudi women's low participation in the economy; it does not address whether legal empowerment and feminism are suitable for the context or what the main barriers are to their employment and legal empowerment, nor do they explicitly focus on providing a coherent legal empowerment framework. This paper acknowledges the low number of women participating in the KSA economy compared to other parts of the world⁶⁸ and contributes to the body of knowledge by examining women's legal empowerment in the economic sector through the lenses of feminist and developmental approaches. Current strategies lack active policies or are not cohesively argued within the legal empowerment framework, leaving room for significant improvement.

Government Apparatus in Riyadh' (2017) 15 University of Sharjah Journal of Humanities and Social Sciences 170.

⁶⁶ Janneke Pieters and Stephan Klasen, 'Randomization for Women's Economic Empowerment? Lessons and Limitations of Randomized Experiments' (2020) 127 World Development 104820; Mason and Smith (n 55).

⁶⁷ Almathami and Others (n15).

⁶⁸ KSA General Authority for Statistics, 'GASTAT: Unemployment Rate for Total Population in Kingdom Stabilizes at 3.5% in Q1 2024' < <https://www.stats.gov.sa/en/w/gastat-unemployment-rate-for-total-population-in-kingdom-stabilizes-at-3.5-in-q1-2024#:~:Text=GASTAT%20reported%20that%20the%20overall%20unemployment%20rate%2C,2024%20from%207.8%25%20in%20the%20previous%20quarter.>> Accessed 10th January 2022; Hamood Al-Omar, 'Empowering Women in Higher Education Institutions in Saudi Arabia Kingdom: Reality and Expectation' (2018) 21 Journal of Administrative and Economic Sciences 43.

Moreover, there is a limited focus on feminism in KSA literature, particularly regarding Islamic feminism and the legal empowerment of women, though some studies address this within the broader Middle East context. For example, Metcalfe's study, which examines Islamic feminism and development in the Middle East, highlights the importance of this movement in elucidating women's role in development and in contributing to the planning of equality.⁶⁹ Many other studies have also emphasised the role of feminists in development plans.⁷⁰ As a result, considering feminism as a social movement that helps to understand the diversity and values of women within the development agenda, the study finds it an opportunity to apply this perspective to the case of KSA.

This thesis acknowledges the significance of legal reforms in empowering women but argues that legislation and resource allocation alone would not bring about women's empowerment in KSA. Additionally, the study acknowledges that both education and family relationships are key players in women's access to employment and participation in the economy.⁷¹ Nonetheless, it argues that education does not always translate into employment opportunities if other factors are absent. For example, societal resentment, a lack of work opportunities, and a lack of family support can disempower women from entering employment. Moreover, women can pursue higher education but lack the skills required in the workforce⁷² or specialise in unpopular fields in the current market. Similar to societal beliefs and customs, the study argues that focusing on changing such norms would not be enough unless combined

⁶⁹ Metcalfe (n 41).

⁷⁰ E.g. Valeria Esquivel, 'Power and the Sustainable Development Goals: A Feminist Analysis' (2016) 24 *Gender & Development* 1.

⁷¹ Kabeer and Luisa (n 12).

⁷² E.g. Rumana Ahmed and Nelia Hyndman-Rizk, 'The Higher Education Paradox: Towards Improving Women's Empowerment, Agency Development and Labor Force Participation in Bangladesh' (2020) 32 *Gender and Education* 447.

with raising women's awareness of their rights. It calls on women to recognise their rights, utilise resources for their benefit, act as agents, and exercise their choices.

Ultimately, this thesis advocates for legal empowerment as the approach that combines various methods to support women in achieving sustainable employment. It combines legal reforms, legal awareness, education, agency, and the ability to make choices, along with developmental and feminist theories, to enable women to fully participate in the economy and overcome the barriers they face in KSA. This is intended to address a gap in the literature, given the country's low ranking in the GGGR reports, despite efforts undertaken in the past decade to encourage women's economic participation. The gap also needs to be filled due to the complexity of women's situation in KSA, as cultural, societal, and individual beliefs, as well as the economy, are all interwoven. Additionally, the thesis presents a combination of quantitative and qualitative data that explain, strengthen, and build on one another to provide a deeper understanding of and solution to the problem. In summary, this thesis aims to fill a research gap by examining the impact of KSA's legal reforms and the primary reasons and barriers to low women's participation rates in the economy. It fills a research gap by proposing the application of women's legal empowerment strategies in the country, utilising development rights-based and law-oriented approaches from a feminist perspective to promote legal empowerment and enhance economic participation. Such strategies provide women with a comprehensive framework that supports education, awareness, and the ability to demand accountability. This section outlined the thesis's focus by providing a statement of the problem, examining the existing literature, identifying areas requiring further research, and justifying the problem. The following section elaborates on the hypothesis that the study intends to prove.

1.3 Hypothesis, Justifications and Significance

This thesis aims to identify strategies to advance women's legal empowerment in employment in KSA, with the expectation that such empowerment will enable them to understand their rights, advocate for them, and exercise their employment choices. Given KSA's highlighted stance on the GGGR and the persistent challenges women face in employment, the hypotheses are designed to explore the barriers to women's economic participation. Based on the review of the literature and the recent transformative initiatives in KSA, the thesis presents the following hypotheses. Firstly, if Saudi women are provided with resources such as education, work opportunities, and supportive family and community structures, they will experience an increase in their sense of agency. Coupled with a heightened awareness of their rights and the legal capacity to act, this empowerment will enable them to participate more fully in the economy. This hypothesis is based on Kabeer's feminist approach: if Saudi women can act for themselves, define their goals, and bring motivation and purpose to their actions, they can explain their life choices and pursue their goals even while facing constraints.⁷³ Thus, if Saudi women are given essential resources, it enhances their agency; this enhanced agency will manifest in various forms and empower them to make autonomous life choices, thereby enabling them to realise their capabilities⁷⁴ and participate in the economy.

Secondly, this study aims to gather data to test the hypothesis that integrating Islamic feminist approaches into the framework of women's legal empowerment in KSA will significantly increase women's participation in the public sphere. The thesis expects potential challenges in demonstrating this hypothesis; nonetheless, the pivotal role of Islam in shaping

⁷³ Kabeer (n 31).

⁷⁴ Amartya Sen, *Commodities and Capabilities* (Amsterdam: North Holland 1985).

KSA's laws and societal norms underscores the significance of consulting Islamic feminist interpretations of women's issues. Numerous scholars across various countries have established the discourse to affirm women's rights based on Islam and contend to differentiate Islam from patriarchal Islamists or other scholars who hold a restricted view of the religion.⁷⁵ Some of the Islamic feminist scholars consulted include Afsaneh Najmabadeh⁷⁶ and Ziba Mir-Hosseini⁷⁷, who focused on rereading the Quran for gender equality, Fatima Mernissi, who highlighted the spuriousness of some *Hadith* (prophet Mohammed's sayings, actions or approvals) that are used in society to uphold a misogynist interpretation of Islam; and Amina Wadud who devoted her writings to explaining how Islam guarantees gender equality and justice.⁷⁸ Lastly, in Egypt, Suad Salih argued for women's right to hold the position of *Mufti* (the authority to issue an authoritative interpretation of Islam).⁷⁹ This hypothesis asserts that applying Islamic feminist approaches in KSA could lead to substantive advances in women's employment rights, drawing parallels with progress observed in other countries.

The third hypothesis is that legal empowerment, viewed through the lenses of development organisations and scholars' approaches, will significantly enhance Saudi women's participation in the economy. Non-governmental organisations' work involves tackling issues of inadequate legal implementation and law reforms that have negligible impact on the poor and the disadvantaged,⁸⁰ as well as issues faced by women in employment in KSA.

⁷⁵ Margot Badran, 'Understanding Islam, Islamism, and Islamic Feminism' (2001) 13 *Journal of Women's History* 1.

⁷⁶ Afsaneh Najmabadeh, 'Feminism in an Islamic Republic, 'Years of Hard-Ship, Years of Growth' In Yvonne Yazbek Haddad and John Esposito (Ed.) *Islam, Gender, and Social Change* (New York: Oxford University Press 1997).

⁷⁷ Ziba Mir-Hosseini, 'Stretching the Limits: A Feminist Reading of the Shari'a in Post-Khomeini Iran' In Mai Yamani (Ed.) *Feminism and Islam: Legal and Literary Perspectives* (New York: New York University Press 1996).

⁷⁸ Amina Wadud, *Quran and Woman* (Oxford: Oxford University Press 1992).

⁷⁹ Gisela Webb, 'Introduction: 'May Muslim Women Speak for Themselves, please?' In Gisela Webb (Ed.) *Windows of Faith: Muslim Women Scholar-Activists in North America* (Syracuse, N.Y.: Syracuse University Press 2000).

⁸⁰ Stephen Golub, 'Legal Empowerment: Impact and Implications for the Development Community and the World Bank' (2006) 2 *World Bank Legal Rev* 167.

Developmental legal empowerment's primary impacts are to promote freedom and governance and to alleviate poverty.⁸¹ It achieves this by diverting from the traditional 'top-down' 'state-centred' rule of the law orthodoxy in which 'development agency personnel design and implement law-oriented projects in cooperation with high government officials'⁸² to a bottom-up approach. An approach that enables women to identify their needs rather than having those needs dictated by developmental agencies. This process is informal and encourages collaboration between women, lawyers, and government representatives as partners in the development process; it has also been argued to be a 'must' for socioeconomic development efforts⁸³ due to its advantages. The thesis expects the approach to enable Saudi women to participate in the law reforms and the implementation of policies affecting them, as a form of legal empowerment. In summary, the thesis examines legal empowerment as a catalyst for innovation in civil society, particularly for women. This legal empowerment is to be implemented as a process, through the lenses of feminist, Islamic feminist, and development bodies' perspectives, to enhance women's economic participation in KSA. The justifications and significance of the research problem and hypothesis are presented below.

The decision to focus this study on KSA is based on the country's most controversial practices regarding gender inequality and women's rights. KSA provides an appropriate setting for this research due to the recent dynamic changes in laws regarding women. The significance of this research lies in its ability to provide insight into the communal behaviour of KSA's residents in the context of equality and women's empowerment, as such information has been challenging to obtain, and the existing data are limited.⁸⁴ Scholars have described civil society

⁸¹ Ibid

⁸² Golub (n 33).

⁸³ Ibid

⁸⁴ Tarfah Alrashed, Jumana Almahmoud, Mohamad Alrished, Sattam Alsubaiee, Mansour Alsaleh, and Carlos Sandoval Olascoaga, 'Social Communities in Urban Mobility Systems in Social Computing and Social Media'

in KSA as ‘surprisingly under-researched and somewhat unrecognisable’⁸⁵; women in the country have been difficult to reach and understand regarding their behaviours and ideologies. Since they are, like their counterparts in other countries, expected to progress, contribute and establish themselves while overcoming restraints imposed by customs and traditions, their inclusion in future developments, political initiatives, and legal reforms has been recognised by KSA. Saudi women represent not only a significant part of the social fabric but also a driving force for change. Their empowerment serves as a clear indicator of the Kingdom's progressive direction and speed towards development.⁸⁶ For this thesis, legal reforms, legislation, and governmental policies are the leading players in prioritising women’s roles, opening new opportunities for them, easing their access to employment and improving their situation in the economic sector;⁸⁷ such initiatives could be a clear demonstration of the country’s commitment to a more inclusive and dynamic future.

Before the most recent 2030 vision reforms aimed at increasing the number of women in employment, there were schemes known as *Saudisation* and, later, *Nitaqat* rules in employment and labour laws. *Saudisation* is a government development scheme to replace foreign workers with Saudi nationals. It aims to increase employment opportunities for Saudi nationals, male and female.⁸⁸ *Nitaqat* was later established as one of the Ministry of Human Resources and Social Development (HRSD) initiatives to increase the rate of *Saudisation* in

(8th International Conference, SCSM Toronto, ON, Canada, Proceedings 178, 2016) <
<https://link.springer.com/content/pdf/10.1007/978-3-319-39910-2.pdf>> accessed 29th July 2025.

⁸⁵ Caroline Montagu, ‘Civil Society and the Voluntary Sector in Saudi Arabia’ (2010) 64 *The Middle East Journal* 1.

⁸⁶ Shaker Nabulsi, ‘Saudi Women Struggle to Confront the Religious Guise of Male Power’, In: Joshua Craze and Mark Huband (Eds) *The Kingdom: Saudi Arabia and the Challenge of the 21st Century* (London: C. Hurst & Co 2009) 165.

⁸⁷ E.g. The World Bank, ‘Saudi Women Rising Up in Business in Line with Vision 2030’ (2020) <
<https://www.worldbank.org/en/news/feature/2020/03/11/saudi-women-rising-up-in-business-in-line-with-vision-2030>> accessed 11th January 2022; Khalood Al-Thaqafi, ‘The Saudi Women Role in Development: Women Entrepreneurs in the Eastern Region as a Model’ (2017) 26 *King Khalid University Journal for Humanities* 1.

⁸⁸ Robert Looney, ‘Saudization and Sound Economic Reforms: Are the Two Compatible?’ (2004) 3 *Strategic Insights* 2.

the private sector and to classify companies accordingly.⁸⁹ The scheme has been put in place partly to create more jobs and increase women's participation in the labour market; nonetheless, since women's participation in the economy remains low⁹⁰, the initiatives are argued to be of limited success. The schemes proved that foreign labour does not solely deprive Saudi females of working opportunities, rather other societal, cultural, religious or familial barriers ought to be examined. These outcomes lay the foundation for this research, which explores the factors influencing Saudi women's employment and the obstacles to their economic participation, and proposes a legal empowerment approach for women. It is a way to help address the practical and theoretical issues of Saudi women's low participation in the economy, as well as the best approach to understanding Saudi women and addressing the situation. It addresses a gap in the literature as discussed above in section 1.2.

The significant contribution of this thesis is to propose a new understanding of Saudi women's employment by examining factors that indirectly affect their economic participation. It suggests examining the roots of the phenomenon to assist in planning the most effective strategies to improve the situation. The thesis's originality lies in introducing the concept of legal empowerment through the lenses of development bodies and feminists to the context of KSA. This is significant theoretically, as the Saudi experience can confirm some of the outcomes of legal empowerment presented by developmental agencies and feminists. Practically, it suggests how KSA could advance the situation of women and employment. The following section presents the thesis's rationale and outlines its key questions.

⁸⁹ KSA Unified National Platform, Labor and Employment < <https://www.my.gov.sa/wps/portal/snp/aboutksa/employment> > accessed 13th January 2022.

⁹⁰ World Economic Forum, 'Global Gender Gap Report 2021: Insight Report' (n 44).

1.4 Aims, Objectives and Questions

The research aims to critically examine the extent to which recent legal reforms in KSA have contributed to women's legal empowerment in employment, and to identify the remaining barriers and strategies needed to strengthen women's participation in the labour market. In KSA, there is a lack of effective enjoyment of equal rights for women to participate in the economic sector. Recently, the country recognised the importance of including women in the economic sector to achieve sustainable development; consequently, many legal reforms were implemented, the implications of which are discussed in the literature review chapters. The thesis evaluates the effectiveness of these reforms in empowering Saudi women and suggests mechanisms to enhance their employment situation, highlighting legal empowerment as a significant approach to ensure their participation in the economy.

The objectives of the thesis, therefore, are to analyse the existing legal measures and reforms relating to Saudi women's empowerment and assess their role in enhancing their economic participation. To evaluate the effectiveness of those reforms in altering the current situation of women. To identify the main key personal, relational, social, cultural, and structural barriers that continue to restrict women's entrance, remaining, or advancement within the labour market. The objectives also include assessing women's awareness of and engagement with their employment rights and exploring their agency and the factors that enhance it. Most importantly, it is necessary to apply diverse theories and approaches to generate the most suitable strategies for women's legal empowerment in KSA. Firstly, given that this research is predominantly centred on women, it will draw upon feminist theories of development, particularly Naila Kaber's framework concerning resources, agency, and achievement. Second is to incorporate Islamic feminist theories that advocate for gender equality, which is

especially relevant in the context of a Muslim country like KSA. Thirdly, the thesis adopts strategies promoted by development agencies, such as those put forth by the World Bank and the CLEP, to enhance understanding of the main research question: how the legal empowerment approach can foster greater participation by women in KSA's economy. These theoretical frameworks will help assess the impact of legal reforms in empowering women to overcome societal and traditional patriarchal constraints. The final objective of the thesis is to develop practical recommendations that are clear to policymakers, employers, and society on how to enhance women's legal empowerment and strengthen their economic participation, thereby contributing to ongoing efforts to advance women's empowerment in the country.

The formulation of the research questions in this study is grounded in an integrated analytical framework that combines the concepts of legal empowerment introduced by Golub and adopted by the CLEP, Kabeer's resources, agency, and achievement frameworks, and Islamic feminism, as elaborated, e.g., by Badran and Mir-Hosseini. The CLEP's legal empowerment approach frames the investigation into the extent to which the legal measures implemented in KSA have enabled women to claim and exercise their rights in the labour market. The approach not only regards law as an instrument of control and order, but also as a means to enable the disadvantaged to gain access to justice and economic opportunities. Kabeer's empowerment theory complements this by emphasising women's agency, access to resources, and achievements as interdependent dimensions of women's empowerment, thereby informing questions related to the capacities and strategies Saudi women need to engage effectively with the law and improve their economic positions. It justifies the research sub-questions that explore the personal and structural factors that enable Saudi women to exercise agency and translate their legal rights into meaningful economic participation. Finally, Islamic legal feminism situates the thesis's analysis within the cultural and religious context of KSA.

It demonstrates that women's legal empowerment can be pursued in harmony with Islamic principles of justice and equality, which can serve as a foundation for such empowerment through interpretations and engagement with Sharia-based legal systems. Laws related to labour and employment in KSA form a hybrid system, incorporating a regulated employment framework that aligns with Islamic principles.⁹¹ This system is neither purely liberal in the Western sense nor entirely based on *Sharia* law, but rather provides a flexible, culturally grounded legal environment that can accommodate the integration of seemingly disparate theories, offering a contextualised framework of legal empowerment that is gender- and culturally sensitive in the country. Together, these theory frameworks inform the study's contextualised understanding of women's empowerment in KSA, provide a culturally sensitive and theoretically robust foundation for exploring the effectiveness of the legal reforms, the barriers women continue to face, and the roles of both law and agency in advancing women's empowerment in the Saudi employment sector.

The central research questions guiding this study are: to what extent the legal measures implemented in KSA are effective in encouraging women's participation in the economy, and what are the principal barriers currently faced by women in accessing the labour market? The sub-questions posed include: What measures are required to overcome the barriers Saudi women face in entering and remaining in the labour market? What are the personal and legal qualities needed by Saudi women to engage with the law, make use of the implemented measures and advance their economic empowerment? Why is women's legal empowerment, as proposed in this thesis, one of the most effective strategies for improving Saudi women's situation in the employment sector? and how can legal empowerment-be used as a practical tool in KSA to enhance Saudi women's participation in the economy? Finally, what are the

⁹¹ Amgad T Husein, John M B Balouziyeh and Jonathan G Burns, 'Saudi Arabia' in Erika C Collins (ed.) *The Employment Law Review* (7th edition, Law Business Research Ltd 2016) 611.

respective roles of the law and Saudi women in fostering empowerment at the personal, relational, and institutional levels? The next section explains the thesis methodology and how it is the best suited to answer the research Questions.

1.5 Methodology

This thesis examines the research issue through an exploratory mixed-methods investigation, employing socio-legal, quantitative, qualitative, doctrinal, and empirical research methods to fulfil its aims and objectives. The thesis's main methods -tools- of data aggregation are questionnaires and governmental legislation as primary data. The Secondary data includes relevant government publications, journal articles, periodic state reports, textbooks, documentation, and newspaper reports. The methodology justifies using a socio-legal focus, combined with mixed quantitative and qualitative methods, to answer the research questions.

Using a mixed-methods survey design, both subjective and objective data were collected to best address the research questions. The findings reveal the current employment realities for Saudi women, the effects of ongoing legal and social reforms, and the barriers women still face in gaining and maintaining employment. This methodology enables an in-depth exploration of women's challenges and their views on how to overcome them. Notably, including responses from both men and women provides a well-rounded understanding of gendered dynamics influencing women's participation in the labour market. For example, it identified the issues and challenges women perceive, as well as what they believe would improve their situation, contrasting these with the barriers men see to women's employment and the solutions they consider necessary.

Moreover, given that employment in KSA is considered a family issue, understanding men's attitudes and support is vital since they continue to influence women's employment decisions and opportunities. They play a role in helping women overcome employment barriers and make the most of empowerment opportunities. Long-standing male dominance in most professional sectors has likely contributed to limited awareness of the specific challenges and needs women face at work. This dominance may also have led to a lack of understanding of women's needs compared to men, resulting in women's issues being overlooked. That is, what women perceive as barriers may not be acknowledged as such by their male counterparts. The survey data revealed divergent gender-based perceptions of women's empowerment needs and of their position in the labour market, underscoring the value of incorporating both male and female perspectives for a holistic understanding of women's empowerment in the Saudi context. Accordingly, the chosen methodology is well-positioned to address the research questions, offering nuanced insights into the effectiveness of legal measures, persistent obstacles, and the socio-legal factors shaping women's economic engagement in KSA.

The thesis acknowledges that law shapes and can be shaped by the political, social, and economic contexts; it is inherently intertwined with the fabric of social and political structures, and thus can only be understood in context.⁹² Socio-legal studies examine how law interacts with and is shaped by its social context, analysing the cultural, political, and economic factors that influence legal institutions and practices.⁹³ The sociolegal approach is suitable for this research because it addresses two fundamental questions that determine its appropriateness. First is whether terms such as "inadequate", "effective", or "reform" are part of the proposal discussion; second, whether the analysis draws upon certain open textures and interdisciplinary

⁹² Harris Phill, 'Curriculum Development in Legal Studies' (1986) 20 *Law Teacher* 2, 112.

⁹³ Roger Cotterrell, *Law's Community: Legal Theory in Sociological Perspective* (Oxford: Oxford Socio-Legal Studies 1997).

concepts.⁹⁴ The responses to both questions are positive because the study examines reforms in KSA regarding women and assesses the effectiveness of women's empowerment in the country. The study responds to the second question with value statements, separating legal considerations from other political, economic, or financial aspects, demonstrating that a socio-legal approach is the most effective for this analysis.

Furthermore, the use of both quantitative and qualitative research methods in this study is significant because it provides an in-depth understanding of the current situation of Saudi women in the economy, gives them a voice, and examines their views, experiences, and behaviour regarding this sensitive and complex situation. The questionnaire's open- and closed-ended questions are designed to identify issues from the participant's perspective, particularly in how they perceive, understand, and expect from the concept and initiatives of women's legal empowerment. Finally, the indicators set in the questionnaire are designed to measure women's legal empowerment at all levels and to avoid bias, thereby reducing frequent criticism that they disproportionately favour educated participants and those who are economically advantaged in society.⁹⁵ They cover both economic and non-economic dimensions and explicitly address the legal and cultural spheres. Building on this section, the next section will delineate the research scope.

⁹⁴ Donnacha O'Donovan, 'Socio-Legal Methodology: Conceptual Underpinnings, Justifications and Practical Pitfalls' in Cahillane L and Schweppe J (eds), *Legal Research Methods: Principals and Practicalities* (Clarus Press 2016)

⁹⁵ Hanny Cueva Beteta, 'What is Missing in Measures of Women's Empowerment?' (2006) 7 *Journal of Human Development* 2.

1.6 Scope and Limitations

The research examines women's legal empowerment in KSA from a developmental studies perspective, with a focus on the employment sector. The targeted populations are Saudi nationals of various ages, genders, educational backgrounds, and social statuses. The questionnaire is the primary tool for collecting data, which is subsequently analysed using content analysis. The research philosophy draws on the Islamic feminist paradigm, aiming to activate women's rights in the Quran through egalitarian interpretations and to challenge patriarchy, while advocating for legal reforms that reflect the principle of equality for all.⁹⁶ By adopting this philosophy, religion will be treated as a tool for women's empowerment in KSA, a suitable approach for this thesis since Islamic law is the basis of all internal legislation in the country. Article 7 of the Saudi Basic Law of Governance states:

Government in the Kingdom of Saudi Arabia derives its authority from the Book of God and the Sunna of the Prophet (PBUH), which are the ultimate sources of reference for this Law and the other laws of the State.⁹⁷

This philosophy will be discussed and used as an insight into the Saudi context. It is the ability to incorporate religion into decision-making through an interpretive mechanism that can serve a wide range of perspectives. Under such an interpretive approach, both conservative and liberal outcomes could be achieved. The thesis, within the framework of Islamic feminism, presents the complex form of women's empowerment in KSA. The terms used in the thesis will be clarified in the following section.

⁹⁶ E.g. Margot Badran, 'Engaging Islamic Feminism' In Anitta Kynsilehto (Ed.) *Islamic Feminism: Current Perspectives* (Tampere Peace Research Institute, Occasional Paper No. 96, Finland 2008).

⁹⁷ The Embassy of KSA, 'Law: Basic Law of Governance' <<https://www.Saudiembassy.Net/Basic-Law-Governance>> accessed 17th February 2022.

Many of the terminologies used in this discussion have been asserted to have more than one meaning. Firstly, definitions of “empowerment” vary according to the specific needs of agencies to fulfil their missions⁹⁸; some base it on global leading movements, such as feminism and Black Power. Definitions pouring into development came from a variety of sources, such as feminist scholarship, the Christian right, New Age self-help manuals, and business management.⁹⁹ The meaning used in the thesis is drawn from the World Bank’s perspective: it aims to enable women to have freedom of choice and control over their lives. It is also to remove the formal, such as laws and regulations of the state or the market, and the informal, such as norms of social solidarity or social exclusion, institutional barriers that limit their choices or prevent them from taking action to improve their lives.¹⁰⁰ This understanding of empowerment is simple and aligns with development initiatives in KSA.

Secondly, the term “Women's empowerment” in this research refers to giving women the opportunity to make decisions and participate in social and economic life. It is to create a situation in which they are authorised to implement programmes and policies that affect their lives.¹⁰¹ The definition of women’s legal empowerment adopted in this study is of the CLEP, ‘a process of systemic change through which the poor and excluded become able to use the law, the legal system, and legal services to protect and advance their rights and interests as citizens and economic actors’.¹⁰² It is adopted within a feminist framework that raises women’s awareness of their rights, agency, and ability to exercise their choices, and equips them with the capacity to use the law to protect and advance those rights. The first part of the section

⁹⁸ Mick Moore, ‘Empowerment at Last?’ (2001) 13 *Journal of International Development* 3.

⁹⁹ Andrea Cornwall and Karen Brock, *Beyond Buzzwords: Poverty Reduction Participation and Empowerment in Development Policy* (Programme Paper Number 10, UNRISD 2005).

¹⁰⁰ Deepa Narayan, *Empowerment and Poverty Reduction: A Sourcebook* (Washington, DC: World Bank 2002).

¹⁰¹ Patricia S.E. and Becky Michele Mulvaney, *Women, Power, and Ethnicity – Working Toward Reciprocal Empowerment* (The Haworth Press 2003).

¹⁰² The Commission on Legal Empowerment of the Poor (n10) 3.

outlined the research scope and defined key terms; the second part discusses the thesis's limitations.

The study has several limitations that should be outlined to be addressed in future research. First, the study's narrow scope regarding the targeted population and the research sample of one hundred are determined by the researcher's time, resources, and capacity, factors that significantly contribute to the research's limitations. Second, there is a lack of statistical data and formal information on women's legal empowerment in employment in KSA. The research acknowledges the limited prior studies on this topic and takes advantage of the opportunity created by this research gap, as noted in the thesis's significance section. Nonetheless, this lack of precedent also presents challenges in establishing a theoretical foundation, comparing the findings, and justifying the selected methods.

Additionally, as an exploratory study, this thesis required considerable time and effort to address the gaps in the literature. Another challenge that limited progress was the openness of society to responding to the questions and the appropriateness of those questions within the ideological climate, which required time and effort for outcomes to emerge. Finally, the limited research in KSA on the legal empowerment of women in employment may stem from the limited national information, the absence of data and statistics¹⁰³, and the relative sensitivity of the issue for women and society, as well as the relatively new ideology of women's empowerment in the country, which has posed limitations in several aspects of the research at various stages. After reviewing the thesis's limitations, the upcoming section will present the research plan and its structure to meet the set aims and objectives.

¹⁰³ Abdelah Mobaraki and Birgitta Söderfeldt, 'Gender Inequity in Saudi Arabia and Its Role in Public Health' (2010) 16 Eastern Mediterranean Health Journal 1.

1.7 Structure

The structure of the thesis is as follows: this Introductory Chapter proposes the research title, clarifies the rationale for its selection, outlines its aims, objectives, and questions, explains the gap the research addresses in the literature, and proposes its hypothesis, methodology, scope, and limitations. The second chapter discusses the KSA context, covering the socio-economic, cultural and political position of women, particularly in relation to patriarchy and empowerment. This is followed by the Third Chapter, which focuses on the KSA legal and policy framework governing women's access to employment and economic resources, including a discussion of the effects of the feminisation of labour and the double burden phenomenon. The purpose of the Fourth Chapter is to review KSA's governmental reforms on women's employment, assess their effectiveness, and identify legal, cultural, and economic barriers to women's empowerment in the country. The Fifth Chapter presents the theoretical and analytical framework for Women's Legal Empowerment in KSA: namely, Feminism and Islamic feminism, Naila Kabeer's theory of women's agency, development theories, and the CLEP's approach to legal empowerment. Additionally, it discusses the importance of subjective legal empowerment in KSA. Chapter Six explains the methods of the thesis. Chapter Seven presents the empirical results, while Chapter Eight focuses on the thesis's data analysis. Finally, Chapter Nine concludes the thesis with recommendations for future research.

Chapter Two

Social, Cultural and Socioeconomic Foundations of Women's Empowerment in KSA Context

Introduction

This chapter provides the contextual and theoretical foundation necessary to understand the environment in which Saudi women navigate their legal and economic rights. It addresses the main research question by exploring how social, cultural, legal and structural factors influence Saudi women's participation in the labour market. It critically examines the social setting in KSA and the prevailing conditions that shape women's empowerment. By analysing such foundational elements, the chapter establishes how deeply rooted norms, institutions, and interpretations of gender intersect with contemporary reforms and the broader legal empowerment agenda. This chapter consists of two main sections. It begins by introducing the society and cultural landscape of KSA, focusing on patriarchy and its impact on women's rights and employment decisions. This section highlights how societal expectations, cultural perceptions, and religious discourse continue to influence women's economic participation, thereby directly informing the barriers outlined in the research questions.

The second part turns to the theoretical dimension of women's empowerment, with a focus on its application within the Saudi context. It defines women's empowerment and its essential components, analysing how these concepts are interpreted through the lenses of education, social norms, and religious scholarship in KSA. These insights are then situated within global understandings of legal empowerment, enabling a comparison between

international frameworks and Saudi realities. This is followed by a highlight of the key domains of legal empowerment most relevant to Saudi women, offering final reflections on the strategies needed to move from theoretical understanding to practical implementation. This discussion directly answers the research questions by exploring how legal empowerment strategies can be effectively applied to enhance Saudi women's roles in the economy. By combining contextual analysis with theoretical grounding, this chapter lays the conceptual basis for understanding how legal empowerment, as a bottom-up approach, can serve as a sustainable mechanism for advancing women's economic participation in KSA. It concludes with reflections on how these social and theoretical foundations inform the legal and policy reforms analysed in the following chapter.

2.1 Patriarchy and the Social Context in Saudi Arabia

2.1.1 Patriarchy in KSA

Patriarchy is a social system that is most influential in shaping Saudi women's lives, limiting their access to rights, resources and employment. In a society that has been described as a composite of patriarchal units,¹⁰⁴ women face significant challenges regarding legal rights and gender equality. Their autonomy has been mediated through guardianship systems, ultra-conservative religious interpretations, and cultural norms rooted in tribal culture; These forces reinforce male dominance, restricting women's decision-making and leading to low levels of economic participation.¹⁰⁵ Understanding how patriarchy operates in KSA is therefore essential

¹⁰⁴ E.g. Valentine Moghadam, 'Patriarchy in Transition: Women and the Changing Family in the Middle East' (2004) 35 *Journal of Comparative Family Studies* 2; Eleanor Doumato, 'Women in Saudi Arabia: Between Breadwinner and Domestic Icon' In Suad Joseph and Susan Slyomovics (Eds.) *Women and Power in the Middle East* (Philadelphia, Pennsylvania: University of Pennsylvania Press 2001).

¹⁰⁵ E.g. Nazli Kibria, *Muslims in Motion: Islam and National Identity in the Bangladeshi Diaspora* (Rutgers University Press 2011); Saida Douki, Fethi Nacef, Ahlem Belhadj, Abdelhamid Bouasker, and Rym Ghachem, 'Violence against Women in Arab and Islamic Countries' (2003) 6 *Archives of Women's Mental Health* 3;

to answering this thesis's research questions. The efforts are ongoing to improve Saudi women's circumstances; nonetheless, while patriarchal practices remain pervasive, they do not render women entirely without agency. Many stories of women's success involved the support of guardians, particularly fathers, who helped them realise their potential. A study in the region found that 80% of successful women credited their achievements to their families' support.¹⁰⁶ This supports this study's conclusion that family support is a key factor in women's legal empowerment. Having that stated, patriarchy still forms the dominant framework through which gender roles are understood and negotiated in current discourse. This section highlights the historical and structural foundations of patriarchy in KSA, as well as the current shifts driven by state-led reforms under the latest government plans, particularly Vision 2030.

Primarily, patriarchal forms towards women's work are a product of intersecting cultural, religious, historical, and economic influences in KSA. To understand the historical and structural features of patriarchy in the country, classic patriarchy is the starting point. It is characterised by extended households where senior men, viewed as breadwinners, hold authority over women, younger men, and children. In contrast, women, assigned domestic roles, expect their labour and reproductive contributions to belong to the male lineage.¹⁰⁷ This dynamic -attributed to most Middle Eastern countries- enforces women's subordination and obedience and is often justified by kinship values and religious principles.¹⁰⁸ This classical

Moghadam (n 104); Colp Rubin, Book Review (2008) 15 *Middle East Quarterly* 3 in Valentine Moghadam (Ed.), *From Patriarchy to Empowerment: Women's Participation, Movements, and Rights in The Middle East, North Africa, and South Asia* (New York: Syracuse University Press 2007); Eleanor Doumato, 'Gender, Monarchy, and National Identity in Saudi Arabia' (1992) 19 *British Journal of Middle Eastern Studies* 1; Salwa Abdel Hameed Al-Khateeb, 'Women, Family and the Discovery of Oil in Saudi Arabia' (1998) 27 *Marriage & Family Review* 1-2.

¹⁰⁶ Hend Almaseb & Maria Julia, 'Kuwaiti Bedouin Muslim Women Achieving Control over their Lives: Factors Supporting Empowerment' (2007) 29 *Social Development Issues* 81-99.

¹⁰⁷ Moghadam (n 104).

¹⁰⁸ E.g. Moghadam (n 104); Niels Spierings, 'The Influence of Patriarchal Norms, Institutions, and Household Composition on Women's Employment in Twenty-Eight Muslim-Majority Countries' (2014) 20 *Feminist Economics* 4; Dniz Kandiyoti, 'Bargaining with Patriarchy' (1988) 2 *Gender and Society* 3; Suad Joseph, 'Patriarchy and Development in the Arab World' (1996) 4 *Gender & Development* 14.

patriarchy also extends to public spheres, with men viewed as more suitable for power roles.¹⁰⁹ Thus, patriarchy is viewed in this context as the ‘system of social structures and practices in which men dominate, oppress and exploit women in the household and publicly in the government system¹¹⁰. Even though the ideal-typical classic patriarchy does not currently exist in KSA. The classical ‘patriarchy contract¹¹¹’ in the Middle East, or ‘patriarchal bargain’ in MENA, refers to how women can gain some control in the private domain by exchanging resources,¹¹² and it helps explain how Saudi women historically navigated this system. For instance, women may elevate their status by bearing sons or waiving inheritance rights to strengthen future support claims.¹¹³ However, such arrangements did not translate into genuine empowerment; they rather limited their autonomy in economic participation.

Moreover, influenced by historical and economic factors, KSA exhibits a complex patriarchal landscape resulting in varied practices across regions and socioeconomic groups. The *Hijaz* region is more open to women’s roles due to exposure to diverse Muslim cultures through pilgrimage,¹¹⁴ whereas the *Najd* region adheres to stricter religious interpretations and gender norms. Similarly, affluent and educated families often support women’s autonomy, whereas those from lower socioeconomic backgrounds impose more stringent controls on

¹⁰⁹ Spierings (n 108)

¹¹⁰ Sylvia Walby, ‘Theorising Patriarchy’ (1989) 23 *Sociology* 2.

¹¹¹ Valentine Moghadam, *Modernizing Women: Gender and Social Change in the Middle East* (Boulder CO: Lynne Rienner 2003); Jennifer C. Olmsted, ‘Gender, Aging, and the Evolving Arab Patriarchal Contract’ (2005) 11 *Feminist Economics* 2.

¹¹² Kandiyoti (n 108) 285; Spierings (n 108).

¹¹³ Elhum Haghghat, ‘Social Status and Change: The Question of Access to Resources and Women’s Empowerment in the Middle East and North Africa’ (2013) 14 *Journal of International Women’s Studies* 1; Kabear (n 31).

¹¹⁴ E.g. Arab News, ‘Makkah is a City Embracing Cultural, Linguistic Diversity’ (2022) < https://www.arabnews.com/node/2061261/saudi-arabia?utm_source=Chatgpt.Com > accessed 26th February 2025; UNESCO, ‘Jeddah’ < https://en.unesco.org/silkroad/content/jeddah?utm_source=Chatgpt.Com > accessed 26th February 2025.

women's choices and mobility.¹¹⁵ This variation demonstrates that patriarchy in KSA is not monolithic but complex and adaptive, shaping women's opportunities unevenly across society. Economic structure further reinforces patriarchal norms. Heavy reliance on oil by the KSA's economy has a significant role in enabling many families to maintain traditional gender divisions. Scholars have observed that women's contributions to public life and the workforce are limited in countries that rely on resource extraction, compared to countries that have developed through export-led industrialisation.¹¹⁶ Similarly, countries that show strong patriarchal values tend to manifest low levels of women's economic participation, where women encounter legal barriers and a lack of support for gender equality.¹¹⁷ In KSA, oil is argued to be a primary cause of women's underrepresentation in the workforce and government¹¹⁸; it discouraged it from gender inclusion. The Dutch disease model, developed in 1982 by Corden and Neary,¹¹⁹ applies to its context. It 'refers to a situation in which an extra wealth from an export boom—such as a discovery of major resource deposits—leads to *a contraction of other tradable activities* by giving rise to a real appreciation of the home currency.'¹²⁰ Accordingly, the oil discovery transformed KSA's economy, shifting it away from traded sectors (agriculture and manufacturing) towards non-traded sectors (construction and services). The country begins to demand more in non-traded sectors (goods that cannot be imported), as traded goods are cheaper to import from other countries than to buy locally, ultimately leading to a predominance of male-dominated employment. Hence, two factors

¹¹⁵ Maryam Aldossari and Sara Chaudhry, 'Gendered Precarity in Saudi Arabia: Examining the State Policies and Patriarchal Culture in the Labor Market' (2024) 31 *Gender, Work & Organization* 6.

¹¹⁶ For Example, Moghadam (n 59); Ronald Inglehart and Pippa Norris, 'The True Clash of Civilizations' (2003) 135 *Foreign Policy* 62.

¹¹⁷ E.g. Studies on Morocco and Egypt, Ronald Inglehart and Pippa Norris, *Equality and Cultural Change Around the World* (Cambridge: Cambridge University Press 2003); Studies on MENA and South Asia Regions, Mary Hallward-Driemeier, Tazeen Hasan, and Anca Bogdana Rusu, *Women's Legal Rights over 50 Years: Progress, Stagnation or Regression?* (Policy Research Working Paper No. 6616, World Bank Group, September 2013).

¹¹⁸ Inglehart and Norris (n 116).

¹¹⁹ W M. Corden, and J. Peter Neary, 'Booming Sector and De Industrialization in a Small Open Economy' (1982) 92 (December) *The Economic Journal* 825.

¹²⁰ Naoko C. Kojo, 'Demystifying Dutch Disease' (2014) World Bank Group, Macroeconomics and Fiscal Management Global Practice Group, Policy Research Working Paper 6981

affect Saudi women's economic participation: rising "prevailing wages" due to the oil boom incentivise women to work, while increasing "unearned income" from family resources that accrues to women indirectly makes them less inclined to join the labour force. Women's income in both situations is referred to as "reservation wages," which influences their decisions to work.¹²¹ This reservation wage is the primary reason they work. If the unearned income is high, their reservation wage is high too, so they could enter the market for leisure or only if a well-paying job lures them. If her unearned income is low, her reservation wage is low, meaning she will enter the market even if the prevailing wage is low. In KSA, this economic pattern interacted with existing gender norms, further entrenching women's reliance on male guardians and limiting their financial independence. Despite this, progress in gender equality remains achievable, as demonstrated by countries with similar economic backgrounds, such as Norway, New Zealand, Uzbekistan, Turkmenistan, and Syria, which sustain women's roles in the labour market; good fortune and a committed government can offset the negative effects of oil on the status of women.¹²²

Overall, the above historical and structural elements formed a deeply embedded system in which legal and institutional frameworks often reflected cultural preferences rather than universal principles of gender equality. They necessitated that KSA open up to the rest of the world, as most regions had been geographically and intellectually isolated for decades, with minimal exposure to different cultures. Even though recent interactions with the world remain limited, making deeply rooted traditions difficult to alter¹²³, government efforts focused on socioeconomic development, raising awareness of women's rights, and revising legal policies

¹²¹ Kristin Mammen and Christina Paxson, 'Women's Work and Economic Development' (2000) 14 (Autumn) *Journal of Economic Perspectives* 141.

¹²² Michael L. Ross, 'Oil, Islam and Women' (2008) 102 *American Political Science Review* 1, 121.

¹²³ E.g. Wafa Alhajri, 'Women's Perspectives on Social Change in Saudi Arabia' (2020) (Doctoral Dissertation) Indiana University, School of Social Work 2020.

to improve women's situation are promising.¹²⁴ Modern life, which requires changing family structures and social and economic reforms in anticipation of the end of the oil era,¹²⁵ also promises to undermine patriarchal norms and behaviours.¹²⁶ That said, this thesis anticipates that patriarchal practices will gradually diminish in KSA, driven by the factors elaborated below.

The contemporary Saudi landscape is undergoing a significant transformation. Patriarchy is addressed innovatively by focusing on themes such as women's rights, gender equality, family law reforms, and women's empowerment.¹²⁷ The recent vision of the country introduced legal and social reforms that represent meaningful steps toward gender inclusion. The patriarchal guardianship manifested in men's permission for women to work that reinforces traditional roles of dictating their careers¹²⁸, and in men's control over women's finances, which restricts women's financial independence and decision-making, was targeted despite implementation challenges.¹²⁹ Targeted also are policies that confine women to lower-paying jobs, resulting in a significant gender wage gap, while labour law forbids wage discrimination, gender segmentation, 49% wage gap still persists across the regions,¹³⁰ pressing the need for practical measures to address these longstanding social hierarchies

¹²⁴ Eleanor Doumato, 'Saudi Arabia' In Sanja Kelly and Julia Breslin (Eds.) *Women's Rights in the Middle East and North Africa* (NY: Freedom House; Lanham, MD: Rowman & Littlefield 2010).

¹²⁵ Philippe Fargues, 'Changing Hierarchies of Gender and Generation in the Arab World' In Carla Makhoul Obermeyer (Ed.) *Family, Gender, and Population in the Middle East Policies in Context* (Cairo: Hugdd University in Cairo Press 1995).

¹²⁶ Moghadam (n 104).

¹²⁷ Rania Maktabi and Brynjar Lia (Guest Editors) 'Middle Eastern Patriarchy in Transition' (2017) 57 *Die Welt Des Islams* 3-4.

¹²⁸ E.g. Phoebe O'Hara, 'Exercising Agency: Women, Space and Place in Saudi Arabia' (2019) XIII *The Cornell International Affairs Review* 86.

¹²⁹ Woodrow Wilson International Center for Scholar, 'Best Practices: Progressive Family Laws in Muslim Countries' (2005) < <https://www.wilsoncenter.org/publication-series/best-practices-progressive-family-laws-muslim-countries> > accessed 28th February 2025. [Arabic Version]

¹³⁰ ESOHR, 'Gender Wage Gap: A Global Violation and Saudi Arabia is One of the Principal Perpetrators' (2022) < <https://www.esohr.org/en/ع-انتهاك-في-الأجور-بين-الجنسين> > accessed 1st March 2025; Statista, *Gender Distribution of Average Monthly Salary Amongst Paid Saudi Workers in 2023, by Age Group* < <https://www.statista.com/statistics/1538178/saudi-arabia-gender-distribution-saudis-average-monthly->

At the societal level, Saudi women have long been perceived as needing protection and provision, which often translates into restrictions on their employment opportunities. Attitudes toward their work continue to reflect patriarchal assumptions as they are often encouraged to work only if it does not interfere with domestic responsibilities, and many face family pressure to prioritise marriage and motherhood over careers.¹³¹ Transformation of this pattern is slow; studies suggest that social reforms that empower the subordinate may encounter resistance from those in power¹³², but in the case of KSA, this slow transformation is significant because it tends to encounter less backlash as the new norms form. Additionally, Saudi women's perspectives on patriarchy are vital to be understood as change cannot occur unless they first recognise its effect on them. For example, there is almost universal agreement in the literature that women's work is acceptable in society as long as it does not lead to neglect of marriage and family duties.¹³³ A 2004 study conducted by Vidyasagar and Rea showed that 50% of Saudi women dropped out of medical school after marriage due to their husbands' disapproval, citing concerns about job environments and work hours¹³⁴; and the majority of society accepted and defended such patriarchal practices, placing them under *Sharia* Law. This acceptance may stem from limited alternatives or false consciousness of rights. A 2009 study found high levels of satisfaction among Saudi women with their status, citing progress in education, employment,

[Salary-Paid-Workers-By-Age-Group/#:~:Text=Published%20by,Ages%20of%2025%20and%2054.](#) > accessed 1st March 2025.

¹³¹ Hamad Alnufaie and Mehartaj Beghum, 'Emerging Pattern of Women Empowerment in Saudi Arabia' (2021) 6 Research Review International Journal of Multidisciplinary 5; Cecilia Benoit, Michaela Smith, Mikael Jansson, Priscilla Healey and Douglas Magnuson, 'The Relative Quality of Sex Work' (2021) 35 Work, Employment & Society 2.

¹³² E.g. Donald J. Black, *Moral Time* (New York: Oxford University Press 2011).

¹³³ E.g. Girija Vidyasagar, David M. Rea, 'Saudi Women Doctors: Gender and Careers within Wahhabic Islam and a 'Westernised' Work Culture' (2004) 27 Women's Studies International Forum 3; Alhafi M, 'Fields for Saudi Women to Work in Security Services' (2006) Naif Arab University for Security Sciences (Unpublished Doctoral Dissertation), as cited in Wafa Alhajri, 'Women's Perspectives on Social Change in Saudi Arabia' (2020) (Doctoral Dissertation) Indiana University, School of Social Work 2020.

¹³⁴ Vidyasagar and Rea (n 133).

and health, though such findings are contested by international bodies calling for stronger action against discriminatory and patriarchal practices in the country.¹³⁵

Nonetheless, gradual shifts are evident. Patriarchy is addressed differently than in the past, with a focus on themes such as women's rights, gender equality, family law reforms, and women's empowerment.¹³⁶ As access to education increases, exposure to global cultures grows, and economic necessity rises, family structures and attitudes are changing. Younger generations increasingly pursue nuclear family models, weakening the hierarchical structures that previously reinforced male dominance. Women who continue to be shaped by traditional gender expectations, primarily viewed as mothers and caregivers¹³⁷, adopted different strategies to oppose patriarchy that range from adaptation to resistance. While some negotiate influence within the private sphere, gaining authority through marriage, age, or family mediation, others actively challenge patriarchal norms by invoking religious or legal rights.¹³⁸ They have been categorised into three types in responding to patriarchy: those who resist by invoking Islamic rights (e.g., divorce for education), those who bargain (e.g., delaying marriage), and those who comply without negotiation or bargaining.¹³⁹ Although such strategies demonstrate agency, they remain largely confined to the private domain, leaving them marginalised in public, economic, and political life. More recently, a growing number of Saudi women have drawn on Islamic feminist perspectives to challenge gender inequality, using Qur'anic principles to question conservative interpretations that restrict women's rights. In a society where religion holds significant authority, this approach has proven particularly

¹³⁵ Shaker Alsaleh, 'Gender Inequality in Saudi Arabia: Myth and Reality' (2009) 39 *International Proceedings of Economics Development & Research* 12.

¹³⁶ Maktabi and Lia (n 127).

¹³⁷ Joseph (n 108).

¹³⁸ E.g. Soraya Altorki, *Women in Saudi Arabia: Ideology and Behavior among the Elite* (New York: Columbia University Press 1986).

¹³⁹ Jawaher Alwedinani, 'Bargaining with Patriarchy: Women's Subject Choices and Patriarchal Marriage Norms' (2017) 5 *International Journal of Gender and Women's Studies* 2.

effective in reshaping public discourse and legitimising women's claims to education and professional participation.¹⁴⁰ While its impact on employment and legal institutions remains limited¹⁴¹, this strategy has helped raise awareness of gender bias and foster more moderate societal attitudes. Under Vision 2030, such culturally grounded forms of resistance, combined with legal empowerment initiatives, offer a promising pathway to gradually weaken patriarchal norms and expand women's economic participation. Having stated that, to understand how patriarchy translates into concrete barriers to women's economic participation, the following section explores societal perceptions, religious opinions, and cultural norms that shape women's status and influence their access to employment.

2.1.2 Societal and Institutional Influences on Women's Empowerment

Women's empowerment in KSA is not understood uniformly; rather, it is shaped by overlapping institutional and educational systems, societal perceptions, and religious interpretations. These influences impact how women perceive their own roles and capacities, how families assess women's work, and how society defines empowerment more broadly. This section examines how societal norms, affected by systems such as education, religious discourse, and cultural expectations, collectively shape women's status, employment opportunities and understanding of women's empowerment in KSA. Social norms of the Saudi society have conceptualised gender roles around caregivers and breadwinners, a social model of the family that has been reinforced primarily through the education system, up until the recent curriculum changes. By examining examples of schoolbooks, it is evident that gender roles are

¹⁴⁰ E.g. Ibid; Rami Khoury and Vivian Lopez (Eds.) *A Generation On The Move: Insights into the Conditions, Aspirations and Activism of Arab Youth* (Issam Fares Institute, American University of Beirut 2011) < https://Unispal.Un.Org/Pdfs/UNICEF_Palyouth-Genonthemove.Pdf> accessed 29th July 2025.

¹⁴¹ Nusrat Choudhury 'Constrained Spaces for Islamic Feminism: Women's Rights and the 2004 Constitution of Afghanistan' (2007) 19 Yale JL & Feminism 1.

emphasised: the father is expected to provide food, money, and shelter, while the mother is responsible for caring for the children. Since first grade, students have been taught household chores in the feminine tense in Arabic, such as (she is cooking, she is hoovering, she is ironing, she is sewing, etc.), with illustrations of girls at home. Boys, on the other hand, are depicted mostly outside the house, with verbs related to agriculture and sports (he plants, he plays football, he harvests, etc.). Texts such as ‘My father goes to work, and my mother stays at home and cooks’ were mentioned throughout the school’s grades.¹⁴² Schools used to emphasise that women's traditional role was in the home and warned against listening to those who called for women's liberty.¹⁴³ Traditional attitudes toward gender roles persisted until the university level, where only subjects deemed suitable for women were available. Education has long shaped society’s perceptions, restricting the roles of both men and women in the family and in society. Throughout their schooling, girls have been taught an ideology that, in fact, contradicts the state’s stated support for women’s education and for their employment as teachers, doctors, or civil servants. Overall, education plays a vital role in shaping how women see themselves and their abilities, because, despite the country’s high literacy rate (99.38%)¹⁴⁴, society still accepts these perceptions. Recent changes to girls’ curricula, the expansion of women’s fields of study, and the new labour market reforms are promising to change such norms.

In Saudi society, these gender stereotypes are pervasive in both public and private life; they continue to impact how women perceive themselves, their ability to excel in professional settings, and their decisions to engage in the economy. For example, society associates certain professions with specific genders, thus unconsciously degrading women's ability to perform in

¹⁴² Haya Saad Al Rawaf and Cyril Simmons, ‘The Education of Women in Saudi Arabia’ (1991) 27 *Comparative Education* 3.

¹⁴³ *ibid*

¹⁴⁴ Globaldata, ‘Literacy Rate in Saudi Arabia (2010 - 2021) < <https://www.globaldata.com/Data-Insights/Macroeconomic/Literacy-Rate-In-Saudi-Arabia/>> accessed 27th December 2022.

presumed male professions. Empirical studies show that even highly educated Saudi women tend to associate high-status professions—such as scientists, professors, and surgeons—with men and offer them more respect than female professionals.¹⁴⁵ The participants primarily associate high status, extensive knowledge, and influential professions with males. Thus, the gendered idea of occupation strongly influences them, contradicting their realities as university students who regularly learn from female experts. These attitudes are not based on their real-life experiences, but rather on other stimuli, such as their inner beliefs or the traditional values they have been exposed to at school or home. In the same study, care-related professions, such as medicine, were often associated with women. This may stem from a general preference among Saudi women and their guardians to be examined by female doctors, which increases their exposure to women in these roles. Social norms that assign female doctors to female patients may have further reinforced this association. Trust in women's competence declines in high-responsibility roles, with male physicians and surgeons preferred for serious medical procedures, whereas female physicians are trusted only to perform simple tasks, such as medical examinations or to serve as midwives.¹⁴⁶ Similar stereotypes appear in other occupations, such as cooking, where domestic associations outweigh professional realities. When asked about the basis for these perceptions, most respondents cited “reality,” even though their responses contradicted observable professional environments, suggesting the influence of entrenched social norms and gender stereotypes.¹⁴⁷ A small minority attributed their views to religion, suggesting a general understanding that Islam does not restrict women's occupational choices. These findings highlight the need to raise women's awareness of how gendered assumptions shape their self-perceptions and employment decisions. Challenging such stereotypes requires not only regulatory reform but also broader social change. Increasing women's awareness of

¹⁴⁵ Ghsoon Reda and Amani K. Hamdan, ‘Gender, Language, and Society: Saudi Female University Students’ Perception of the Category of Professions’ (2015) 4 *Multidisciplinary Journal of Gender Studies* 2.

¹⁴⁶ *Ibid*

¹⁴⁷ *Ibid*

their capabilities, expanding access to diverse professions, ensuring safe and inclusive work environments, and engaging men in recognising the economic and familial benefits of women's employment are essential steps in reshaping societal perceptions and supporting women's economic empowerment.

Moreover, empirical evidence suggests that it is not just social norms that affect men's and women's choices but also misperceived social norms. A 2020 study by Bursztyn, Gonzalez, and Yanagizawa-Drott shows that the majority of young married participants privately support women's work outside the house but underestimate the number of other men in society, including neighbours, who also support women's work outside the home.¹⁴⁸ After correcting their beliefs about others, their willingness to support their wives in seeking jobs increased; some have since allowed their wives to apply for jobs and start employment.¹⁴⁹ The Arab Barometer supports this study, which also reports that up to 92% of Saudis support women's work outside the home.¹⁵⁰ This occurs when an individual holds a personal opinion but believes that others in society hold a conflicting view, leading him to act based on what he perceives society approves of, rather than his own convictions. This 'pluralistic ignorance'¹⁵¹ or 'preference falsification'¹⁵² shapes collective decisions and can distort public discourse, confusing human understanding. As a result, they can maintain an unwanted societal structure that is vulnerable to sudden collapse, as seen with communism and its rapid downfall across various societies. Therefore, the genuine private preferences of Saudi men and women regarding women's participation in the economy should be examined. Since social norms tend

¹⁴⁸ Leonardo Bursztyn, Alessandra L. Gonzalez, David Yanagizawa-Drott, 'Misperceived Social Norms: Women Working Outside the Home in Saudi Arabia' (2020) 110 *American Economic Review* 10.

¹⁴⁹ *Ibid*

¹⁵⁰ *Ibid*

¹⁵¹ Daniel Katz and Floyd Allport, 'Suggestions Relating to Psychology, Sociology and Political Science' In Daniel Katz and Floyd Allport, *Students' Attitudes: A Report of the Syracuse University Reaction Study* (Syracuse, NY: Craftsman Press 1931).

¹⁵² Timur Kuran, *Private Truths, Public Lies* (Cambridge, MA: Harvard University Press 1995).

to change gradually, it is important to correct any misperceptions about public opinion. Moreover, there is evidence that men often do not discuss issues related to work, their wives or sisters, or whether women should be allowed to work¹⁵³, which should be encouraged to dispel false perceptions about others, make these issues more transparent, and prevent decisions driven by concerns about social image.

Overall, Saudi society has traditionally understood women's empowerment in paternalistic terms, where women are viewed as empowered when they remain within the home, while men assume the role of providers and protectors. Women are often perceived as vulnerable and as carriers of family honour, which places greater expectations on them to conform to social norms and limits acceptance of their work in mixed-gender environments. Consequently, many conservative families remain uncomfortable with women working long hours alongside men.¹⁵⁴ However, rising living costs and women's increasing participation in paid employment have begun to reshape these views. Empirical evidence shows that women often feel pride in contributing financially to their families and relieving the economic burden on male relatives.¹⁵⁵ In parallel, the introduction of laws and regulations addressing harassment and workplace discrimination has reassured families about women's safety, encouraging greater acceptance of women's employment outside the home.¹⁵⁶ Nevertheless, societal perceptions continue to interact closely with religious interpretations, which remain a key influence on how women's empowerment and work are understood in KSA, as discussed in the following paragraphs.

¹⁵³ Bursztyn, Gonz'alez and Yanagizawa-Drott (n 148).

¹⁵⁴ Cultural Atlas, 'Saudi Arabia Culture' (2022) < <https://Culturalatlas.Sbs.Com.Au/Saudi-Arabian-Culture/Saudi-Arabian-Culture-Family> > accessed 26th December 2022.

¹⁵⁵ Reuters, 'Saudi Women Barrel into Workforce in Changing Kingdom' (2021) < <https://www.Reuters.Com/World/Middle-East/Saudi-Women-Barrel-Into-Workforce-Changing-Kingdom-2021-11-04/> > accessed 24th December 2022.

¹⁵⁶ For Example, KSA Anti-Harassment Law Issued by Royal Decree No. (M 96) 31/05/2018 and Council of Ministers Resolution No. (388) 29/05/2018. Issued In 31/05/2018 Published 07/06/2018; KSA Labour Law, Issued by Royal Decree No. M/51 and Cabinet Decision No. 219 In 27/09/2005 and published in 28/10/2005.

Religious interpretations play a significant role in shaping how Saudi women's empowerment in the workplace is understood. At the centre of this is the debate on gender segregation, which has long been the dominant interpretation of Islam in the KSA and is regarded by nearly all state institutions and much of society as a foundational principle.¹⁵⁷ There is a rule of Islamic jurisprudence that states: warding off evil is more important than bringing about benefits. This rule is extracted from one of the *Saheeh* authentic *Hadith* stating:

Abu Sa'īd al-Khudri (may Allah be pleased with him) reported that the Prophet (may Allah's peace and blessings be upon him) said: 'There should be neither harm nor reciprocating harm'.¹⁵⁸

The above *hadith* constitutes an Islamic principle when dealing with others: harm should not be inflicted on anyone; harm should be eliminated; harm cannot be eliminated by another harm; and harming is forbidden.¹⁵⁹ This hadith emphasises that the negation it uses is equivalent to a prohibition, meaning it is forbidden to cause harm through words, actions, or even inaction. From this major jurisprudence rule comes the branched rule: warding off evil is more important than bringing about benefits. It is a pillar upon which jurists decide many of the rules related to politics, developments, medicine and society's ways of living.¹⁶⁰ It is a widely embedded social norm derived from popular understanding of *Sharia* applied in different times and situations. Therefore, when a situation creates both benefits and harms, which decisions should

¹⁵⁷ Eleanor Doumato, 'Obstacles to Equality for Saudi Women in The Kingdom of Saudi Arabia, 1979–2009: Evolution of a Pivotal State' (2009) A Special Edition of Viewpoints. Washington, DC: The Middle East Institute.

¹⁵⁸ Encyclopedia of Translated Prophetic Hadiths, 'Jurisprudence and Juristic Principles. Principles of Islamic Jurisprudence. Juristic and Usooli (Juristic Principles) Rules' <<https://Hadeethenc.Com/En/Browse/Hadith/4711>> accessed 21st December 2022.

¹⁵⁹ Ibid

¹⁶⁰ E.g. Mohammed Ali Al-Bar And Hassan Chamsi-Pasha, *Contemporary Bioethics: Islamic Perspective* (Springer 2015); Abdel Wadoud Moustafa Moursi El-Seoudi, Amir Husin Muhammad Nor, Ahmad Muhammad Husni, Anwar Fakhri Omar Hayatullah Laluddin, Ibnor Azli Ibrahim, Muhammad Adib Samsudin and Muhammad Nazir Alias, 'Figh of Priorities in the Light of the Purposes of Sharee ah' (2012) 7 The Social Sciences 6; MWL Journal Desk Report, 'Global Consensus from Muftis and Islamic Organizations on Kingdom's Decision to Suspend Visits and Umrah Temporarily' (2020) 48 The MWL Journal 10, 17-18

be made? Juris ruled that if the evil outweighs the benefits, the evil should be avoided; if the benefits outweigh the evil, the benefits should be pursued.¹⁶¹ When they are equal, different opinions have been put forward. Applied to women's work in KSA's public sphere, this rule has long been debated by scholars and, for decades, used to prohibit women from working in mixed-gender public settings. For example, in answering a question about women's work in a mixed environment, the Permanent Committee for Scholarly Research and Ifta stated in a *fatwa* (an edict) that 'It is not permissible for a woman to work with men who are not her *mahrams* (close family members with whom marriage is permanently prohibited). Because of the moral corruption that might be caused as a consequence of her presence, she has to seek sustenance from ways in which there are no warnings'.¹⁶² Another example of a question regarding the work of a married woman to assist her husband, the committee stated: 'If the woman's work takes place in a female environment, without mixing with *non-mahram* men or being alone with them, and with her husband's permission, it is permissible for her to work.'¹⁶³ In another question regarding opening up different fields of jobs to women which men can do, the answer was 'As for [a woman] competing with men in jobs that are of men's specialty, it is not permissible; because of the disadvantages, damages and corruptions results from that, as giving her the chance in those jobs would degrade men and eliminate their opportunities to work in them. In addition, working in those areas makes her vulnerable to being infatuated with men,

¹⁶¹ Khaled Mohammed Jassim, 'Base Warding Off Evil Takes Precedence over Bringing Benefits and Its Applications in Legal Politics (Application Models)' (2022) 9 Journal of Alsalam University 185 < <https://iasj.rdd.edu.iq/Journals/Uploads/2025/03/29/9f5234f9e1df186488a1cf29a1b19fc1.Pdf> > accessed 30th July 2025 [Arabic Version].

¹⁶² Permanent Committee for Scholarly Research and Ifta, Vol.17 Fatwa No.2768 < <https://ketabonline.com/ar/books/6018/Read?Part=17&Page=12986&Index=5261242/5261244/5261465/5261471&Q=%20المفاسد> > accessed 22nd December 2022.

¹⁶³ Permanent Committee for Scholarly Research and Ifta, Vol.17 Fatwa No.6491 < <https://ketabonline.com/ar/books/6018/Read?Part=17&Page=12986&Index=5261242/5261244/5261465/5261471&Q=%20المفاسد> > accessed 22nd December 2022.

and unpleasant consequences may follow. Furthermore, this would weaken her ability to fulfil the duties of her husband, her children, and the household.’¹⁶⁴

Based on the above interpretations, women are allowed to work under certain conditions, and segregation from men has been a critical condition that society and institutions have stressed. One scholar elaborated, there is nothing wrong with women going out to work and seeking sustenance’s from permissible earning means such as in women’s shops or open shops where there are no danger, however, they should not work in places where there is danger, where they do not feel safe because of the number of men surrounding them, they should not endanger themselves.¹⁶⁵ The minority dissenting scholars stress that *Sharia* does not ban women and men from working, studying and socialising with each other. They explained how the word ‘mixing’ has been exaggerated by many scholars as taboo, despite being a natural phenomenon. For example, the head of the Committee for the Promotion of Virtue and the Prevention of Vice in Makkah stated that a minority of scholars ban the mixing of the sexes, and they have no substantial evidence to support their claims. He indicated that mixing of the sexes was a natural part of life during the Islamic era and was never prohibited during the Prophet's time.¹⁶⁶

Consequently, parts of society oppose gender mixing, while others accept it. Both sides ground their understanding of women’s empowerment in their interpretations of *Sharia*. Those who oppose mixing argue that women are empowered by being kept away from mixed-

¹⁶⁴ Permanent Committee for Scholarly Research and Ifta, Vol.17 Fatwa No.19359 < <https://ketabonline.com/ar/books/6018/Read?Part=17&Page=12986&Index=5261242/5261244/5261465/5261471&Q=%20المفاسد> > accessed 23rd December 2022.

¹⁶⁵ Al-Imam Ibn Baz, < <https://shorturl.at/AZF0q> > accessed 23rd December 2022 [Arabic version].

¹⁶⁶ Al-Arabiyah News, ‘Islam Allows Mixing of the Sexes: Saudi Scholar Says Banning Mixing Goes against Society During Prophet's Rule’ (2009) < <https://english.alarabiya.net/articles/2009%2F12%2F09%2F93705> > accessed 27th December 2022.

gender workplaces, which they view as harmful and offering fewer benefits. By contrast, those who support mixing believe women are empowered when they are allowed to contribute to public life and work in the professions and places of their choice. They maintain that Islam does not prohibit women from studying, socialising, or working in mixed environments and that, unlike clearly regulated issues such as trade or divorce, *Sharia* and Islamic law contain no explicit legal provisions on “mixing.”¹⁶⁷ The country's tradition of upholding segregation has become more lenient in work environments, with a stronger emphasis on legal reforms that ensure women’s protection and security in the workplace and allow women greater choice in employment. Overall, this section has discussed how education, customs, and religious beliefs play an essential role in interpreting empowerment in the country and in facilitating women’s access to work. Thus, it is vital to clarify and utilise them to enhance women’s participation in the workforce. It is important to note that the empowerment of women in KSA is now also influenced by global understandings of the term, as discussed in the next section.

2.2 Concepts and Dimensions of Women’s Empowerment

2.2.1 Elements and Definition of Women’s Empowerment

Women’s empowerment is a multidimensional and contested concept that encompasses nearly all aspects of women’s lives, including educational, bodily, legal, political, social, and economic rights. Importantly, empowerment is not limited to governmental or institutional interventions; it also involves women’s awareness of their historical positioning, their understanding of patriarchal structures, and their ability to recognise the psychological and social constraints shaping their lives.¹⁶⁸ In this sense, empowerment is both an internal process

¹⁶⁷ Ibid

¹⁶⁸ Sherifa Zuhur, ‘Women and Empowerment in the Arab World’ (2003) 25 Arab Studies Quarterly 4.

of consciousness and agency and an external process of structural change.¹⁶⁹ Several common elements of empowerment are shared by most definitions. First, it is a process that takes place in communities, involving active participation, awareness, and understanding; it also entails access to and control over resources and decisions.¹⁷⁰ Empowerment also encompasses change at both the individual and collective levels. A third common element of the empowerment framework is that targeted individuals function within formal and informal behavioural constraints.¹⁷¹ For instance, women in the workplace may face cultural norms (informal) alongside organisational rules and policies (formal). Addressing these challenges requires developing a shared understanding of their situation. Ultimately, empowerment combines internal dimensions (self-confidence, self-efficacy, and aspirations) with external dimensions (access to resources, institutions, and decision-making authority).¹⁷²

Overall, the main components of empowerment involve creating an enabling environment that encourages participation in decision-making and fosters the achievement of goals such as sustainable development, job creation, quality education, poverty eradication, universal access to public services, and social integration, among others. Empowerment manifests when women gain decision-making power, assertiveness, the ability to make choices and pursue their rights, education, skills, and capabilities, along with increased self-esteem, enabling them to access and control resources and advance in society.¹⁷³ These elements reflect the shifts that development agencies and states aim to achieve, enabling women to generate

¹⁶⁹ E.g. Louise Fox and Carolina Romero, *'In the Mind, the Household, or the Market? Concepts and Measurement of Women's Economic Empowerment'* (Policy Research Working Paper No 8079, World Bank Group, May 2017) < <https://hdl.handle.net/10986/26951> > accessed 3 August 2025

¹⁷⁰ Douglas D. Perkins, 'Empowerment' In Richard A. Couto (Ed.), *Political and Civic Leadership: A Reference Handbook* (CA, Sage 2010); Douglas D. Perkins & Marc A. Zimmerman, 'Empowerment Theory, Research, and Application' 23 *American Journal of Community Psychology* 569.

¹⁷¹ Fox and Romero (n 169).

¹⁷² Ibid

¹⁷³ Silky Vigg Kushwah, 'Women Empowerment and Entrepreneurship Support Leading towards Improved Marketing Communication: An Analysis of Indian Women' (2021) 25 *Academy of Marketing Studies Journal* 6; Judi Chamberlin, 'A Working Definition of Empowerment' (1997) 20 *Psychiatric Rehabilitation Journal* 4

income, make choices and exercise bargaining power, thereby securing the desired changes. These are termed empowerment, which has been addressed through strategies involving the role of law orthodoxy and has recently been replaced by the concept of legal empowerment.

2.2.2 Women's Legal Empowerment in KSA: Local Application and Global Context

In this thesis, women's legal empowerment in KSA is understood as a dynamic process through which Saudi women gain agency, knowledge, self-determination, and the capacity to assert their rights and resolve disputes by influencing the structures that shape their lives, which combine religious, cultural and institutional frameworks. Legal empowerment in this context should not be a static label assigned to Saudi women based solely on symbolic definitions; rather, it requires women to assert their autonomy, confront inequality, and demand accountability. In this regard, legal empowerment helps women overcome social and legal obstacles by comprehending and addressing the root causes of these barriers. Therefore, it represents not just an outcome, but a continual process shaped by women's engagement in both public and private spheres. A common approach to empowerment focuses on identifying and understanding the sources of disempowerment in society and then liberating individuals from them to reach their full potential.¹⁷⁴ This can be done by shifting the attitudes, assumptions, values, and beliefs of the disadvantaged and their societies. It is a shift from authority to partnership, from subordination to collaboration, and from dependency to self-help.¹⁷⁵

Empowerment has been defined as:

¹⁷⁴ Perkins (n 170).

¹⁷⁵ Ibid

[T]he process of enabling people to increase control over their lives, to gain control over the factors and decisions that shape their lives, to increase their resources and qualities and to build capacities to gain access, partners, networks, a voice in order to gain control.¹⁷⁶

Kabeer defined it as a process in which women who have been denied the ability to make strategic life choices acquire that ability;¹⁷⁷ others defined it as a process through which individuals acquire social, economic, and political power to liberate themselves from injustice in society.¹⁷⁸ Several scholars have stressed that women's empowerment occurs when women can implement policies run by governments, agencies, or development organisations that affect their lives.¹⁷⁹ Although most of the definitions apply to the situation of women in KSA, the thesis adopted the CLEPS definition, as stated in the introduction, as the most comprehensive and straightforward to use and to integrate with other theories in KSA.

Globally, women's empowerment is closely linked to development, equity, and institutional accountability.¹⁸⁰ International organisations such as the UN in the World's Women reports, World Bank, ILO, and the Organisation for Economic Co-operation and Development (OECD) consistently identify women as among the most disadvantaged groups

¹⁷⁶ The United Nations Social Development Network, 'Empowerment, What Does it Mean to You?' (2013) Department of Economic and Social Affairs Publication: Division for Social Policy and Development < <https://www.google.com/url?sa=T&Rct=J&Q=&Esrc=S&Source=Web&Cd=&Cad=Rja&Uact=8&Ved=2ahukewjrgy6kjul7ahwha8akhvggcmkqfnoeca0qaw&Url=https%3A%2F%2Fdesapublications.un.org%2Ffile%2F850%2Fdownload&Usg=Aovvaw2gnek0qugxdf4omfk7rgu> > accessed 5th December 2022.

¹⁷⁷ Kabeer (n 31).

¹⁷⁸ Nina Wallerstein 'Powerlessness, Empowerment and Health: Implication for Health Promotion Programs' (1992) 6 American Journal of Health Promotion 3.

¹⁷⁹ E.g. Sushama Sahay, *Women and Empowerment— Approach and Strategies* (New Delhi: India Discovery Publishing House 1998); Kiran Devendra, 'Whose Empowerment are We Talking of: Women! But Where Will We Find our Girls!!' In Promilla Kapur (Ed.) *Empowering the Indian Women*. (Publications Division, Ministry of Information and Broadcasting, Government of India, New Delhi. 2001); Promilla Kapur, 'Empowering the Indian Women' (2001) Publications Division, Ministry of Information and Broadcasting, Government of India, New Delhi.

¹⁸⁰ E.g. Kabeer (n 31); Lynn Bennet, 'Using Empowerment and Social Inclusion for Pro-Poor Growth: A Theory of Social Change' (2002) Background Paper for the Social Development Sector Strategy, World Bank.

worldwide, particularly in terms of economic participation, political representation, and exposure to violence.¹⁸¹ Consequently, women's legal and economic empowerment has become a central pillar of development discourse and feminist discourse. Empowerment in the economic sphere is especially significant, defined in the context as 'improving the ability of women to access the constituents of development- in particular, health, education, earning opportunities, rights, and political participation'.¹⁸² key drivers of poverty reduction and sustainable development. The relationship between empowerment and development is reciprocal: development reduces gender inequality, while existing discrimination impedes progress, emphasising the need for empowerment to drive development. Organisations such as the UN and the World Bank¹⁸³ argue that empowerment leads to development, promotes equity, and accelerates it. Development bodies and feminists further link economic empowerment to women's agency, articulated through Power Within (skills, knowledge, and self-esteem), Power To (decision-making capacity in traditionally male-dominated economic spheres), Power Over (control of financial assets and income-generating opportunities), and Power With (collective organisation to advance economic rights).¹⁸⁴ Given the established links between development, agency and empowerment, empowerment within the economic domain must be understood.

Although women's empowerment has taken many forms, it is difficult to consider it fully achieved anywhere, as it remains an ongoing process. In the absence of a comprehensive

¹⁸¹ Womankind Worldwide, 'Facts about Women's Rights' <<https://www.womankind.org.uk/womens-rights-facts/>> accessed 16th June 2025; Zuhur (n 168); Marie Hyland, Simeon Djankov and Pinelopi Koujianou Goldberg, 'Gendered Laws and Women in the Workforce' (2020) 2 *American Economic Review: Insights* 4.

¹⁸² Esther Duflo, 'Women Empowerment and Economic Development' (2012) 50 *Journal of Economic Literature* 4, 1053.

¹⁸³ E.g. IBRD, 'Gender Equality and Development' (2012) *World Development Report 2012*, Washington DC: The World Bank <<https://digitallibrary.un.org/record/1305308?ln=en&v=pdf>> accessed 26th June 2025.

¹⁸⁴ E.g. Rowlands (n 3); Kabeer (n 31); Anne Marie Golla, Anju Malhotra, Priya Nanda, and Rekha Mehra, 'Understanding and Measuring Women's Economic Empowerment' (2011) Washington, DC: International Center for Research on Women (ICRW).

conceptual framework, scholars and international organisations have often prioritised social inclusion policies, leading to a broad range of activities—such as protests, self-assertion, collective resistance, and challenges to power relations—being classified as empowerment.¹⁸⁵ In KSA, however, empowerment does not operate uniformly across all domains. Empirical studies suggest that political empowerment has had limited spillover effects, whereas economic and social empowerment—mediated by family support and self-efficacy—has proven far more effective.¹⁸⁶ Family approval, encouragement, and support significantly enhance women’s ability to enter employment or pursue entrepreneurship. Similarly, self-efficacy strengthens women’s confidence in decision-making and long-term planning. These findings are directly relevant to the research questions, as they demonstrate that women’s empowerment in KSA is relational and context-specific, shaped by family structures, cultural expectations, and institutional responsiveness. They also highlight why legal empowerment strategies must engage with these mediating factors rather than relying solely on top-down reforms.

In KSA, women’s empowerment is increasingly framed within an economic development agenda, where it is often instrumentalised to advance market goals rather than grounded in a rights-based approach. While this market-oriented framing may challenge certain patriarchal practices—particularly through reforms promoting equal opportunities and equal pay—it risks setting a minimal threshold for equality if not anchored in universal rights principles.¹⁸⁷ For empowerment to be substantive rather than symbolic, legal and economic reforms must address women’s subordination within the family and society, not merely

¹⁸⁵ Sahar Maranlou, *Access to Justice in Iran: Women, Perceptions, and Reality* (Cambridge: Cambridge University Press 2014).

¹⁸⁶ Norah Abdullatif Al-Rashdi and Nadia Abdelhamid Abdelwahed, ‘The Empowerment of Saudi Arabian Women Through a Multidimensional Approach: The Mediating Roles of Self-Efficacy and Family Support’ (2022) 14 *Sustainability* 24; Tao Shen, Arturo E. Osorio and Alexander Settles, ‘Does Family Support Matter? the Influence of Support Factors on Entrepreneurial Attitudes and Intentions of College Students’ (2017) 23 *Academy of Entrepreneurship Journal* 1.

¹⁸⁷ Aylin Topal ‘Economic Reforms and Women's Empowerment in Saudi Arabia’ (2019) 76 *Women's Studies International Forum* 102253.

facilitate their integration into the labour market. Given the limited impact of traditional rule-of-law orthodoxy in KSA, a bottom-up legal empowerment strategy is essential to enable women to assert their rights, exercise agency, and participate meaningfully in economic and public life.¹⁸⁸ Globally, scholars agree that effective empowerment requires integrating development and rights-based approaches. Despite varied conceptualisations, there is a broad consensus that empowerment centres on two interrelated components: resources and agency.¹⁸⁹ Resources, such as employment opportunities and legal, economic, and social reforms, create the enabling conditions for empowerment, while agency reflects women's capacity to make strategic choices, challenge constraints, and control decisions affecting their lives.¹⁹⁰ Empowerment, therefore, entails not only access to opportunities but also the transformation of power relations and social structures that sustain women's disadvantage.¹⁹¹ This framework directly informs the research question by clarifying why legal empowerment, as a process that strengthens both resources and agency, is critical to advancing Saudi women's economic participation. Finally, the next section will elaborate on the most crucial dimension of empowerment supporting women's legal empowerment in the economy, before the conclusion.

¹⁸⁸ Deepa Narayan, Robert Chambers, Meera K. Shah, And Patti Petesch, *Voices of the Poor: Crying Out for Change. World Bank Series* (Oxford: Oxford University Press 2000).

¹⁸⁹ Anju Malhotra, Ruth Schuler, and Carol Boender, 'Measuring Women's Empowerment as a Variable in International Development' (2002) Working Paper. Washington, DC: World Bank < https://www.academia.edu/17726621/Measuring_Womens_Empowerment_As_A_Variable_In_International_Development > accessed 30th July.

¹⁹⁰ Sunita Kishor, 'Empowerment of Women in Egypt and Links to the Survival and Health of their Infants' in Harriet B. Presser and Gita Sen (Ed), *Women's Empowerment and Demographic Processes: Moving Beyond Cairo* (Oxford: Oxford University Press 2000); Malhotra, Schuler and Boender (n 189); Amartya Sen, *Development as Freedom* (Oxford: Oxford University Press 1999).

¹⁹¹ Topal (n 187).

2.2.3 Empowerment's Dimensions

Empowerment is inherently multidimensional, encompassing educational, social, psychological, political, legal, and economic domains. Although empowerment in one area does not automatically guarantee empowerment in another, these dimensions often intersect and reinforce each other at the individual level.¹⁹² What unites them is their impact on women's thinking and behaviours, enabling them to perceive themselves as capable agents of change.¹⁹³ This thesis focuses on the dimensions most directly linked to Saudi women's employment participation, with particular emphasis on economic empowerment and its dependence on legal empowerment. Educational empowerment is a foundational dimension to gender empowerment and other forms of empowerment.¹⁹⁴ It increases women's ability to look after themselves and their families' well-being, it enhances women's cognitive abilities, critical thinking, and capacity to question unequal arrangements within the family and society to bring about changes.¹⁹⁵ In KSA, the emphasis on women's education has significantly increased their qualifications; however, it has not guaranteed equal labour market outcomes. This gap highlights the limits of educational empowerment in the absence of legal mechanisms that ensure fair access to employment. Social empowerment involves overcoming gender discrimination and enabling women to realise their identity and power in all spheres of life;

¹⁹² Sahay (n 179); Naila Kabeer, 'Gender Equality and Women's Empowerment: A Critical Analysis of the Third Millennium Development Goal' (2005) 13 *Gender and Development* 1; Keshab Chandra Mandal, 'Concept and Types of Women Empowerment' (2013) 9 *International Forum of Teaching and Studies* 2; Ruth Alsop & Nina Heinsohn, 'Measuring Empowerment in Practice: Structuring Analysis and Framing Indicators' (2005) World Bank Policy Research Working Paper 3510 < <https://shorturl.at/Z2Vy2> > accessed 21st May 2025; UNDP, 'Human Development Indices and Indicators' 2018 Statistical Update < <https://Annualreport.Undp.Org/Assets/UNDP-Annual-Report-2018-En.Pdf> > accessed 14th May 2022; Valentine M. Moghadam and Lucie Senftova, 'Measuring Women's Empowerment: Participation and Rights in Civil, Political, Social, Economic, and Cultural Domains' (2005) 57 *International Social Science Journal* 184.

¹⁹³ Martin Gramatikov and Robert B. Porter, 'Yes, I Can: Subjective Legal Empowerment' (2010) TISCO Working Paper Series on Civil Law and Conflict Resolution Systems No. 008/2010, Tilburg University Legal Studies Working Paper Series No. 023/2010.

¹⁹⁴ For Example, Kabeer (n 485); Andrea Cornwall and Jenny Edwards (Eds), *Feminisms, Empowerment and Development Changing Women's Lives* (Zed Books: London 2014); Mandal (n 192).

¹⁹⁵ Kabeer (n 485); Shireen J. Jejeebhoy, *Women's Education, Autonomy, and Reproductive Behaviour: Experience from Developing Countries* (Oxford: Clarendon Press 1996).

thus, they can act and interact freely in society, develop themselves, communicate their views, participate in various activities, and enjoy equal rights and status with men.¹⁹⁶ KSA's efforts to strengthen its economy are leading to a social shift, increasing women's visibility in previously male-dominated sectors through *Saudisation* and the feminisation of the labour market.¹⁹⁷ Nonetheless, persistent societal resistance and gender norms continue to constrain women's employment choices, reinforcing the need for legal empowerment strategies that normalise women's economic participation and protect them from informal exclusion. As to empowerment in healthcare, it is defined as '... a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity'.¹⁹⁸ indicating that women's health is tied to their economic and social well-being, not solely their physical condition.¹⁹⁹ Psychological empowerment involves women finding satisfaction in their life, work, education, and finances, allowing them to engage with various institutions and broaden their perspectives.²⁰⁰ It reflects women's self-perception of their capability and worth in employment.²⁰¹ However, psychological empowerment is fragile without legal support; confidence alone cannot compensate for weak enforcement of labour protections or discriminatory practices.

Economic empowerment, the focus of this thesis, can be achieved through equal employment opportunities, a fair work environment, and equal treatment and benefits. It might

¹⁹⁶ Valsamma Antony, 'Education and Employment: The Key to Women's Empowerment' (2006) Kurukshetra, February, A Monthly Journal of Ministry of Rural Development, New Delhi; K.D Gangrade, 'Gandhi and Empowerment of Women: Miles to Go' In Promilla Kapur (Ed.) *Empowering the Indian Women* (New Delhi: Ministry of Information and Broadcasting, Government of India 2001); Mandal (n 192).

¹⁹⁷ Musrrat Parveen, 'Women Empowerment: New Paradigm Shift of Saudi Women into Labor Workforce' (2022) 17 Society and Business Review 1.

¹⁹⁸ WHO, 'Constitution' < <https://www.who.int/about/governance/constitution> > accessed 3rd May 2022.

¹⁹⁹ Mira Shiva, 'Health Care in Last 50 Years and Women's Empowerment' In Promilla Kapur (Ed.) *Empowering the Indian Women* (Publications Division, Ministry of Information and Broadcasting, Government of India, New Delhi 2001).

²⁰⁰ Mandal (n 192).

²⁰¹ Brian Christens, 'Toward Relational Empowerment' (2012) 50 American Journal of Community Psychology 1-2.

also be gained through access to ownership of economic resources, as without such access, women can't raise their voices and be visible²⁰². Thus, they would become equal contributors in their household and develop a sense of economic independence. Women's economic empowerment involves promoting women's equal access to decent work and social security; enabling them to access markets and retain control over their resources, time, lives, and bodies; and enhancing their voice, agency, and substantial involvement in economic decision-making processes at all levels, from the household to global institutions.²⁰³ Through economic empowerment, women can overcome poverty, access credit and opportunities for entrepreneurship, improve their standard of living, and change power relations within the household.²⁰⁴ In KSA, the late Vision 2030 has prioritised women's economic participation; however, perceptions of women and their status indicate the need for further efforts. Women continue to face challenges such as wage disparities, limited financial independence, occupational segregation, and insufficient awareness of their legal rights at work.²⁰⁵ These barriers demonstrate that economic inclusion without legal empowerment risks reproducing existing power imbalances rather than transforming them.

Taken together, these dimensions demonstrate that women's empowerment in KSA cannot be achieved through isolated interventions. While education, social acceptance, and psychological confidence are essential, they remain insufficient without legal empowerment

²⁰² Mandal (n 192).

²⁰³ UN Women, 'Facts and Figures: Economic Empowerment' < <https://www.unwomen.org/en/what-we-do/economic-empowerment/facts-and-figures#:~:Text=Women's%20economic%20empowerment%20means%20ensuring%20women%20can,Economic%20decision%20making%20at%20all%20levels%20from%20the> > accessed 28th April 2025.

²⁰⁴ Kabeer (n 485); Mandal (n 192); Emily Esplen & Alyson Brody, 'Putting Gender Back in the Picture: Rethinking Women's Economic Empowerment' (2007) 19 *Institute of Development Studies: Bridge (Development-Gender)* < <https://lib.icimod.org/records/Jh6wp-Tns22> > accessed 29th July 2025.

²⁰⁵ Noha A. Alessa, Hebah S. Shalhoob and Haya A. Almugarry, 'Saudi Women's Economic Empowerment in Light of Saudi Vision 2030: Perception, Challenges and Opportunities' (2022) 12 *Journal of Educational and Social Research* 1; Sophie Hennekam, Faiza Ali, Jawad Syed, 'Gender Equality in Employment in Saudi Arabia: A Relational Perspective' (2018) 23 *Career Development International* 2; Jouharah Abalkhail, 'Women and Leadership: Challenges and Opportunities in Saudi Higher Education' (2017) 22 *Career Development International* 2.

that enables women to claim rights, challenge discrimination, and hold institutions accountable. This section therefore establishes that advancing from general empowerment to legal empowerment is crucial to effectively addressing Saudi women's economic participation. It directly informs the research question by clarifying why sustainable employment outcomes for women in KSA depend on bottom-up legal empowerment strategies that integrate awareness, agency, and enforcement.

Conclusion

This chapter has established the socioeconomic, cultural, and institutional foundations necessary for understanding the position of Saudi women within the Kingdom's evolving economic landscape. By examining the deep-rooted patriarchal structures, the influence of societal expectations, and the interpretive authority of religious scholars, the chapter demonstrated how these forces continue to shape women's opportunities, choices, and access to employment. It also explored the core components of women's empowerment and how they are understood within the Saudi context, situating these interpretations in relation to global frameworks of legal and economic empowerment. Together, these analyses highlight both the constraints and the potential pathways for Saudi women to strengthen their agency and participation in the workforce. Crucially, the chapter underscored that while empowerment has multiple dimensions, legal empowerment—as a bottom-up, participatory, and rights-focused approach—offers a particularly relevant strategy for addressing the challenges identified in the research questions. The contextual factors outlined here reveal why legal empowerment may be uniquely positioned to bridge the gap between formal rights and women's lived experiences. Having established the societal and theoretical foundations, the next chapter turns to the legal and policy frameworks that govern women's access to economic resources and employment in

KSA. This is followed by an examination of the reforms introduced under Vision 2030, the institutional mechanisms that support or constrain women's economic participation, and the legal barriers that persist despite recent progress. This transition shifts the focus from understanding the *context* of women's empowerment to analysing the *systems* that shape their economic participation and the effectiveness of legal reforms in achieving meaningful change.

Chapter Three

KSA Legal and Policy Framework for Women's Economic Empowerment

Introduction

The previous chapter examined the understanding of legal empowerment in KSA and its dimensions. Building on that, this chapter analyses the current situation of Saudi women in employment by examining the legal and policy frameworks that shape women's economic empowerment. In doing so, the chapter addresses the study's research questions by exploring how these frameworks operate within the specific socio-economic and cultural context of KSA, and by assessing the extent to which they enable or constrain women's agency and economic participation. This chapter directly addresses the research questions by analysing the relationship among legal reforms, labour policies, and women's lived economic realities in KSA. It focuses on how access to resources, labour market structures, and care responsibilities influence women's ability to participate in the economy and benefit from legal empowerment initiatives. The chapter consists of three main sections. The first examines the dimension of women's access to financial resources, analysing it in terms of access to loans for housing, cars, and enterprises. It examines how financial inclusion and asset ownership enable women's economic agency within the Saudi legal and policy framework. The second section discusses the process of feminisation of labour in KSA, focusing on patterns of women's employment, sectoral distribution, and labour market structures, and assessing how legal and policy reforms have influenced women's entry into the workforce.

The third section examines the double burden faced by women working in KSA. It covers marriage, pregnancy and women's employment, maternity leave, childcare, working

hours, and the work environment. Together, these sections allow for a comprehensive examination of how legal and policy frameworks contribute to women's economic empowerment in practice, rather than in principle alone. The chapter evaluates whether existing strategies are sufficient to promote meaningful empowerment for women in KSA, or whether persistent social, economic, and institutional barriers continue to limit their impact. By addressing these issues, the chapter advances the study's central objective of assessing how legal empowerment strategies function within the Saudi context and identifying the conditions under which they can more effectively support women's economic participation. The chapter concludes by synthesising the key insights from the analysis and highlighting their relevance to the analytical and empirical chapters that follow, in which the research questions are further examined using primary quantitative and qualitative data.

3.1 Women's Access to Banks and Financial Resources

Economic gain is linked to women's well-being, equality, justice, and rights;²⁰⁶ they must be able to benefit from and control these gains. This includes owning and managing assets, accessing banks for savings and loans, and participating in household financial decisions and resource allocation. These examples show the impact of women's access to finance and employment, a common focus in studies on economic empowerment.²⁰⁷ However, an often-overlooked dimension is the social analysis of women's economic empowerment.²⁰⁸ Understanding the gendered and societal barriers that limit women's economic opportunities in KSA is crucial. Access to loans is a key indicator of how much women can control and

²⁰⁶ Esplen & Brody (n 204).

²⁰⁷ For Example, Kabeer (n 485); Kabeer (n 31); Naila Kabeer, 'Conflicts Over Credit: Re-Evaluating the Empowerment Potential of Loans to Women in Rural Bangladesh' (2001) 29 World Development 1.

²⁰⁸ Esplen & Brody (n 204).

benefit from their economic gains, and it is argued to strengthen women's bargaining Power Within the household and enhance their self-image and sense of worth.²⁰⁹ In KSA, 70 million citizens lack bank accounts, with 60% of these being women. To empower women economically, strategies should not be pursued in isolation but rather integrated with social and development policies to achieve better, faster outcomes. Recent policy initiatives in KSA illustrate the potential of aligning social and economic reforms to enhance women's access to finance. 'Sanad Mohammed Bin Salman program'²¹⁰, which provides marriage grants, and the Real Estate Development Fund (REDF) offering subsidised mortgage loans, in addition to *Kafala*, a loan guarantee scheme for small and medium-sized enterprises,²¹¹ have expanded opportunities for women to access financial resources. Legal reforms that enable women to drive have also indirectly expanded access to banking services and car loans,²¹² strengthening women's mobility and labour market participation. However, these developments coexist with persistent barriers, including limited financial literacy, restrictive loan conditions, and societal expectations that often channel women's financial resources toward family use rather than individual empowerment. The following subsections examine women's access to loans in three key areas—home ownership, enterprise development, and mobility—each of which reflects a critical dimension of women's economic empowerment in KSA. Together, they illustrate how legal reforms and policy initiatives have reshaped financial access while also revealing the structural and social constraints that continue to limit women's control over economic resources.

²⁰⁹ Syed M. Hashemi, Sidney Ruth Schuler and Ann P. Riley, 'Rural Credit Programmes and Women's Empowerment in Bangladesh' (1996) 24 *World Development* 4; Kabeer (n 485).

²¹⁰ Arab News, 'SAR60 Million Pledged for 3,600 Couples as Part of Sanad Mohammed Bin Salman Program' <<https://www.arabnews.com/node/1491596/metrics/aggregate>> accessed 23rd March 2023.

²¹¹ Arab News, 'Saudi-Government Kafalah Grants \$115m in Loans to Female-Led Enterprises' (2019) <<https://www.arabnews.com/node/1935691/business-economy>> accessed 28th January 2023.

²¹² E.g. Argaam, 'Al Rajhi Eyes Opening More Female-Only Branches in Saudi' (2018) <<https://www.argaam.com/en/article/articledetail/id/537002>> accessed 31st January 2023.

3.1.1 Women's Access to Home Ownership Loans

Recent legal and policy reforms in KSA have shifted housing finance toward a more gender-neutral framework, granting women access to real estate loans and housing grants on terms comparable to those for men. This shift reflects national objectives to increase homeownership rates and acknowledges the growing economic participation of women.²¹³ The removal of discriminatory policies against women's homeownership, such as the 2019 approval allowing women to be treated as original borrowers by the REDF, without previous requirements related to marital status or family funding²¹⁴, in addition to the legal amendments that allow single women to own homes, has formally strengthened women's legal position within the property market. Despite these advances, women continue to face economic and social challenges, such as fraud, unfair competition, societal distrust, and the difficulty women face in proving full or partial ownership of the family home, particularly in divorce cases.²¹⁵ To address these issues, awareness of barriers, women's rights, alongside a clear understanding of the economic, social, and psychological benefits of homeownership among society, should be sought. Such an evolution in social attitudes is crucial, especially in light of an uncertain economic future, in which freedom, financial stability, and secure housing are no longer optional but necessary.

²¹³ Kingdom of Saudi Arabia, 'Vision 2030' (n 53).

²¹⁴ Saudi Press Agency, 'Loans for Women and Transferring Mortgages to another Property are the Most Prominent Decisions of the Real Estate Development Fund' <<https://www.spa.gov.sa/1885726#>> accessed 1st February 2023 [Arabic Version].

²¹⁵ Okaz, 'Women's Awareness (In Real States)' (2021) <<https://www.okaz.com.sa/articles/authors/2061836>> accessed 2nd February 2023 [Arabic Version].

3.1.2 Women's Access to Loans for Enterprises

The challenges women face in accessing enterprise loans in KSA include difficulty securing capital and credit, societal perceptions, and bureaucratic hurdles.²¹⁶ Women entrepreneurs often face low expectations in their communities about their business and management skills, and many start businesses in sectors such as services and retail, which require minimal capital and training. A significant number of Saudi women rely on personal savings or family funds rather than loans due to factors such as low trust in banks, complex paperwork, lengthy approval processes, limited credit history, and high interest rates. Although state-backed programmes such as *Kafala* reported limited women seeking its Industrial Development Fund, this should not be interpreted as a lack of ambition among women, as is often believed²¹⁷. Rather, limited participation reflects the cumulative impact of social, psychological, and institutional barriers, including risk aversion shaped by social norms, weak business networks, and insufficient access to targeted training and support.²¹⁸ Nevertheless, the success of a growing number of Saudi businesswomen demonstrates that recent legal and policy reforms have begun to expand opportunities, signalling the importance of sustained support mechanisms that combine financing with skills development and mentorship.

3.1.3 Women's Access to Loans for Cars

Since the country lifted the driving ban in 2018, only 2% of Saudi women have had driving licenses, according to national statistics released in 2020. The main obstacles to women

²¹⁶ Syed Zambari Ahmad, 'Evidence of the Characteristics of Women Entrepreneurs in the Kingdom of Saudi Arabia: An Empirical Investigation' (2011) 3 International Journal of Gender and Entrepreneurship 2.

²¹⁷ Al-Arabiya Magazine, 'Women and the Problem of Finance' <<https://www.alarabiya.net/Saudi-Today/2013/06/11/المرأة-ومشكلة-التمويل>> accessed 7th February 2023 [Arabic Version].

²¹⁸ Ahmad (n 216).

obtaining driving licenses include the financial costs of acquiring both licenses and vehicles. In a survey, 83% of women identified the costs of owning a car as the primary obstacle, while 62% cited the costs of driving lessons.²¹⁹ Notably, the cost of driving lessons for women is equivalent to 50% of their average monthly salary, compared to the driving lessons of men, which is equivalent to only 7% of men's average salary.²²⁰ Although car ownership is seen as a more economical option for women in the long term, especially given the inefficiency of public transportation, the upfront cost of purchasing a vehicle remains a significant barrier. Access to loans is often tied to employment, further limiting women's ability to finance cars and driving licenses. This situation reinforces the connection between women's legal rights, financial status, and economic empowerment. Transport and mobility have previously been discussed as barriers to women's participation in the workforce. While allowing women to drive was intended to alleviate these barriers, mobility issues persist, particularly in terms of access to financing. The lack of job opportunities often relegates women to low-income categories, making it difficult to secure loans for licenses, vehicles, and insurance.

3.1.4 Concluding Remarks on Women's Access to Loans

Women in KSA face significant barriers to accessing bank loans compared to men, primarily because fewer employed women meet the loan eligibility criteria. Interestingly, the amount of money lent to women by banks is notably higher than that lent to men. However, a concerning trend is that a large percentage of loans taken by women benefit their husbands, with 80% of women's loans directed towards them, which risks leaving them responsible for

²¹⁹ Saba Ali, Rand Alotaibi, Erica Field, Kendal Swanson & Kate Vyborny, Chaza Abou Daher, 'Two Years, Two Percent: Why are Saudi Women Still Not Driving?' (2021) <<https://Epod.Cid.Harvard.Edu/Article/Two-Years-Two-Percent-Why-Are-Saudi-Women-Still-Not-Driving>> accessed 31st January 2023.

²²⁰ Ibid

repayments and often losing rights to assets in cases of divorce.²²¹ Such familial financial arrangements can disempower women, particularly when the loan is mismanaged or used for less critical needs, leading to increased household issues and further financial burdens.²²² Accordingly, most victims of this financial exploitation are educated working women with university degrees, underscoring the need to raise awareness among Saudi women about the legal obligations associated with bank loans, particularly when beneficiaries are unable to pay. This is to avoid reinforcing traditional household dynamics through this empowerment strategy, which should be aimed at benefiting women and societal development.

In KSA, improving financial literacy is essential to enabling women to make informed financial decisions, improve their financial well-being, and promote economic empowerment.²²³ Financial literacy is defined as ‘the perception of being able to sustain current and anticipated desired living standards and financial freedom’.²²⁴ Despite KSA's promising economic indicators among the Group of Twenty (G20) countries, a significant financial literacy gap exists -31% of adults are financially illiterate, with women comprising 28% of this group.²²⁵ Additionally, a substantial 10% gender gap in borrowing rates from financial institutions signals a need for improvement, as it is coupled with a notable share of the population borrowing without fully understanding how interest rates affect the amounts they owe.²²⁶ Thus, women’s empowerment requires a commitment to financial education that

²²¹ Arab News, ‘The Plight of the Working Women’ (2003) < <https://www.arabnews.com/node/241582> > accessed 7th February 2023.

²²² Anne M. Goetz and Rina Sen Gupta, ‘Who Takes the Credit? Gender, Power and Control over Loan Use in Rural Bangladesh’ (1996) 24 *World Development* 1.

²²³ Nikolaos Philippas and Christos Avdoulas, ‘Financial Literacy and Financial Well-Being Among Generation-Z University Students: Evidence from Greece’ (2020) 26 *European Journal of Finance* 360.

²²⁴ Elisabeth C. Brügggen, Jens Högrove, Maria Holmlund, Sertan Kabadayi and Martin Löfgren, ‘Financial Well-Being: A Conceptualization and Research Agenda’ (2017) 79 *Journal of Business Research* 228.

²²⁵ Andrea Hasler and Annamaria Lusardi, *The Gender Gap in Financial Literacy: A Global Perspective* (Global Financial Literacy Excellence Center; The George Washington University School of Business 2017) < <https://gflec.org/wp-content/uploads/2017/07/The-Gender-Gap-in-Financial-Literacy-A-Global-Perspective-Report.Pdf> > accessed 31 July 2025.

²²⁶ *Ibid*

facilitates their access to loans and credit. Such initiatives would bolster women's confidence, enhance their financial decision-making, and help them negotiate more favourable terms, thereby improving their social standing. Recent government programs aimed at enhancing financial literacy for women have faced criticism for being ineffective due to their small scale relative to the population and for primarily targeting youth, leaving older women underserved.²²⁷ Therefore, addressing the financial education gap across all demographics is crucial for advancing women's financial empowerment in Saudi society. Overall, this section suggests that women require improved access to the financial resources mentioned above, which should include policy reforms, training programs, funding opportunities, and greater awareness of the legal, economic, social, and financial aspects of bank loans. This effort should be combined with other strategies for women's economic empowerment that KSA has adopted as part of the MENA region's initiatives, such as the feminisation of labour, which will be discussed below.

3.2 Feminisation of Labour

The feminisation of labour represents women's economic empowerment, a trend that has increased female participation in many developing countries over the past 50 years.²²⁸ It positively impacts women by enhancing their decision-making power at home; however, it often leads to low-paying, unstable jobs because of perceptions of women as less skilled and less likely to advocate for themselves.²²⁹ It raises concerns about the kind, quality, and

²²⁷ Murad Ali, Imran Ali, Saeed Badghish and Yaser Soomro, 'Determinants of Financial Empowerment among Women in Saudi Arabia' (2021) 12 *Frontiers in Psychology* 747255.

²²⁸ Marzia Fontana, Susan Joeke and Rachel Masika, *Global Trade Expansion and Liberalisation: Gender Issues and Impacts* (BRIDGE Report 42, Institute of Development Studies (IDS), Brighton 1998).

²²⁹ Zo Randriamaro, 'Gender and Trade Overview Report' (Bridge Development – Gender 2006) <<https://wedo.org/cutting-edge-pack-gender-trade-2006/>> accessed 15th May 2022; Ruth Pearson and Gill Seyfang, 'New Hope or False Dawn? Voluntary Codes of Conduct, Labour Regulation and Social Policy in a Globalising World' (2001) 1 *Global Social Policy* 1.

conditions of work, as well as payments and discriminatory policies; most of which are acknowledged by the ILO in its global report.²³⁰ United Nations Children’s Fund (UNICEF) has also highlighted women’s disempowering feminisation of labour arrangements, such as unregulated, temporary, or subcontracted jobs, which place women in vulnerable positions, limiting their ability to negotiate better working conditions.²³¹ These circumstances contradict the notion of empowerment, as women in such roles often face harassment, discrimination, irregular pay, no paid sick leave or maternity rights, childcare rights violations, forced overtime, and other unfair working conditions that further disempower them.²³²

In KSA, the feminisation of labour has been promoted as a key strategy for women’s economic empowerment, particularly under the National Transformation Programme, which aims to increase women’s workforce participation by expanding employment opportunities beyond traditional sectors.²³³ Recent initiatives targeting sectors such as retail, tourism, and hospitality have contributed to a measurable rise in women’s employment in the private sector. However, this expansion has not translated into equitable or sustainable empowerment outcomes, as significant structural challenges persist. Much of the recent growth in women’s employment can be attributed to state-led reforms, including *Saudisation* and sector-specific feminisation policies that replaced expatriate labour with Saudi women. While these measures increased participation rates, their implementation has been uneven, with reported violations

²³⁰ International Labour Organisation, ‘Minimum Wages’ < https://www.ilo.org/global/topics/wages/minimum-wages/monitoring/WCMS_473657/Lang--En/Index.Htm > accessed 11th May 2022.

²³¹ Santosh Mehrotra and Mario Biggeri, *Social Protection in the Informal Economy: Home-Based Women Workers and Outsourced Manufacturing in Asia* (Innocenti Working Papers No. 97, United Nations Children’s Fund (UNICEF), Innocenti Research Centre, Florence, Italy 2002).

²³² Stephanie Seguino, *Gender Inequality in a Globalizing World* (Working Paper No. 426, Levy Economics Institute 2006); International Labour Organization (ILO), ‘Moving the Needle: Gender Equality and Decent Work in Asia’s Garment Sector: Executive Summary and Recommendations’ (2021) < https://asiagarmenthub.net/resources/2021/Wcms_807523.Pdf > accessed 6th March 2024.

²³³ National Transformation Programme, < <https://www.vision2030.gov.sa/en/explore/programs/national-transformation-program> > accessed 23rd May 2022.

of nationalisation and feminisation regulations, i.e. in women-only shops.²³⁴ Moreover, the Covid-19 pandemic temporarily accelerated women's employment as private employers hired Saudi women willing to accept lower wages following the departure of expatriate workers. This raises critical questions about the durability of these gains, especially as foreign labour regains competitiveness in the post-pandemic labour market. Crucially, women's attractiveness to their roles does not eliminate the existing gender wage gap, which registered at 24.5% in the private sector and 6.6% in the public sector, affecting women's decisions to remain employed.²³⁵ Additionally, current labour market strategies disproportionately channel women into low- and mid-skilled positions, despite the fact that over two-thirds of unemployed Saudi women with Bachelor's degrees or higher, compared to only a third of male job seekers.²³⁶ This mismatch suggests that feminisation policies prioritise numerical participation over the effective utilisation of women's skills, limiting their long-term economic agency.

Workplace conditions further constrain the empowerment potential of feminised labour. Low wages, limited employer support, inadequate workplace facilities, and high work pressure contribute to high turnover among women.²³⁷ Empirical evidence indicates that job location, transportation, flexible working hours, and leave entitlements are decisive factors

²³⁴ The Ministry of Human Resources and Social Development, 'Labor Inspectors Detect 5,919 Violations Related to the Feminization and Nationalization Decisions of Women-only Shops' <<https://Hrds.Gov.Sa/En/News/Labor-Inspectors-Detect-5919-Violations-Related-Feminization-And-Nationalization-Decisions>> accessed 23rd May 2022.

²³⁵ ILO, Direct Request (CEACR) - Adopted 2019, Published 109th ILC Session (2021) Equal Remuneration Convention, 1951 (No. 100) - Saudi Arabia (Ratification: 1978) <https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:4012757> accessed 26th May 2022.

²³⁶ Maha Akeel, 'Saudi Women on the Rise but Gender Gap Remains' Arab News <<https://www.arabnews.com/node/1913276>> accessed 29th July 2022.

²³⁷ Arab News, 'Women Quit Jobs over Low Wages' (2013) <<https://www.arabnews.com/news/550396>> accessed 18th February 2023; Albawaba Business, 'Why are Saudi Women Ditching their Jobs?' (2015) <<https://www.albawaba.com/business/saudization-why-are-saudi-women-ditching-their-jobs--749778>> accessed 18th February 2023.

shaping women's employment decisions.²³⁸ These statistics highlight the significance of family for Saudi women, underscoring the need to address their challenges in balancing both responsibilities. Consequently, work pressure is a key factor for both single and married women considering leaving their jobs. Overall, while the feminisation of labour has reshaped the employment landscape for women in KSA, its impact on women's empowerment remains conditional and uneven. Without addressing work discrimination, the gender wage gap, women's annual and maternity leaves, flexibility of working hours, issues related to work pressure and retirement benefits to women, feminisation risks reinforcing precarious employment rather than enabling genuine economic empowerment. This underscores the need for labour reforms that move beyond participation targets to prioritise equality, sustainability, and women's agency—an issue that directly leads to the discussion of the double burden and the strategies required to mitigate it in the following section.

3.3 Women's Double Burden

Women in KSA face a persistent double burden arising from the unequal distribution of paid work and unpaid care responsibilities, which significantly constrains their economic participation across the life course. Early career stages are shaped by marriage and family formation, mid-career trajectories are disrupted by motherhood and childcare responsibilities, and later stages are affected by inflexible working hours that limit time spent with family. These interruptions often result in reduced productivity, job dissatisfaction, and, in many cases, withdrawal from the labour market. Rooted in gendered social norms, inadequate legal

²³⁸ Lama Anwar Alfarasani and Abdulquddus Mohammad, 'Work-Life Balance for Women in Jeddah, Saudi Arabia' (2021) 17 *Palarch's Journal of Archaeology of Egypt/Egyptology* 4; Saba Mahmood, 'Feminist Theory, Embodiment, and The Docile Agent: Some Reflections of the Egyptian Islamic Revival' (2001) 16 *Cultural Anthropology* 2.

protection, and the concentration of caregiving responsibilities on women, the double burden remains a central structural barrier to women's economic empowerment.²³⁹ This is particularly evident among women aged 25–49, where the labour participation gap in KSA is most pronounced.²⁴⁰ Addressing this burden is therefore essential to sustaining women's employment and advancing legal empowerment.

3.3.1 Marriage, Pregnancy and Women's Employment

In the Middle East, a noticeable gendered division of domestic labour exists, with husbands as the breadwinners and wives as caretakers and homemakers, responsible for most domestic tasks.²⁴¹ Marriage in the region marks a transition to adulthood for both genders, involving living independently, entering into socially and religiously recognised relationships, and the ability to bear children.²⁴² Marriage introduces new responsibilities and a way of life that most Saudi couples experience for the first time, beginning with managing household bills, chores, and budgeting.²⁴³ The domestic responsibilities placed on women add a significant burden, often making it challenging for them to participate in the labour market. If such jobs conflict with their marital duties, societal, cultural, psychological, or even religious demands may compel them to leave work to maintain their marriage and family. When women enter the labour market, a 2022 survey found that 11 of 20 respondents reported discrimination between

²³⁹ Esplen & Brody (n 204).

²⁴⁰ International Bank for Reconstruction and Development, *Millennium Development Goals Confronting the Challenges of Gender Equality and Fragile States* (Global Monitoring Report: 2007 Washington DC: The World Bank, 2007).

²⁴¹ E.g. Ziarat Hossain, Fahad Al-Naser, Sadia Shaukat & Fatima Al-Qubaisi, 'Gender Role Belief Predictors of Spousal Distribution of Household Labor in Kuwaiti and Qatari Families' In: Md Mizanur Rahman, Kaltham Al-Ghanim, Zirat Hossain, Sharique Umar (Eds) *Handbook of Families in the Arab Gulf States* (Gulf Studies, Vol 19. Singapore: Springer 2025); Andrew England, 'The Saudi Factories Powered by Women' (2024) Financial Times < <https://www.ft.com/content/985eb86c-fad8-4dab-8a8a-b7c3ca93d8d4>> accessed 13th July 2025.

²⁴² Ragui Assaad, Caroline Krafft, and Irene Selwaness 'The Impact of Marriage on Women's Employment in the Middle East and North Africa' (2022) 28 *Feminist Economics* 2.

²⁴³ Diane Singerman, 'The Economic Imperatives of Marriage: Emerging Practices and Identities among Youth in The Middle East' (2007) Middle East Youth Initiative, Working Paper No. 6.

men and women at work. They highlighted that men often receive preferential treatment, such as flexibility from employers, faster promotions, and larger bonuses. Additionally, 10 out of 20 working Saudi women reported discrimination between married and single women, with single women being preferred for their perceived commitment to work.²⁴⁴ Employers may view the need for family insurance, childcare facilities, and flexible working hours as disruptive, further complicating women's workforce participation.

Accordingly, understanding the impact of marriage on women's work is crucial for addressing the withdrawal of married women from the labour market. A survey in Jeddah city found that only 2 of 92 women participants viewed marriage as a barrier to work; planning and organising were identified as key strategies for balancing work and marriage.²⁴⁵ However, the small sample size and limited information on participants' marital and motherhood status limit the findings, as what women think may differ from what they experience; thus, their responses could have been influenced. Other surveys indicated different opinions. Some women admitted their jobs interfered with their family life, leading them to quit their positions. Others felt guilty about working long hours and leaving their children at home. Additionally, some women felt they were not good enough mothers due to the impact their employment had on their marriages.²⁴⁶

²⁴⁴ Munira Bint Sarhan Fahaid Al-Qahtani, 'Difficulties and Challenges Facing Saudi Women in Light of Modern Changes' (2022) 3 Humanitarian and Natural Science Journal 6 < <https://doi.org/10.53796/Hnsj365> > accessed 9th February 2023 [Arabic Version].

²⁴⁵ Alfarasani and Mohammad (n 238).

²⁴⁶ Arab News, 'Big Dilemma: Choosing Between Work and Family' (2011) < <https://www.arabnews.com/node/370368> > accessed 21st February 2023; Waleed Alsuhaibani and George Gresham, 'The Experience of Female Saudi Workers with Children: Factors that Shape their Ability To Balance Motherhood and their Careers' (2021) 12 Journal Of International Business And Cultural Studies < <https://www.aabri.com/manuscripts/193033.pdf> > accessed 31st July 2025.

Highlighting such findings is an example of two women resigning from their public-sector jobs, which typically offer better benefits than private-sector roles. Quitting the latter could be understood given the lower wages and benefits; however, resignation from the public sector warrants examination. The first is a former doctor who left her position at a government hospital after losing control of her teenage daughters, who were cared for by maids during her frequent absences. She felt resigning restored her authority at home, although her colleagues viewed her decision as irrational.²⁴⁷ Accordingly, long, inflexible hours at work and reliance on maids to care for the children, who are mostly unqualified in childcare, are the barriers in this case. The second example involves a former public-school teacher who explained her reasons for quitting her job, citing transportation issues, long commutes, and family problems resulting from her absence at home. She mentioned being on the brink of divorce and losing attachment with her children, who bonded with the maid.²⁴⁸ Thus, commuting challenges and child responsibilities impacted her work-life balance.

From the above cases, maternal instinct often determines outcomes when Saudi women's jobs impact family life, particularly where marriage and childbearing significantly influence work-related decisions.²⁴⁹ Generally, MENA countries consider women's work outside the home inappropriate if it substantially affects their domestic responsibilities²⁵⁰; thus, the strong family bonds make it challenging for working mothers to prioritise their careers. Had those women had other options besides resigning, such as part-time jobs, flexible working hours, sufficient maternity and emergency leave, and adequate childcare facilities, they would

²⁴⁷ Ibid

²⁴⁸ Ibid

²⁴⁹ Patricia Cortes, Claudia Goldin, Jennifer Peck, 'If Women Receive More Childcare Support, Will They Work?' (2018) Policy Insight, Harvard Kennedy School, Evidence For Policy Design <https://www.swarthmore.edu/sites/default/files/assets/documents/user_profiles/jpeck1/2018%20If%20women%20receive%20more%20childcare%20support%2C%20will%20they%20work%3F.Pdf> accessed 13th July 2025.

²⁵⁰ Homa Hoodfar, *Between Marriage and the Market: Intimate Politics and Survival in Cairo* (Berkeley, CA: University of California Press 1997).

have overcome these family issues and remained economically active. Additionally, coping strategies such as prioritisation, time management, exercise, and meditation can help working women balance their professional and family lives, as highlighted in studies on female workers with children in KSA.²⁵¹

Regarding the phenomenon of women's job resignations, a study on the Middle East and MENA countries emphasised that the risk of quitting jobs in the private sector is higher than in the public sector. It is also higher a year before marriage and upon anticipation of marriage, than during marriage.²⁵² The study also found that countries with lower domestic work burdens tend to have higher employment rates for married women. In KSA, working women face factors that drive them to change careers, seek adjustments to working hours, or resign.²⁵³ In a survey of 174 female doctors in Riyadh, 51.7% reported that their jobs negatively affected their relationships with their husbands and children, 43.1% were dissatisfied with balancing work and family, and 56.3% experienced workplace discrimination based on their marital status.²⁵⁴ Another contributor to Saudi women's decisions to resign is discrimination regarding pregnancy. Pregnant working women's concerns about needing to reduce working hours or take time off prior, during or after pregnancy lead to resentment from colleagues over perceived 'special treatment' and women's anxiety about job security.²⁵⁵ Studies in KSA show that 51% of those facing negativity and discrimination at work as a result of their marital status are also unsatisfied with their work and family balance, compared to only 32.9% of those who do not face such discrimination and are unsatisfied with their career and family life balance.²⁵⁶

²⁵¹ E.g. Alsuhaibani and Gresham (n 246).

²⁵² Assaad, Krafft and Selwaness (n 242).

²⁵³ Talal Alghamdi, 'Balance Between Career and Family Life among Female Doctors in King Abdul-Aziz Medical City, Riyadh, Saudi Arabia' (2014) 3 International Journal of Medical Science and Public Health 2.

²⁵⁴ Ibid

²⁵⁵ Ahmed Al-Asfour, Hayfaa Tlaiss, Sami Khan & James Rajasekar, 'Saudi Women's Work Challenges and Barriers to Career Advancement' (2017) 22 Career Development International 2.

²⁵⁶ Alghamdi (n 253).

Moreover, in another survey on female physicians in KSA, 66.1% reported pregnancy as an obstacle in balancing work and family.²⁵⁷ This high number in only one profession highlights the need for initiatives to change perceptions that equate pregnancy with a lack of commitment. Law provisions and reforms should also be strictly implemented regarding employers' discrimination against married and pregnant women during recruitment and employment. Measures must prohibit dismissals or threats of dismissal against pregnant employees, and scrutiny should be applied to employers who enforce illegal terms like contract termination upon pregnancy or who pressure women to relinquish maternity rights.²⁵⁸ Overall, various factors interrupt women's careers at different stages, making it essential to provide legal, social, and physical support. Women in KSA must also navigate post-pregnancy leave and childcare decisions, which will be addressed in the following subsection.

3.3.2 Maternity Leave, Childcare and Women's Employment

In KSA, married women frequently face challenges related to maternity leave in the workplace. In February 2025, maternity leave was extended from ten weeks to twelve weeks: six weeks were mandatory immediately after childbirth, with the remainder to be taken at the employee's discretion, and employees had the right to extend the leave for one month without pay.²⁵⁹ There has been growing concern about the adequacy of maternity leave, raising questions about the well-being of both mothers and newborns. Calls for extending the duration

²⁵⁷ Ibid

²⁵⁸ E.g. Article 155, KSA Labour Law, Issued By Royal Decree No. M/51 and Cabinet Decision No. 219 in 27/09/2005 and Published in 28/10/2005; Arab News, 'Illegal Terms Leave Working Women Holding Baby' (2004) < <https://www.arabnews.com/node/257032> > accessed 27th February 2023.

²⁵⁹ Article 151, KSA Labour Law, Issued by Royal Decree No. M/44 Dated 12/08/2024 to be Worked upon from 19/02/2025; Fast Company, 'Saudi Arabia Extends Maternity Leave Under Revised Labour Law' (2025) < <https://fastcompany.com/news/saudi-arabia-extends-maternity-leave-under-revised-labour-law/#:~:Text=The%20Ministry%20of%20Human%20Resources,As%20mandatory%20leave%20after%20childbirth.>> accessed 4th May 2025.

of maternity leave have been prevalent²⁶⁰, and have been paid off by the recent extension; nonetheless, the period still falls short of the International Labour Organisation (ILO) recommended minimum of fourteen weeks, which advocates for an extension to eighteen weeks to allow mothers adequate time for recovery and care for their babies.²⁶¹

Research indicates that generous maternity leave policies could boost gender equality in households and workplaces; countries offering fourteen to thirty weeks of paid maternity leave often see women gain more decision-making Power Within their households than those providing only eight to thirteen weeks of paid maternity leave.²⁶² The financial support during maternity leave not only aids mothers in their recovery but also promotes gender equality by diminishing the traditional view that men are the sole providers. Longer and paid maternity leave can enhance women's participation in the workforce, reduce household violence, and foster a supportive environment for working mothers.²⁶³ As these policies evolve, they can positively change societal attitudes towards women's roles in both the economy and the home, ultimately increasing their employment opportunities and enhancing their financial contributions to their families. Thus, legislative reforms that extend maternity leave and benefits are vital to reshaping perceived norms about women's work, ensuring they can thrive both in the workplace and at home.

²⁶⁰ E.g. Arab News, 'Call for Increase in Maternity Leave up to 12 Weeks' (2015) < <https://www.arabnews.com/node/729921/%7B%7B> > accessed 1st March 2023; Alghamdi (n 253).

²⁶¹ ILO, 'Care at Work: Investing in Care Leave and Services for a More Gender Equal World of Work' < https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_838655.pdf > accessed 8th July 2023.

²⁶² Yan Chai, Vanessa Ríos-Salas, Pam Stek and Jody Heymann, 'Does Enhancing Paid Maternity Leave Policy Help Promote Gender Equality? Evidence From 31 Low- And Middle-Income Countries' (2022) 39 Gender Issues 335; European Institute for Gender Equality, 'Return to the Labour Market after Parental Leave: A Gender Analysis' (2024) < <https://eige.europa.eu/sites/default/files/documents/return-to-the-labour-market-after-parental-leave.pdf> > accessed 14th July 2025.

²⁶³ Sarah Coombs, 'Paid Leave is Essential for Healthy Moms and Babies' (2021) National Partnership For Women and Family, National Birth Equity Collaboration < <https://www.nationalpartnership.org/our-work/resources/health-care/paid-leave-is-essential-for-healthy-moms-and-babies.pdf> > accessed 6th March 2023.

In KSA, enhancing maternity leave policies not only benefits mothers and newborns but also supports family dynamics by alleviating fathers' concerns about childcare. Essential to note that paternity leave is only three paid days that must be taken within the first seven days of childbirth.²⁶⁴ Increased paternity leave should be considered, as it encourages fathers to take an active role in caregiving; in fact, their involvement in childcare is improving, with many women reporting significant support from their husbands, especially in the aftermath of the COVID-19 pandemic²⁶⁵, fostering a more equitable approach to women's participation in the workforce. Research highlights the positive long-term health effects of extended maternity leave for both mothers and children. For instance, Germany's extension of maternity leave from eight weeks to six months correlated with reduced hospitalisation rates for children related to mental and behavioural disorders.²⁶⁶ Similarly, in Norway, reforms that allowed four months of paid leave and twelve months of unpaid leave led to a decline in high school dropout rates and higher future wages for children born after the reforms.²⁶⁷

Moreover, extended maternity leave improves women's physical and mental health and contributes to overall well-being;²⁶⁸ paid leave has been shown to reduce the risk of re-hospitalisation for mothers by 50% compared with no leave or unpaid leave; it also helps mothers manage their time and engage in regular exercise.²⁶⁹ In contrast, having less than eight weeks of paid leave is linked to higher rates of depression and poorer health outcomes for

²⁶⁴ Article 113, KSA Labour Law, Issued by Royal Decree No. M/44 Dated 12/08/2024 and published in 19/02/202.

²⁶⁵ Ibid

²⁶⁶ Marc Fabel, 'Maternity Leave and Children's Health Outcomes in the Long-Term' (2021) 76 *Journal of Health Economics* 102431.

²⁶⁷ Pedro Carneiro, Katrine V. Løken And Kjell G. Salvanes, 'A Flying Start? Maternity Leave Benefits and Long-Run Outcomes of Children' (2015) 123 *Journal of Political Economy* 2.

²⁶⁸ E.g. Zoe Aitken, Cameryn C. Garrett, Belinda Hewitt, Louise Keogh, Jane S. Hocking and Anne Kavanagh, 'The Maternal Health Outcomes of Paid Maternity Leave: A Systematic Review' (2015) 130 *Social Science & Medicine* 32.

²⁶⁹ Judy Jou, Katy B. Kozhimannil, Jean M. Abraham, Lynn A. Blewett, and Patricia M. MCGovern, 'Paid Maternity Leave in the United States: Associations with Maternal and Infant Health' (2018) 22 *Maternal and Child Health Journal* 216; Coombs (n 263).

mothers. Each additional week of paid leave can reduce risks associated with mental health, promote longer breastfeeding durations, and lower the likelihood of chronic health issues for both mothers and children.²⁷⁰ Based on the duration of maternity leave and its cash benefits in KSA, working women have prompted varied responses and decisions, as discussed in the paragraphs that follow.

Working mothers in KSA encounter several challenges after their maternity leave. One major issue is the lack of adequate childcare facilities, as employers are only required to provide these services if they have fifty or more female employees and at least ten children to care for.²⁷¹ Given the low participation of women in the workforce, it is rare for employers to meet these thresholds, leaving many women to seek solutions on their own. This legal requirement may also deter companies from hiring married women due to potential costs. In a survey conducted by the Economic and Social Commission for Western Asia (ESCWA), 78% of respondents indicated that child hospitality centres are unavailable at their workplaces.²⁷² To address this challenge, there is a pressing need for policy changes that facilitate the establishment of childcare facilities and reduce the financial burden on employers, such as by introducing financial assistance to create childcare options or covering maternity leave expenses. While commercial childcare centres exist, they are often limited in number, difficult to locate near workplaces, and can be expensive. Many mothers find it difficult to trust them

²⁷⁰ Pinka Chatterji And Sara Markowitz, 'Family Leave After Childbirth and the Mental Health of New Mothers' (2012) 15 *The Journal of Mental Health Policy and Economics* 2; Deborah Navarro-Rosenblatt and María-Luisa Garmendia. 'Maternity Leave and its Impact on Breastfeeding: A Review of the Literature' (2018) 13 *Breastfeeding Medicine* 9.

²⁷¹ Article 159, KSA Labour Law, Issued by Royal Decree No. M/51 and Cabinet Decision No. 219 In 27/09/2005 and published in 28/10/2005.

²⁷² UN, Economic and Social Commission for Western Asia (ESCWA), *Empowering Women in the Arab Region: Advancing the Care Economy – Case Study: Childcare in the Kingdom of Saudi Arabia* (2022) UN Doc E/ESCWA/CL2.GPID/2022/TP.12

with infants, especially when they are with low-staff childcare specialists.²⁷³ Although KSA has begun to regulate these centres, issues surrounding their accessibility, affordability, and quality remain.

Saudi working mothers also opt to ask family members to assist with childcare during working hours. Not only is this solution not always possible, but it can also put pressure on mothers to prioritise home over work, reinforcing societal norms that dictate that a mother's primary role is to care for her children. To address this, it's crucial to raise awareness of the supportive roles fathers and other family members can play in childcare and domestic duties. Public understanding of the importance of social support for women in the workforce is vital, as studies indicate a significant underestimation of such support in KSA²⁷⁴, highlighting the need for legal reforms and social services that foster a more supportive environment for working women. Another option for working mothers is to hire foreign caregivers to look after their children. However, this presents challenges related to financial costs and trust in the caretaker, which can lead to anxiety that affects workplace performance.

Last of all, it is worth noting that some labour law provisions are designed to support working mothers, such as the one-hour paid nursing break²⁷⁵, which can help create a more accommodating work environment. There is a need for efforts to educate women on how to advocate for themselves and utilise available resources to address their challenges. Unfortunately, labour market policies frequently overlook critical issues such as access to childcare and reproductive health, which are essential for women's participation in the

²⁷³ Raseef, 'Maternity Leaves in the Gulf Countries: Sufficient or Not?' (2017) <
<https://Raseef22.Net/Article/23444-Status-Of-Maternity-Leaves-In-The-Gulf>> accessed 10th February 2023
[Arabic].

²⁷⁴ Bursztyn, Gonz'alez and Yanagizawa-Drott (n 148).

²⁷⁵ Article 154, KSA Labour Law, Issued by Royal Decree No. M/51 and Cabinet Decision No. 219 in 27/09/2005 and published in 28/10/2005.

workforce. This gap is evident in training programs aimed at youth, particularly women, where the need for childcare facilities often hinders their ability to attend.²⁷⁶ Numerous studies highlight how reproductive empowerment influences women's decisions to work; for instance, in Malaysia, many women transitioned from formal employment to running microbusinesses after having children. Many women also express a preference for online or home-based work to balance their work and childcare responsibilities after participating in empowerment initiatives.²⁷⁷ The upcoming section examines how working modes and environment contribute to Saudi women's double burden as well.

3.3.3 Working Hours and Work Environment

In recent years, there has been growing recognition of the importance of flexible working hours and supportive work environments in empowering professional working mothers in KSA. In 2020, the Ministry of HRSD introduced two key initiatives to increase women's participation in the workforce, aligning with the objectives of the Vision 2030 strategy. The first initiative focused on promoting remote work, which is particularly beneficial for individuals with disabilities and mothers seeking to balance their professional and childcare responsibilities.²⁷⁸ The second was the introduction of a flexible hours work system. Despite these efforts, a 2022 ESCWA survey found that 59% of participants reported a lack of work

²⁷⁶ E.g. Orazio Attanasio, Adriana Kugler, And Costas Meghir, 'Training Disadvantaged Youth In Latin America: Evidence from a Randomized Trial' (2008) NBER Working Paper No. 1393; UN Economic and Social Commission for Western Asia, 'Commission on Legal Empowerment of the Poor' < <https://archive.unescwa.org/commission-legal-empowerment-poor> > accessed 31st March 2023.

²⁷⁷ E.g. Anja Franck, 'From Formal Employment to Street Vending: Women's Room to Maneuver and Labor Market Decisions under Conditions of Export-Oriented—The Case Penang, Malaysia' (2012) University of Goteborg Department of Human and Economic Geography. < https://gupea.ub.gu.se/bitstream/2077/28129/1/Gupea_2077_28129_1.Pdf > accessed 12 September 2022; Zoe Horn, Boonsom Namsomboon and Poonsap Tulaphan, 'Home-Based Workers in Bangkok, Thailand' (2013) Cambridge, MA: WIEGO < <https://homenetsea.files.wordpress.com/2019/01/Thailand-Final-Brief-Dec-1.Pdf> > accessed 26th September 2022.

²⁷⁸ KSA, The Ministry of Human Resources and Social Development, 'Encouraging Telework and Work from Home' < <https://hrsd.gov.sa/en/initiatives/encouraging-telework-and-work-home> > accessed 26th September 2022.

flexibility in KSA, and 72% reported that telecommuting options were unavailable, although many expressed readiness to embrace these initiatives if implemented.²⁷⁹ The challenges of inflexible working hours are further illustrated by the experiences of women in feminised retail jobs: 62% of employed women reported considering quitting due to long hours, and 79% felt their salaries did not justify the demands of their work.²⁸⁰ Retail shifts typically run from 10 am to 1 pm and again from 4 pm to 11 pm, with pay ranging from \$1.333 to \$799 per month.²⁸¹ Often, these shifts conflict with the familial responsibilities that many women encounter. Additionally, employers have noted difficulties retaining female staff, as many leave after only a short period due to these challenges.²⁸²

To address these issues, encouraging part-time work and job-sharing arrangements could help mitigate the high turnover rates among women employees while allowing them to balance their work and family obligations more effectively. Hourly wages also provide women with greater control over their work-life balance. Studies have shown that women with flexible working hours report better health and lower levels of psychological distress than those with no control over their work time; a replication of the study suggested that differences in occupation do not affect the results.²⁸³ During the COVID-19 pandemic, many in KSA experienced remote work for the first time. They found it linked to higher job satisfaction, with significant numbers highlighting reduced workplace distractions, lower stress levels, better

²⁷⁹ UN, Economic and Social Commission for Western Asia (n 272).

²⁸⁰ Arab News, '6 In 10 Saudi Women Find Work Hours Inconvenient — Survey' (2014) <
<https://www.arabnews.com/news/602151>> accessed 21st February 2023.

²⁸¹ Arabian Business, '62% of Women in Riyadh Survey Say May Quit Jobs' (2014) <
<https://www.arabianbusiness.com/industries/culture-society/62-of-women-in-riyadh-survey-say-may-quit-jobs-558251>> accessed 21st February 2023.

²⁸² Ibid

²⁸³ Leena Ala-Mursula, Jussi Vahtera, Minna Kivimäki, May Kevin and Jaana Pentti 'Employee Control over Working Times: Association with Subjective Health and Sickness Absences' (2002) 59 *Journal of Epidemiology and Community Health* 4.

management of personal obligations, and more effective use of their time as key benefits.²⁸⁴ Overall, both scientific and social studies emphasise the positive impact of flexible working arrangements, particularly for women in the workforce.

The reasons for women's involvement in part-time work can be understood through two main perspectives. The first viewpoint emphasises women's intrinsic desires and personal preferences.²⁸⁵ It categorises them into three groups: family-centred women, who prioritise home and children; work-centred women, who focus on their careers and tend to be childless; and a majority group that combines paid work with time with family. This perspective, known as the Preference-driven Theory, acknowledges women's choices but often overlooks the influence of social structures and external factors on these decisions. Additionally, it isn't easy to frame a woman as belonging to one of the groups, because in some circumstances work-centred women might end up as stay-at-home mothers. Their orientation does not necessarily determine the outcome of their decisions, and they may not ultimately act in accordance with what they have already chosen.

Thus, women's choice of work or employment transition is not only an outcome of personal preference that women decide and plan for, as the first school of preference theory argues. The second viewpoint argues that social context, particularly motherhood and family responsibilities, plays a crucial role in women's employment choices.²⁸⁶ Factors like divorce, redundancies, and childcare availability can compel women to opt for part-time work. Some

²⁸⁴ Turkiah Saad Alotaibi, 'Flexibility and Saudi Employees' Perceptions of Job Satisfaction: A Multisector Study' (2022) *Journal of East-West Business* DOI: 10.1080/10669868.2022.2118926.

²⁸⁵ Catherine Hakim, 'Lifestyle Preferences as Determinants of Women's Differentiated Labor Market Careers', (2002) 29 *Work and Occupations* 4; Catherine Hakim, 'Women, Careers, and Work-Life Preferences' (2006) 34 *British Journal of Guidance and Counselling* 3.

²⁸⁶ E.g. Rosemary Crompton and Clare Lyonette, 'Occupational Class, Country and the Domestic Division of Labour' In Rosemary Crompton, Suzan Lewis and Clare Lyonette (Eds) *Women, Men, Work and Family in Europe* (Houndmills: Palgrave Macmillan 2007); Susan Mcrae, 'Constraints and Choices in Mothers' Employment Careers: A Consideration of Hakim's Preference Theory' (2003) 54 *British Journal of Sociology* 3.

studies suggest that women may choose to withdraw from the labour market to maintain their professional identities, and their employment decisions can vary significantly depending on the number of children they have.²⁸⁷ Reconciling the two perspectives reveals that decision-making about work and motherhood varies widely among women. For some, being both a mother and a worker is essential to self-identity and financial stability, while others may keep these roles more distinct.²⁸⁸ Childcare is often perceived as a personal, moral commitment rather than merely a barrier to employment. The interplay of internal motivations and external challenges, such as finances and childcare logistics, shapes these choices.

Overall, the availability of flexible working hours is crucial for women in KSA. Such arrangements not only support their simultaneous roles as caregivers and professionals but also help keep them active in the labour market, preventing total withdrawal from employment. Women's decisions regarding full-time or part-time work are closely tied to their responsibilities and the support they receive from their families. While studies show a lack of ideal flexible working arrangements, women often have to adjust to the most tolerable options offered by their organisations. The ability to negotiate such terms can enhance their standing within organisations.²⁸⁹ The absence of flexibility in work hours limits their choices, making it hard to align their employment with their personal aspirations and family needs. As a sign of empowerment, they should be able to demand the arrangements they need as part-time or online workers to control their schedules and adjust their responsibilities and roles. The research indicates that women engaged in part-time work worldwide often manage their professional

²⁸⁷ Diane M. Houston, Gillian Marks, 'The Role of Planning and Workplace Support in Returning to Work after Maternity Leave' (2003) 41 *British Journal of Industrial Relations* 2.

²⁸⁸ Simon Duncan and Rosalind Edwards, *Lone Mothers, Paid Work and Gendered Moral Rationalities* (Basingstoke: Macmillan 1999).

²⁸⁹ Zoe Young, *Women's Work How Mothers Manage Flexible Working in Careers and Family Life* (Bristol University Press 2018).

responsibilities effectively within limited time constraints.²⁹⁰ They demonstrate strategic thinking by prioritising tasks that align with their organisation's objectives. Furthermore, part-time roles help alleviate the emotional burden associated with supporting colleagues' work and performance, allowing them to focus on their family responsibilities. Therefore, promoting part-time job opportunities in both the public and private sectors in KSA is highly recommended. This initiative could significantly enhance women's participation in the economy, address unemployment, and meet the country's evolving labour demands.

3.3.4 Remarks on Women's Double Burden

To alleviate the double burden faced by Saudi women, several measures need to be implemented. Discriminatory practices affecting married women, pregnant women, and mothers during hiring processes or throughout their employment must be addressed. Additionally, there should be a thorough evaluation of the duration and financial benefits of maternity leave in the country to encourage women to join and remain in the labour market. Moreover, promoting childcare facilities by increasing their number to cover wider areas and providing them at workplaces will help encourage women's participation in the economy. It is also necessary to introduce flexible work options, such as remote work, which 76% of Saudi women prefer.²⁹¹ Given that many educated Saudi women have access to communication technology, remote work can enhance productivity when implemented effectively. Additionally, part-time jobs, another preferred option for many Saudi women, should also be explored. Studies indicate that a significant proportion of young, educated Saudi women desire

²⁹⁰ E.g. Ibid

²⁹¹ William Scott-Jackson, 'Maximising the Employment of Saudi Females' Oxford Strategic Consulting < https://www.academia.edu/9237856/Maximising_The_Employment_Of_Saudi_Females > accessed 14th Sep 2022.

part-time employment.²⁹² However, employers often resist this model, citing the costs and complexities associated with the arrangement. It is crucial to investigate the reasons behind these preferences among young, educated Saudi women and to persuade employers of the advantages associated with part-time positions.

Conclusion

In conclusion, this chapter emphasised the importance of women's economic empowerment through three primary strategies: access to financial resources, the feminisation of labour, and the acknowledgement of the double burdens women face. It highlights how women in KSA have navigated these strategies and analyses their implementation to enable women to participate in the economy, while also noting the shortcomings that require further action. Regarding access to financial resources, issues such as loan amounts, obligations, and financial literacy need attention. Policy reforms, training programs, funding initiatives, and increased awareness are vital for Saudi women. Similarly, in relation to the feminisation of labour, challenges such as low wages and the need for equal treatment under labour regulations must be examined. Lastly, the double burden of home and work responsibilities cannot be overlooked; factors such as marital status, pregnancy, maternity leave, and flexible working hours significantly influence women's decisions to enter the labour market. Addressing these issues and implementing new regulations is essential to encourage their economic participation. Since the context of KSA is understood, the situation of women and employment is clarified, and the need for women's legal empowerment in the employment sector is established in the past chapters. The next chapter delves into recent legal reforms in KSA and their effects on women's legal empowerment in employment.

²⁹² Ibid

Chapter Four

Legal Reforms and Barriers to Women's Empowerment in KSA

Introduction

The previous chapter elaborated on the legal and policy frameworks that shape women's economic empowerment in KSA. It suggested adopting approaches that address norms when developing strategies to enhance women's legal empowerment in the country. This chapter presents some of the most impactful legal reforms recently undertaken for Saudi women. It examines how they have contributed to enabling them to participate more actively in the economy and improve their societal standing. It argues that while these reforms constitute a significant strategy for legal empowerment that promises women's participation in the economy, their effectiveness is still hindered by social and economic barriers; thus, they should be accompanied by additional legal empowerment strategies. Legal empowerment promotes women's participation in society, enabling them to act as agents in various spheres. This often results in the formation of a new social constituency comprised of empowered women who can challenge the patriarchal norms that affect their participation in the economy and the political-economic order.²⁹³ Thus, it answers the thesis questions by critically examining the extent to which recent legal reforms in KSA have contributed to women's legal empowerment in employment, and to identify the remaining barriers and strategies needed to strengthen women's participation in the labour market.

²⁹³ Valentine M. Moghadam, *Women, Work, and Economic Reform in the Middle East and North Africa* (Boulder, CO: Lynne Rienner Publishers 1998); Valentine M. Moghadam (Ed.) *From Patriarchy to Empowerment: Women's Participation, Movements, and Rights in the Middle East, North Africa, and South Asia* (New York: Syracuse University Press 2007).

This chapter is organised into three sections. The first section examines the most recent governmental reforms relevant to women's legal empowerment and their impact on employment. The second section discusses the implications of these reforms, notably, whether they are sufficient as a strategy to empower women in employment. The third section concludes the chapter by analysing the potential social, economic, and legal factors that challenge women's agency and legal empowerment in employment, drawing on relevant literature to assess their significance and implications. Legal factors, such as ambiguous national legislation concerning discriminatory practices and enforcement procedures²⁹⁴, and social norms rooted in patriarchal traditions, in addition to economic factors such as oil dependency and foreign labour, affect women's work and contribute to the limitations on their rights and empowerment in KSA are examined. Consequently, the importance of legal and social empowerment for women lies in providing them with access to social and legal protection, enabling them to make choices, and acting as independent agents in the economic sector.²⁹⁵

4.1 KSA's Legal Reforms on Women's Empowerment and Their Impact on Employment

4.1.1 Saudi Women in The Ministry of Justice and The Ministry of Defence

The first example of reforms to advance women's economic participation is the 2017 decision to allow women to work in the Ministry of Justice for the first time. The positions

²⁹⁴ Kristine Goulding, 'Gender Dimensions of National Employment Policies: A 24 Country Study' (2013) Geneva: International Labour Organization <
https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@dgreports/@gender/documents/publication/wcms_232758.pdf> accessed 28th July 2025; Priya Chacko, 'Women's Economic Empowerment in the Indian Ocean Region Through Gender Equality in Work: Building a Common Agenda' (2017) 13 Journal of the Indian Ocean Region 1.

²⁹⁵ Kabeer (n 31).

made available were administrative assistants and social, religious and legal researchers. Later, in 2020, the Ministry appointed 100 women to public notary positions as part of its plan to expand women's participation in the legal sector.²⁹⁶ Such moves, while being positive, raise questions about whether this expansion merely reinforces a *status quo* where women are primarily channelled into roles deemed acceptable within a patriarchal framework of the country or are actually empowered. The Ministry has made statements about its commitment to attracting talented individuals to contribute to national development and to emphasising universal participation and gender equality;²⁹⁷ yet the implications of these changes warrant a more critical examination. Saudi women have seized these opportunities, as data highlights a growing female presence in the field. The number of women working in the Ministry of Justice is increasing across the regions, and the establishment of the Women's Department within the Ministry has encouraged more women to join the sector, as the Ministry has emphasised.²⁹⁸

The Ministry praised its female employees, noting that their participation in the public sector has increased, and that many have been empowered by their assignment to supervisory roles.²⁹⁹ By evaluating the statement against the existing cultural norms and practices, women employees were assigned to the traditional gender roles, they are often drawn to public sector roles -governed by ministries and state institutions- for valid reasons, government roles typically offer better salaries, job security, shorter working hours compared to the private sector, and perhaps most importantly, culturally acceptable segregated work environments; in

²⁹⁶ Ministry of Justice, 'Saudi Ministry of Justice Appoints 100 Women as Public Rotaries' (2020) < <https://www.moj.gov.sa/english/mediacenter/news/pages/newsdetails.aspx?itemid=633> > accessed 4th December 2021.

²⁹⁷ Ministry of Justice, Employment at the Ministry of Justice (2021) < <https://www.moj.gov.sa/english/Ministry/Recruitment/Pages/Default.aspx> > accessed 29th November 2021.

²⁹⁸ Arab News, 'Number of women in Saudi judicial sector reaches 1,814' (2021) < https://www.arabnews.com/node/1810746/saudi-arabia?utm_source=chatgpt.com > accessed 3rd September 2025.

²⁹⁹ Arab News, 'Saudi Justice Ministry Praises Female Employees' December (2021) < <https://www.arabnews.com/node/1978611/saudi-arabia> > accessed 6th February 2022.

addition to benefits such as allowances and social services, ensuring stable employment along with automatic salary increases.³⁰⁰ This backdrop suggests that while women are increasingly visible in the workforce, their participation may not reflect genuine empowerment or choice but rather a permissible conformity to social expectations.

A second example of reforms is the 2019 decision, for the first time, to allow women to serve as soldiers in the internal security field.³⁰¹ This change represents a significant shift; nonetheless, it remains crucial to analyse the motives and the impacts of such reform. On 1st September 2021, the first group of female soldiers graduated from a 14-week training course at the Armed Forces Women's Cadre Training Centre.³⁰² Women are now legally permitted to enlist in various branches of the Saudi Arabian armed forces. While this is a major step forward, it also highlights the cultural limitations that continue to restrict the roles women can pursue. The hierarchical nature of these advancements raises concerns about whether women are exercising true agency or simply filling predefined roles that maintain existing power dynamics. It could be only the start as soldiers who will be able to advance to different ranks, which the future will determine. One could not expect higher ranks the first time in the field.

It is worth noting that both sets of reforms mentioned above created new avenues for women by attracting their talents outside traditional fields, such as health and education. However, it remains unclear whether these opportunities truly empower them. The recently opened opportunities for women in both Ministries, as public-sector jobs, seem to adopt similar

³⁰⁰ Steffen Hertog, 'A Comparative Assessment of Labor Market Nationalization Policies in the GCC' In Steffen Hertog (Ed.) *National Employment, Migration and Education in the GCC* (The Gulf Region: Economic Development and Diversification, Germany: Berlin, Gerlach Press 2012); Ahmed Al-Asfour & Sami A. Khan, 'Workforce Localization in the Kingdom of Saudi Arabia: Issues and Challenges' (2014) 17 *Human Resource Development International* 2; Mushabab Al-Asmari, 'Saudi Labor Force: Challenges and Ambitions' (2008) 16 *JKAU: Arts & Humanities* 2.

³⁰¹ Parveen (n 197).

³⁰² Saudi Gazette, 'First Batch of Saudi Women Soldiers Graduate' (2021) < <https://Saudigazette.Com.Sa/Article/610477> > accessed 4th December 2021.

approaches to women in traditional professions. The Ministry of Justice opened a women's department for recruitment in compliance with the reform,³⁰³ and the Ministry of Defence had an Armed Forces Women's Cadre Training Centre in compliance with the reform, too. Thus, the cultural requirement of gender segregation appears to be still in place; this thesis considers it as one of the significant reasons for Saudi women's enrolment in the workforce. It was asserted that 73% of sampled Saudi females preferred working in a segregated environment³⁰⁴, and even if more jobs were created for Saudi women, they would be in a dilemma between their career aspirations on the one hand and the traditional female roles rooted in the conservative society on the other hand.³⁰⁵ This dichotomy points to a deeper need for structural change that transcends surface-level reforms. The need for further forms of women's empowerment is evident, especially if traditional culture and norms are disregarded. Consideration of feminist dimensions of women's empowerment, along with law reforms and job creation, is suggested. In the above situations, Current efforts to empower women often focus solely on enabling economic and social participation without addressing the patriarchal structures that limit their agency.³⁰⁶ True empowerment involves granting access to valued resources that enhance women's ability to confront these constraints. As feminist literature suggests, empowerment is about challenging existing power dynamics and gaining control over resources.³⁰⁷

³⁰³ Arab News (n 299).

³⁰⁴ William Scott Jackson, Bashar Kariem, Andrew Porteous & Amira Harb, 'Maximising Women's Participation in the GCC Workforce' (2010) Oxford Strategic Consulting, Oxford: UK.

³⁰⁵ Al-Asfour & Khan (n 300).

³⁰⁶ Sahay (n 179).

³⁰⁷ Srilatha Batliwala, 'The Meaning of Women's Empowerment: New Concepts from Action', in Gita Sen, Adrienne Germain and Lincoln Chen (Eds), *Population Policies Reconsidered: Health, Empowerment, and Rights* (Boston: MA, Harvard Center for Population and Development Studies 1994); Kabeer (n 31).

4.1.2 New University Majors and The Guardianship System Annulment

Other examples of recent reforms that warrant scrutiny include expanding access to a broader range of university degrees for women, who were previously confined to men-only programs, and abolishing the guardianship system. From the past to the present, Saudi women have excelled in education, with female graduates constituting 75% of university graduates in 2010; although this figure declined to 55.8% by 2019,³⁰⁸ it is still higher than that of men. Despite this significant presence in higher education, many women face challenges entering the job market because their degrees, often in education and the humanities, do not align with current labour market demands for skills in technology, engineering, and management.³⁰⁹ These factors account for the low participation rate of Saudi women in the labour market, alongside enduring social, cultural, and religious influences³¹⁰ that significantly shape their choices and participation in the economy. The recent introduction of fields such as aviation, engineering, architecture, maritime studies, and tourism promises progress.³¹¹ While women can now pursue careers as co-pilots or cabin crew members, the true impact of these changes depends on whether they can translate educational advancements into actual job placements and whether the reforms guarantee meaningful employment opportunities for female graduates.

The annulment of the guardianship system in 2019, which requires women to obtain permission from a male guardian, whether father, brother or husband, to carry out their activities, is another reform in KSA that promises an impact on Saudi women's lives. The

³⁰⁸ Statista, 'Share of Female Graduates in Saudi Arabia from 2010 to 2019' < <https://www.statista.com/statistics/1118988/saudi-arabia-share-of-female-graduates/>> accessed 7th February 2022.

³⁰⁹ Al-Asfour & Khan (n 300); Al-Munajjed (n 54).

³¹⁰ Al-Asfour & Khan (n 300).

³¹¹ Saudi Gazette, 'Flight School is Opening Doors for Saudi Women'(2018) < <https://saudigazette.com.sa/article/539263/saudi-arabia/flight-school-is-opening-doors-for-saudi-women> > accessed 4th December 2021.

annulment enables women to apply for jobs without the requirement of a guardian's consent, travel for the sake of employment and obtain their passports independently. Amended legal provisions, such as Article 2 of the Travel Documents Law, which stated that passports are only granted to male Saudi guardians, have been amended to '[a] passport may be granted to any person who has Saudi citizenship'³¹², representing a significant shift in women's ways of life. Nonetheless, they are not an outright solution to end employment barriers. These contemporary changes align with Vision 2030, intending to shake up the *status quo* of the country's cultural and socioeconomic fabric and loosen its conservative social dynamics.³¹³ They indicate KSA's attention to empowering women economically and socially as well. This approach is hoped to sufficiently empower women to participate in the economy.

Economic empowerment must cultivate women's self-sufficiency and enable them to thrive in developmental projects, while social empowerment must confront the entrenched gender biases that limit participation and achievement.³¹⁴ Vision 2030 strives to empower women socially, economically, and politically; it recognises women as key players in driving economic growth when afforded the opportunity.³¹⁵ This thesis posits that legally empowering women is imperative to achieving the economic goals outlined in the Vision. Its focus on legal empowerment enables women to assert their rights and leverage the protections afforded to them by law. The adopted definition of women's legal empowerment is the 'process of systemic change through which the poor and excluded become able to use the law, the legal system, and legal services to protect and advance their rights and interests as citizens and

³¹² Bureau of Experts at the Council of Minister, 'Travel Document Law' Royal Decree /M24, Issued 28/08/2000 and published 15/09/2000 Amended by Royal Decree M/134 <<https://Laws.Boe.Gov.Sa/Boelaws/Laws/Lawdetails/E29f08fa-D53e-4944-B22b-A9a700f17fd9/1>> accessed 30/7/2021.

³¹³ Russell Spitler, 'Blurry Vision: Institutional Impediments to Reform in Saudi Arabia' (2017) (Master's Thesis) Naval Postgraduate School, Monterey, CA.

³¹⁴ Parveen (n 197).

³¹⁵ Mary Oluwatoyin Agboola, 'Female Labour Force Participation in Saudi Arabia and its Determinants' (2021) 1 The Polish Journal of Economics 305.

economic actors'.³¹⁶ Thus, it is leaning toward building women's capacity to seek rights and employment and to solve their problems rather than giving direction and ready-made solutions to their situations.

4.1.3 Driving and Obtaining Identification Cards Reforms

Alongside the Saudi reforms, the lifting of the driving ban in 2018 marked a significant shift in the country's approach to women's rights and employment. An examination of the original Saudi Traffic Law³¹⁷ reveals its use of gender-neutral language; "driver" and "person" were employed, suggesting that driving licenses should have been legally available to both men and women upon interpretation. This indicates that the ban was influenced more by cultural customs, as Islamic law does not prohibit women from driving either.³¹⁸ This policy change has had a profound economic impact, enabling more women to enter the workforce by alleviating transportation challenges that previously forced many to leave their jobs due to a lack of transportation.³¹⁹ With inadequate public transport options and high costs for private drivers, the ability for women to drive has significantly eased their commute. Moreover, the change has adjusted expectations around male employees, as driving family members was a legitimate reason to delay or defer work commitments.³²⁰ The automotive industry has also

³¹⁶ The Commission on Legal Empowerment of the Poor (n 10) 3.

³¹⁷ Bureau of Experts at the Council of Minister, 'Traffic Law' Royal Decree No. 85, Issued 07/11/2007 and Published 07/11/2007 < <https://Laws.Boe.Gov.Sa/Boelaws/Laws/Lawdetails/85364e57-C01e-41ba-8def-A9a700f183e9/2> > accessed 7th February 2022.

³¹⁸ Amani Hamdan, 'Women and Education in Saudi Arabia: Challenges and Achievements' (2005) 6 *International Education Journal* 1; Fawzi El-Solh and Judy Mabro (Eds) *Muslim Women's Choices: Religious Belief and Social Reality (Cross-Cultural Perspectives on Women)* (Providence: Berg Publications 1994).

³¹⁹ Eleanor Abdella Doumato, 'Women and Work in Saudi Arabia: How Flexible are Islamic Margins?' (1999) 23 *Middle East Journal* 4.

³²⁰ Siti Rohmah Soekarba, 'Determinants of Patriarchy in the Middle East: Hope For the 2030 Vision In a New Saudi Arabia' (2018) 365 *Advances in Social Science, Education and Humanities Research* (2nd International Conference on Strategic and Global Studies, Atlantis Press 2019) < <https://www.Atlantis-Press.Com/Proceedings/Icsgs-18/125922547> > accessed 29th July 2025; Martin Hvidt, 'The New Role of Women in the New Saudi Arabian Economy' (2018) Syddansk Universitet: Center for Mellemstudier. News Analysis < <https://www.Google.Com/Url?Sa=T&Rct=J&Q=&Esrc=S&Source=Web&Cd=&Ved=2ahukewi3uzsw4kt2ahur>

benefited from the decision, as expatriate drivers were let go, with 70% of women choosing to drive after the prohibition was lifted³²¹.

Another amendment is the right of women to have their national identification card (ID). Article 67 of the Civil Status Law³²² now allows women to obtain their ID without needing guardian approval, a requirement that previously impeded their access to essential services and employment opportunities. This reform is expected to simplify the employment process, enabling employers to verify applicants' identities more efficiently and obtain their consent more easily. Such access to IDs to participate in the economy cannot be overstated; it opens doors to signing employment contracts, opening bank accounts, and applying for loans.³²³ The relationship between identification and financial inclusion is vital; with IDs, women are better positioned to pursue business ventures³²⁴ and are less vulnerable to human rights violations. While these reforms appear beneficial for women's empowerment and self-agency, concerns exist about their actual impact. For instance, while lifting the driving ban may seem to grant greater autonomy, it raises questions about whether it genuinely empowers women or simply reinforces existing familial burdens without fostering real independence. Moreover, access to ID does not ensure resource availability if patriarchal values continue to exert influence. Overall, these reforms represent a crucial step toward improving women's integration and representation in the workforce.

v8akhdvidacqfnoecauqaq&Url=Https%3A%2F%2Fwww.Sdu.Dk%2F-%2Fmedia%2Ffiles%2Fom_Sdu%2Fcentre%2Fc_Mellemoest%2Fvidencenter%2Fartikler%2F2018%2Fhvidt%2Barticle%2Bapril%2B2018.Pdf&Usg=Aovvaw3vddumvutaqnpfbyqywmwb > accessed 1st March 2022.

³²¹ Rizvi and Hussain (n 62).

³²² KSA Civil Status Law, Issued by Royal Decree No. M7 1986 Cabinet Decision No.1 (21/12/1986) and Published (09/01/1987), Article 67 Amended by Royal Decree M/28, Issued on 2nd April 2013.

³²³ Julia Braunmiller, 'The Importance of Women's Equal Access to Identification in Times of a Global Crisis' (2020) World Bank Blogs < <https://blogs.worldbank.org/developmenttalk/importance-womens-equal-access-identification-times-global-crisis> > accessed 5th December 2021.

³²⁴ The Global Findex Database 2017 < <https://documents.worldbank.org/En/Publication/Documents-Reports/Documentdetail/332881525873182837/The-Global-Findex-Database-2017-Measuring-Financial-Inclusion-And-The-Fintech-Revolution> > accessed 28th July 2025.

4.1.4 Women's Related Reforms in Civil Status Law and Labour Law

Recent legal reforms in Civil Status Law and Labour Law represent significant progress for women's rights, particularly in their capacity to work and participate in family matters. Notably, amendments to Article 33 of the Civil Status Law³²⁵ now empower women to report their children's births and obtain birth certificates, a shift from the previous norm where only fathers or close male relatives had this authority. This change strengthens women's maternity rights and acknowledges their equal roles to men in legal documents. Another important amendment appears in Article 30³²⁶, which previously limited a married woman's freedom of movement by mandating that her domicile be her husband's residence. This requirement has been amended to apply only to minors, giving married women greater independence and the ability to choose their residence. Despite these advancements, deeper societal challenges remain. Although women can now register their children and assume legal roles within their families, questions linger about their practical authority. Issues such as the ability to amend or update legal documents and whether they have equal guardianship rights over their children in areas such as education and travel still require empirical examination. It has been argued that since the changes in Civil Law are imposed rather than socially contracted, there will be societal resistance, men are still regarded as the only heads of families, and everything related to their families is connected to them.³²⁷

Moreover, Recent reforms in the Saudi Labour Law have made significant strides in advancing the status of women in the workforce. Notably, the definition of workers in Article

³²⁵ KSA Civil Status Law (n 322).

³²⁶ Ibid

³²⁷ Jane Kinninmont, 'Vision 2030 and Saudi Arabia's Social Contract Austerity and Transformation' (2017) Middle East and North Africa Programme, The Royal Institute of International Affairs: Chatham House, UK <<https://www.Chathamhouse.Org/Sites/Default/Files/Publications/Research/2017-07-20-Vision-2030-Saudi-Kinninmont.Pdf>> accessed 1st March 2022.

3 of the Labour Law has been amended to encompass both genders, a shift from the previous framework.³²⁸ This amendment explicitly prohibits gender discrimination and extends protections to the recruitment process, ensuring that all citizens, regardless of gender, disability, age, or other factors, have equal rights to work. Additionally, the former restriction in Labour Law Article 149³²⁹, which limited women's employment to certain sectors and gave the Minister of Labour authority to restrict their access to hazardous jobs, was abolished in 2020. This change theoretically allows women to pursue any career path they choose, removing legal barriers that previously hindered their participation in various fields. However, deep-rooted societal norms still present challenges, as traditional views often position men as the primary breadwinners while women are expected to manage household responsibilities. This cultural dynamic makes it unclear which jobs women and society consider suitable or dangerous, highlighting the need for further clarity, perhaps through research and surveys. Despite these legal advancements, it still could be assumed that societal attitudes still influence employment opportunities for women, that men should be prioritised for certain jobs perceived as unfeminine or dangerous, which may impede the full realisation of these reforms.³³⁰ This resistance is compounded by broader employment challenges facing young men in the country, leading to scepticism about expanding the labour market for women.³³¹ This is based on an analogy to the *Saudisation* policies, where private sector manifested scepticism about hiring women due to uncertainty about what constitutes a suitable workplace for women and what is compatible with the cultural norms.

³²⁸ Article 142, KSA Labour Law, Issued by Royal Decree No. M/51 and Cabinet Decision No. 219 in 27/09/2005 and published in 28/10/2005, Article Amended by Royal Decree No. M/134, Issued on 25 July 2019.

³²⁹ Ibid; Article 149 Abolished by Royal Decree No. M/5, Issued on 26 August 2020.

³³⁰ Kinnimont (n 327).

³³¹ Ibid

The amendments to the Labour Law have established non-discriminatory provisions; however, the primary issue lies in their implementation. While these rights exist in theory, they are not effectively enforced nationally or internationally³³², leaving women in circumstances similar to those before the reforms. The lack of full implementation necessitates concerted efforts to enforce the law, perhaps through a mechanism established by the Ministry of Labour to monitor its application and evaluate its impacts. Women's empowerment is a multifaceted process that encompasses job availability, the ability to apply for positions freely, and the capacity to advocate for their rights. Establishing a bureau for women's affairs within the Ministry could also facilitate the implementation of progressive policies. The application of feminist theories is relevant in this context, as women develop a sense of self-understanding and the ability to advocate for themselves, thereby gaining access to material resources, creating a reciprocal relationship.³³³ Despite provisions that allow Saudi women to earn income and improve their lives, substantial transformation remains elusive. For real change to occur, women must achieve a 'shift in consciousness'³³⁴ that helps them recognise the entrenched patriarchy in their society, understand their circumstances, and unite for collective change. Thus, while external opportunities can enhance women's potential realities, true empowerment requires an intersection with their actual lived experiences.³³⁵

³³² Al-Munajjed (n 54).

³³³ Naila Kabeer, *Reversed Realities: Gender Hierarchies in Development Thought* (Verso: London 1994); Gita Sen & Avanti Mukherjee, 'No Empowerment without Rights, No Rights without Politics: Gender Equality, MDGs and the Post-2015 Development Agenda' (2014) 15 *Journal of Human Development and Capabilities* 2-3.

³³⁴ Cornwall and Edwards (n 194).

³³⁵ Steven Brown, 'Empowerment as Subjective Operant' (2003) World Bank, Washington DC.

4.1.5 Saudi Women in Leadership Positions

Most recent reforms have focused on enhancing women's empowerment, particularly by including women in the decision-making process within legislative bodies and enabling their participation in leadership roles across various sectors. A significant milestone was the royal decree amending Article 3 of the *Majlis Al-Shura* Law, Law of the Consultative Council, allowing women to join what has traditionally been an all-male advisory council. Article 3 now reads:

Majlis Ash-Shura shall consist of a chairman and sixty members chosen by the King from amongst scholars and men of knowledge, expertise and specialists, provided that women representation shall not be less than (20%) of the number of members. Their rights, duties and all other affairs shall be defined by Royal Decree.³³⁶

The Al-shura Council advises the government on new legislation, and Article 3 marks a pivotal step toward the inclusion of women in advisory roles. Although King Abdullah appointed the first female council member in 2013, paving the way for the current 20 councillors out of 339, their active participation and ability to attain leadership roles within the council remain limited, as the council remains predominantly male-led.

The overall leadership landscape in KSA represents a significant gender disparity, with the country among the top twenty with the largest gender gaps in managerial roles, exceeding 80%, as reported in the 2021 GGGR.³³⁷ Particularly concerning is the 93% gap in senior leadership, including in government roles, where no women have been

³³⁶ Shura Council Law, Royal Order No. A/19 Issued 01/03/1992 and Published 06/03/1992, Article 3 of the Shura Council Law Amended by Royal Order No. A/26 Dated 2/3/1426 AH < <https://Laws.Boe.Gov.Sa/Boelaws/Laws/Lawdetails/B5cf540a-E6ac-426a-B348-A9a700f163de/1>> accessed 28 November 2021 [Original Arabic Version].

³³⁷ World Economic Forum, Global Gender Gap Report 2021: Insight Report' (n 44).

appointed as ministers.³³⁸ The same patterns are evident in diplomatic and international representation, traditionally male-dominated fields. Despite efforts since 2008 to employ women in the Ministry of Foreign Affairs, only five female ambassadors were appointed between 2019 and 2023, a number that is still far from an adequate response to the pressing need for equitable representation, indicating a minimal change in representation.³³⁹ Even though the number of women in leadership positions since the start of the reforms remains relatively small,³⁴⁰ their participation in such roles has gradually improved, with recent statistics showing that the percentage of women in senior and middle management reached 43.8% in the first quarter of 2024.³⁴¹ In conclusion, the recent reforms in KSA focused on women's empowerment are critically examined in this section, raising questions about their effectiveness in facilitating women's entry into the labour market and combating deeply rooted patriarchal customs. While legal reforms are essential initial steps, dismantling guardianship practices and patriarchal attitudes remains a persistent challenge to economic advancement. For authentic transformation to occur, women need to develop both individual and collective agency. This entails recognising and advocating for their rights while also making strategic decisions.³⁴² The forthcoming section will critically evaluate the impacts of these reforms on Saudi women's agency and examine whether these measures are sufficient to motivate their economic participation.

³³⁸ Ibid, 15.

³³⁹ Arab News, 'Saudi Female Diplomats are Making Great Progress, Says Ambassador' (2021) < <https://www.arabnews.com/node/1203406/saudi-arabia> > Accessed 15th December 2021; Alarabiyah News, 'Saudi Arabia's Female Ambassadors: Who are the Five Women Representing the Kingdom?' (2023) < <https://english.alarabiya.net/features/2023/01/04/saudi-arabia-s-five-female-ambassadors-who-are-the-five-women-representing-the-kingdom-> > accessed 15th March 2025

³⁴⁰ E.g. World Economic Forum, 'Global Gender Gap 2024: Insight Report' (n 42).

³⁴¹ Human Resources and Social Development, 'Saudi Arabia Advances Internationally in Several Indicators According to World Economic Forum Reports' (2024) < <https://www.hrsd.gov.sa/en/media-center/news/290720242> > accessed 8th April 2025.

³⁴² Maranlou (n 185).

4.2 Are the Legal Reforms Sufficient to Empower Women?

As highlighted in the previous section, KSA is reforming its legislation to provide equal opportunities for all in the economic sector to eliminate gender inequality in the country. This legal reform approach appears effective; the GGGR 2024 affirmed female labour-force participation in KSA has nearly doubled over time, from 22.5% in 2006 to 43.2% in 2024.³⁴³ However, the scepticism is that this approach has been implemented in the West as a solution to gender discrimination, assuming that gender is a social construct; thus, defining the set of attitudes and behaviours that are considered socially acceptable based on gender, but it did not end discrimination or patriarchy.³⁴⁴ It has rather reinforced patriarchy by promoting a universal social attitude associated with masculinity by giving more value to work outside the home, and devaluing women's childcare.³⁴⁵ Strengthening equal opportunities in legislation may present masculinity as the universal gender that women must adopt to be successful. It is, therefore, suggested that legal reforms should be combined with other empowerment initiatives to achieve a balanced outcome, focusing on giving a voice to the empowered, not speaking for them, which has been the case of Saudi women's ongoing portrayal by the West.³⁴⁶

Conversely, policy changes and legal reforms have positive effects, as there are interactions between household composition, norms and legal policies.³⁴⁷ On this basis, it is assumed that a change in a country's policies will affect household composition.³⁴⁸ Society is expected to accept these changes and, in turn, feed these policies back into norms, resulting in

³⁴³ World Economic Forum, 'Global Gender Gap 2024: Insight Report' (n 42).

³⁴⁴ Anita C. Butera, *The Kingdom of Saudi Arabia Through the Eyes of Saudi Women* (London: UK, Lexington Books 2021).

³⁴⁵ Ibid

³⁴⁶ E.g. O'Hara (n 128).

³⁴⁷ Spierings (n 108).

³⁴⁸ Kandiyoti (n 108); Olmsted (n 111).

reshaping household composition.³⁴⁹ The changes brought about by KSA's policy plans are evident on the ground: women are now encouraged to enter the public sphere, and as they do, it is reasonable to assume that patriarchal norms are gradually diminishing. However, it is not just the traditional family norms and values that need to be changed by policies, but also the institutionalised side of patriarchy.³⁵⁰ Changing the social norms does not have an immediate effect on changing institutionalised patriarchal policies on women's roles in the public sphere; both are interlinked and require efforts to be changed.

Patriarchal norms should be challenged from both institutional and societal angles, as they are linked to women's economic empowerment. Legal reforms can influence societal attitudes and *vice versa*. Therefore, women must advocate for change in both society and the legal system. Efforts to change patriarchal norms in KSA can be made at both societal and institutional levels. For example, there should be effective policies to reduce the social and economic pressures on young men. One option would be to introduce comprehensive pension schemes; consequently, elderly people would not need their sons or in-laws to support them financially. Introducing welfare systems to protect family members from poverty would also have the effect of weakening patriarchal norms in society. Research shows that as families move from extended to nuclear structures, the need for these pension systems will increase.³⁵¹ Conversely, giving out pensions will change the family structure from an extended to a nuclear one. Moreover, the introduction of such “state social safety nets” would increase women's choices, as they would not have to follow the pressure of patriarchal norms to marry and have families to secure their own economic future.³⁵²

³⁴⁹ Ross (n 122).

³⁵⁰ Spierings (n 108).

³⁵¹ E.g. Olmsted (n 111); Edward Sayre and Jennifer Olmsted, ‘Structuring a Pension Scheme for a Future Palestinian State’ In David Cobham and Nu’man Kanafani (Eds.) *The Economic Policy of Palestine* (London: Routledge 2004).

³⁵² Olmsted (n 111).

The reforms have indeed had some effects on Saudi women's labour force participation that are evident or still emerging. The Saudi General Authority for Statistics (GASTAT) has been monitoring the number of women in the labour force over the years. According to the statistics, the unemployment rate among Saudi women has been gradually decreasing since the reforms, in 2017³⁵³, the total unemployment rate among Saudi women was 55.1%, in the first quarter of 2019³⁵⁴ the unemployment rate was 31.7%, falling to 28.2% in the first quarter of 2020³⁵⁵, reaching 21.2% in the first quarter of 2021³⁵⁶, 22.3% in the second quarter of 2021³⁵⁷ and standing at 10.4% in the latest fourth quarter of 2024.³⁵⁸ These statistics suggest that recent reforms have made it easier for women to enter the labour market. Their low participation rate became a focus of the Kingdom's Vision 2030 plan, which emphasises developing women's talents and investing in their productive capabilities to increase their labour force participation from 22% to 30%³⁵⁹, The reforms have accelerated and surpassed this target ahead of schedule since the second quarter of 2021, when the target was reached with 32.4%³⁶⁰ female labour force participation, promising an unexpected increase by 2030. KSA has also significantly improved women's rights to work globally. According to the World Bank's 2021 report³⁶¹, KSA has removed all restrictions on women's employment under the wage indicator. This includes

³⁵³ General Authority for Statistics, KSA, Labour Market Statistics Q1 2017 < https://www.stats.gov.sa/sites/default/files/labour_market_2017_q1.pdf > accessed 30 November 2021.

³⁵⁴ General Authority for Statistics, KSA, Labour Market Statistics Q1 2020 < <https://www.stats.gov.sa/en/news/395> > Accessed 30 November 2021.

³⁵⁵ General Authority for Statistics, KSA, Labour Market Statistics Q1 2019 < https://www.stats.gov.sa/sites/default/files/labour_market_q1_2019_en.pdf > accessed 30 November 2021.

³⁵⁶ General Authority for Statistics, KSA, Labour Market Statistics Q1 2021 < https://www.stats.gov.sa/sites/default/files/lm_q1%202021%20%28Press%20release_EN%29_1.pdf > accessed 30 November 2021.

³⁵⁷ General Authority for Statistics, KSA, Labour Market Statistics Q2 2021 < https://www.stats.gov.sa/documents/20117/2435277/LM_Q2+2021En.Pdf/9f67f816-0244-4f98-Efa2-3eb8bf6d5fe5?T=1735041313468 > accessed 10th April 2025.

³⁵⁸ Saudi Agency Press, 'GASTAT: Unemployment Rate for Total Population in Saudi Arabia Drops To 3.5% in Q4 2024' (2024- 2025) < <https://spa.gov.sa/en/N2289462> > accessed 10th April 2025.

³⁵⁹ Kingdom of Saudi Arabia, 'Vision 2030' (n 53).

³⁶⁰ General Authority for Statistics, KSA, Labour Market Statistics Q2 2021(n 357).

³⁶¹ World Bank Group, *Women, Business and the Law 2021* (Washington, DC: International Bank for Reconstruction and Development / The World Bank 2021) 31 < <https://openknowledge.worldbank.org/bitstream/handle/10986/35094/9781464816529.pdf?sequence=7&isAllowed=Y> > Accessed 2 December 2021.

lifting restrictions in traditionally male-dominated industries such as mining, construction, manufacturing, and the water sector, as well as in jobs previously considered dangerous for women.³⁶² In its most recent 2024 report, while confirming wage improvements, it identified barriers to women's economic empowerment related to their legal rights, policy instruments to support the implementation of these rights, and how these rights are realised in practice. Examples of indicators with low scores include laws affecting women's safety and the legal framework for women to work after having children.³⁶³

Furthermore, the *Saudisation* and later *Nitaqat* systems aimed to include more Saudis in all jobs, particularly women, in the private sector as part of the government's initiatives to employ both sexes and pursue diversification plans generated positive outcomes in promoting and enhancing opportunities for women, paving the way for their success in the market.³⁶⁴ Despite concerns regarding the potential negative social impact of the *Saudisation/Nitaqat* policy raised in some studies—such as possible family issues that could lead to an increase in divorce rates—similar to policies in neighbouring countries, like Qatar's *Qatarisation* policy³⁶⁵, the policy has yielded relatively positive results in involving women in the labour market. Lastly, the KSA 2030 Vision has been recognised for providing Saudi women with the opportunity to demonstrate their value, aligning with Saudi society's aspirations and contributing to economic and social development.³⁶⁶ The reforms and regulations in favour of women indicate the government's commitment to enhancing their status and ensuring their empowerment. Additionally, they have led to a significant shift in the Saudi perspective on

³⁶² Ibid.

³⁶³ World Bank, 'Women, Business and the Law 2024 - Saudi Arabia' <
<https://wbl.worldbank.org/content/dam/documents/wbl/2024/pilot/WBL24-2-0-Saudi-Arabia.Pdf>>
accessed 13th April 2025.

³⁶⁴ E.g. Ammarah Khalid, 'Are the Male Guardianship Laws in Saudi Arabia a Challenge to Human Rights of Women as Advocated in Islam?' (2018) 1 Journal of Human Rights Law and Practice 1.

³⁶⁵ Al-Asfour & Khan (n 300); Al-Asmari (n 300).

³⁶⁶ Sana Assem and Dhruva Kamini, 'Issues and Challenges of Saudi Female Labor Force and the Role of Vision 2030' (2017) 7 International Journal of Economics and Financial Issues 4.

gender equality and highlighted obstacles women are facing in employment. The GGGR Index classified KSA as one of the most gender-unequal countries in the world in 2021, ranking it among the bottom ten countries for gender gap. In 2024³⁶⁷, the country's position has significantly improved and is no longer among the bottom 10. This progress highlights the positive effects of legal reforms and initiatives aimed at empowering women while also emphasising the need for continued efforts to advance gender equality in line with these reforms.

Accordingly, legal reforms, when used as a strategy, are generally insufficient on their own. It is essential to combine multiple strategies for women's legal empowerment in any country for several reasons. Initially, organisations such as CLEP focused on legal reform to empower the disadvantaged, but they faced various obstacles and criticism. To avoid or perhaps overcome such hurdles, as would be explained in the upcoming chapters, relying solely on legal reforms doesn't adequately empower women. Moreover, women in the country have not been significantly influenced by politics and policies. Instead, factors such as self-efficacy, family support, and economic empowerment play more critical roles in their lives and, consequently, in their overall empowerment.³⁶⁸ Therefore, greater emphasis should be placed on these influencing factors. Typically, in KSA, societal changes begin with legal decrees and their implementation³⁶⁹, gradually leading to new social norms. Nonetheless, time is needed for this top-down approach to legal reform to take root in the nation's social fabric.³⁷⁰ This is because direct demands for changes in social values are often perceived as political or anti-religious. The acceptance of new reforms within society is also expected to take time. A

³⁶⁷ World Economic Forum, 'Global Gender Gap 2024: Insight Report' (n 42).

³⁶⁸ Al-Rashdi and Abdelwahed (n 186).

³⁶⁹ Le Renard (n 5).

³⁷⁰ Maura A. E. Pilotti, Eman J. Y. Abdulhadi, Tahani A. Algouhi, Muamar H. Salameh, 'The New and the Old: Responses to Change in the Kingdom of Saudi Arabia' (2021) 22 *Journal of International Women's Studies* 1.

relevant example is the introduction of women's education; it took time for people to recognise the importance of allowing their daughters to attend schools, colleges, and universities. Consequently, the actual change in women's status is always motivated from the bottom in KSA. In this top-down approach involving women as agents of change, three categories emerged. The first category comprises individuals who choose to adhere to traditional values, which they believe grant them respectability in society, and refuse any changes. The second category embraces the new reforms and values despite potential backlash from their community. The third category attempts to navigate a middle ground between tradition and change, often finding themselves in a challenging position. They are neither exercising independence, confidence, and agency nor fully adhering to traditional values, and they may not receive recognition from reformers for their efforts.³⁷¹ Eventually, changes occur in real society and are reflected in the implementation of decrees and reforms.

In conclusion, women's legal empowerment through legal reforms can be pursued either through a top-down strategy, as seen in KSA, or through a bottom-up approach, as this thesis advocates. A successful implementation of these approaches requires a deep understanding of women's roles in society and outlines strategies to facilitate these changes. Combining both approaches with feminist and development theories will further enhance the understanding of women's situations in the country. This chapter contextualised women's legal empowerment in employment within KSA by examining the relevant legal reforms. It highlighted the new opportunities recently made available to women to encourage their participation in the economy. The chapter also discussed the potential impacts of these legal reforms on societal norms, followed by a statistical analysis of the outcomes observed in KSA. It concluded that legal orders and decrees are commonly employed methods to alter societal

³⁷¹ Laurence R. Iannaccone and Carrie A. Miles, 'Dealing with Social Change: The Mormon Church's Response to Change in Women's Roles' (1990) 68 *Social Forces* 4.

habits or values. While this approach has its advantages, it often takes considerable time for substantial changes to take effect. Adopting different strategies, particularly a bottom-up approach that focuses on changing mindsets and enhancing women's agency and self-awareness, is expected to accelerate improvements in women's status and, consequently, increase their economic participation. The use of Naila Kabeer's theory of agency and the CLEP developmental approach to empower women to participate more fully in the KSA economy, discussed in the next chapter, is proposed. The upcoming section concludes the chapter by identifying the debated legal and cultural norms relevant to women's legal empowerment as barriers or enablers.

4.3 Legal, Cultural and Economic Barriers to Women's Empowerment in KSA

In KSA, it seems that societal norms can impact women more significantly than the law. Even when suitable laws are enacted and reformed to benefit women, they may still encounter challenges in employment due to patriarchal and discriminatory norms. While there are laws in the country to empower women, the problem primarily lies in their implementation, which is influenced by cultural and societal attitudes toward women's economic participation. The issue is pertinent to women's legal empowerment because, in its report, the CLEP emphasised that in many countries, laws designed to benefit the disadvantaged exist only on paper and not in practice unless they or their allies advocate for their enforcement.³⁷² Since Saudi women are still unable to participate in the economy on an equal footing with their male counterparts, the country continues to work towards utilising all of its human resources for economic prosperity. This has been enshrined in the *Nitaqat* programme and the 2030 Vision

³⁷² Dan Banik, 'Legal Empowerment as a Conceptual and Operational Tool in Poverty Eradication' (2009) 1 Hague Journal on the Rule of Law 117.

country plan. In support of the recent *Nitaqat* scheme to promote women's employment, other programmes supporting employment have been initiated, the most important were: *Hafiz*-unemployment benefits, *Taqat* -job placement centres and *Liqat* - career fairs.³⁷³ In 2013, 86% of the *Hafiz* programme's total beneficiaries were women in training, financial support and assistance in funding jobs.³⁷⁴ Although the programme has increased the number of women in employment, the number remains low and not sustained compared with countries in the region, necessitating an examination of the barriers. Accordingly, cultural barriers to women's employment, restrictions on women's agency in accessing employment, and entrenched legal, regulatory, and economic barriers must be addressed to increase women's participation in the economy. Socio-cultural restrictions and economic and legal aspects have been identified as key themes contributing to the limited participation of women in MENA countries.³⁷⁵ Women's agency has also been examined and appears to be different in each of the MENA countries³⁷⁶, arguably different in KSA, as the restriction on women's employment is greater. Several barriers will be presented here.

Several legal provisions on women's work are considered barriers to Saudi women's employment. In 2020, Article 149 of the Labour Law was abolished.³⁷⁷ The Article read:

³⁷³ TAQAT: National Labour Gateway < <https://www.taqaat.sa/en/web/guest/hafiz-searching-for-employment> > accessed 14th June 2022.

³⁷⁴ Saudi Gazette, 'Thanks to Hafiz, 300,000 Saudi Women Land Jobs' (2013) < <https://saudigazette.com.sa/article/27589> > accessed 14th July 2022.

³⁷⁵ E.g. Jackson and others (n 304); Abeer Alfarran, Joanne Pyke and Pauline Stanton, 'Institutional Barriers to Women's Employment in Saudi Arabia' (2018) 37 *Equality, Diversity and Inclusion: An International Journal* 7.

³⁷⁶ Emma Samman and Maria Emma Santos, 'Agency and Empowerment: A Review of Concepts, Indicators and Empirical Evidence' (2009) Human Development Report in Latin America and the Caribbean, University of Oxford < <https://ora.ox.ac.uk/objects/uuid:974e9ca9-7e3b-4577-8c13-44a2412e83bb> > accessed 29th July 2025.

³⁷⁷ Article 149, KSA Labour Law, Issued by Royal Decree No. M/51 and Cabinet Decision No. 219 in 27/09/2005 and published in 28/10/2005, Article Abolished by Royal Decree No. M/5, Issued on 26 August 2020.

It is forbidden to employ women in dangerous and harmful occupations and jobs, and the minister would specify the occupations and jobs considered dangerous or harmful and would expose women to specific dangers or harms so as to prohibit their work in such jobs or restrict them under special conditions.

The article served as an obstacle to women's employment as it reinforces the cultural views that certain jobs are unsuitable for women's nature, insisting they should occupy roles deemed appropriate for them. Before the article's abolition, suitability was not clarified³⁷⁸, thereby confining women to a limited range of work considered appropriate. Another provision is Article 4 of the Labour Law, which states that, when implementing this Law, both employers and workers shall adhere to the principles of *Sharia*.³⁷⁹ This requirement poses challenges to implement, as it is unclear which workplace laws comply with *Sharia* and what it entails for working women.³⁸⁰ Critics argue that this article undermines the effectiveness of employment opportunity provisions and restricts women's access to job prospects.³⁸¹ Ambiguity underlies the required practices under this article, as it is open to various interpretations. For example, regarding gender segregation, the article could mandate it, designate a women's section within institutions, as observed in public sectors, schools, and universities, or require only physical partitions, walls, or separate offices. Gender segregation as a cultural practice connected to religious values regarding women's employment, even though it is upheld in public sectors, private sectors have been unprepared to alter their workplace or lacked the necessary resources

³⁷⁸ Alfarran, Pyke and Stanton (n 375).

³⁷⁹ Article 4, KSA Labour Law, Issued by Royal Decree No. M/51 and Cabinet Decision No. 219 in 27/09/2005 and published in 28/10/2005.

³⁸⁰ E.g. Claudia Eger, Thiemo Fetzer, Jennifer Peck, Saleh Alodayni, 'Organizational, Economic or Cultural? Firm-Side Barriers to Employing Women in Saudi Arabia' (2022) 160 *World Development* 106058 "as cited in" Jennifer Peck, 'Working Women are Changing Saudi Arabia: Reforms Have Made the Economy More Productive, Families More Resilient, and Saudis More Tolerant' (2024) *Foreign Affairs* <https://www.foreignaffairs.com/saudi-arabia/working-women-are-changing-saudi-arabia?check_logged_in=1&utm_medium=promo_email&utm_source=lo_flows&utm_campaign=article_link&utm_term=article_email&utm_content=20250713> accessed 13th July 2025.

³⁸¹ Mohamed A. Ramady, *The Saudi Arabian Economy: Policies, Achievements, and Challenges* (2nd Ed. New York: Springer 2010).

to do so, thus opting to hire only males, making gender segregation a significant barrier to women's access to employment.

Moreover, Article 3 of the Labour Law states, 'Work is the right of every citizen. No one else may exercise such a right unless the conditions provided for in this Law are fulfilled. All citizens are equal in the right to work.'³⁸² The article has been amended to emphasise the equal rights of men and women to work, but it still needs stronger enforcement. Examples include addressing the persisting difficulties for women to commute to work despite being legally allowed to drive, being unable to accept a job without their guardian's approval, as it is enshrined in society and lastly, the ongoing segregated educational system that places women in an inferior position in the labour market.³⁸³ Legislative efforts and government programmes have sought to increase women's economic participation and create more jobs. However, this has been done without addressing the constraints on women's participation in the labour market.³⁸⁴ Addressing the obstacles to women's participation should have been the centre of gender diversity efforts and practices. The debate over shifting cultural beliefs in KSA is ongoing between conservatives who argue that women's role in society is limited to family and children, and those who call for greater inclusion of women in public life and employment. Overall, it is essential to include the voices of Saudi women and to address their obstacles through regulations and empowerment programmes. Legal changes are ongoing, and more emphasis needs to be placed on procedures, clarity and implementation for the changes to be effective.

³⁸² Article 142, KSA Labour Law (n 328).

³⁸³ Alfarran, Pyke and Stanton (n 375).

³⁸⁴ Yusuf Sidani & Akram Al Ariss 'Institutional and Corporate Drivers of Global Talent Management: Evidence from the Arab Gulf Region' (2013) 49 *Journal of World Business* 2.

To include Saudi women's voices, it is essential to analyse their agency and capacity to make choices within the country's legal, institutional, and cultural contexts, as these appear to be interrelated. Culturally, customary for Saudi women to act as active agents in supporting their male counterparts and raising families, which constrains their employment opportunities. Legally, the dominant masculine institutional structure pervading all aspects of life—particularly in market and employment regulations—significantly shapes the conditions of the labour market and determines how participation in the economy is established and sustained³⁸⁵; both affect women's agency differently. Regarding the relationship between culture and institutions, institutional theories suggest that social behaviours, needs, and pressures give rise to institutions that are responsive and adaptive to these norms.³⁸⁶ Consequently, societal behaviour tends to establish guidelines for social interactions, which, in turn, lead to the formation of the institutional environment. The institution sets rules that reflect cultural values; thus, those who are marginalised, empowered, included or excluded in society are reproduced in the institutional power relations.

Power relations primarily concern gender; Gender Relations theories have consistently highlighted the connection between masculinity and the institutional structure³⁸⁷, which appears to serve men's interests. The extent to which cultural values influence gender employment practices is evident in KSA, illustrated by the segmented jobs, where women are often assigned secondary roles, while high-skill jobs and primary positions are predominantly

³⁸⁵ Peter Hall and David Soskice, 'An Introduction to Varieties of Capitalism' In Peter Hall and David Soskice (Eds) *Varieties of Capitalism: The Institutional Foundations of Comparative Advantage* (New York; Oxford University Press 2001),

³⁸⁶ E.g. Joan W. Scott, 'Gender: A Useful Category of Historical Analysis' (1986) 91 *American Historical Review* 5; W. Richard Scott, *Institutions and Organizations* (CA: Thousand Oaks, Sage 1995); Philip Selznick, *Leadership in Administration: A Sociological Interpretation* (University of California Press, Berkeley: CA 1984).

³⁸⁷ E.g. Tony Lawson, 'Gender and Social Change' In Jude Brown (Ed.) *Gender and Social Change* (Cambridge: Cambridge University Press 2007); Joan Acker 'A Theory of Gendered Organisations' (1990) 4 *Gender and Society* 2.

occupied by men. Even when women attain such roles, their agency remains significantly limited compared to men's.³⁸⁸ As a result, in KSA, cultural practices and institutional structures profoundly affect women's agency. The limitations placed on their agency are often justified by beliefs and customs surrounding their nature, 'that work options and choices are a natural extension of women's role in society as mothers and carers'.³⁸⁹ There is a prevailing belief that women are naturally inclined toward certain occupations within the country. This phenomenon has been discussed by the Preference theorists³⁹⁰, who contend that women have an inherent preference for specific types of labour market engagement. While this has proven applicable in KSA, as will be shown later in the analysis, the factors that compel Saudi women to choose these occupations must not be overlooked. Indeed, a key criticism of Preference theory is its neglect of institutional rules and constraints.

Regarding agency, enhancing women's agency in Saudi Arabia is crucial, as family and societal influences significantly shape their career choices from their university years onward. Numerous studies have shown that families often influence their daughters' major choices. For instance, families may view a girl's choice of field as conflicting with cultural traditions, which could require her to interact with men during or after her studies. Additionally, the necessity to relocate to another city or country for education can also lead to family disapproval of certain study programs.³⁹¹ Some local universities offer only specific subjects for women, and other fields may be available only through scholarships for studying abroad. While family and parents play a significant role in a woman's educational choices before marriage, her career

³⁸⁸ Ibid

³⁸⁹ Alfarran, Pyke and Stanton (n 375) 715.

³⁹⁰ Such as, Catherine Hakim, *Work-Lifestyle Choices in the 21st Century* (Oxford: Oxford University Press 2000); Kan Man Yee, 'Work Orientation and Wives' Employment Careers: An Evaluation of Hakim's Preference Theory' (2007) 34 *Work and Occupations* 4.

³⁹¹ Sajjadllah Alhawsawi & Sabria Salama Jawhar, 'Education, Employment, and Empowerment among Saudi Women' 35 *Gender and Education* 4.

decisions after marriage are often influenced by her spouse and children. Factors such as commuting challenges, a lack of job specialisation in the family's city, and husbands' disapproval of certain types of employment can hinder women from pursuing their careers after graduating. Moreover, women's internal beliefs can limit their agency. For example, if they do not view themselves as empowered members of the family, believe that they shouldn't be the primary breadwinners, or feel that their employment could disrupt the family's stability—especially if it requires long commutes or relocation away from their husband's workplace—they may be less inclined to pursue a career.³⁹² Therefore, it can be asserted that family pressures, societal perceptions, and women's self-perceptions significantly influence their choices and restrict their agency in KSA.

Starting with MENA countries as the base for the discussion, it has been argued that the institutions in such countries limit women's participation in the economy because it is deemed inappropriate for their roles and nature.³⁹³ Even though women in the region are advancing in their careers and participating more in the workforce, barriers to their participation still exist. In KSA, initially, it should be highlighted that education has played a significant role in increasing the number of women participating in the workforce. For instance, after introducing new subject studies for women, the number of female graduates in Engineering, Science, and Technology reached 34%—a figure that surpassed the USA (22%) and matched Europe (34%) in 2021.³⁹⁴ Furthermore, the percentage of Saudi women in the tech industry stood at 28% at the end of 2021, surpassing the European average of 17.5%.³⁹⁵

³⁹² Ibid

³⁹³ Sidani & Al Ariss (n 384).

³⁹⁴ STEM Women, 'Women in STEM USA Statistics' (2021) "as cited in" PwC 'MENA Women in Work Survey 2022: Young Women, Powerful Ambitions' (2022) < <https://shorturl.at/Tvqjr> > accessed 17th May 2023.

³⁹⁵ The Arab Gulf States Institute in Washington, 'Saudi Women in the Workforce' (2022) < <https://agsiw.org/saudi-women-in-the-workforce/#:~:Text=Saudi%20women%20have%20been%20largely,Their%20way%20into%20public%20positions.>> accessed 20th May 2023.

Nonetheless, the primary issue is the disproportionate number of female graduates relative to job opportunities. For example, in KSA, managerial positions held by women accounted for only 7.6% in 2019,³⁹⁶ and the number of women leaders in senior positions in the civil service accounted for only 1.6%.³⁹⁷ The main factors contributing to these figures are that women exit the labour market after marriage and childbirth. This conclusion has been reported after observing a pattern in MENA countries, from The International Labour Convention (ILO) data, comparing the number of women participating in the workforce as single and married.³⁹⁸ Women in MENA are motivated to work by financial independence, personal development and growth. Nonetheless, they face barriers due to limited support for achieving a work-life balance, few opportunities for training and development from their employers, and inadequate representation of women at senior levels.³⁹⁹ Employers' focus on those barriers, along with targeted support for employed mothers, would address the needs of women at any stage of their lives and careers. In KSA, additional factors such as the absence of childcare facilities, expensive transport, long commuting hours, low positions relative to qualifications, and low women's wages all play a role in discouraging women from participating in the economy.

Taking an example to analyse the effect of social attitudes on women's agency and employment based on the *Nitaqat* programme. One of the claims of unemployed women in KSA is that the *Nitaqat* programme offered them low-status jobs that mismatched their qualifications, with low wages in mixed-gender environments. They considered the working offers they received unsuitable, thus the best choice for most of them was to decline.⁴⁰⁰ *Nitaqat* programme was designed by the Saudi Ministry of HRSD as an initiative to reserve certain

³⁹⁶ Pwc 'MENA Women in Work Survey 2022: Young Women, Powerful Ambitions' (n 394).

³⁹⁷ Global Government Forum: Women Leaders Index, 'Report' (2019-20) < <https://Womenleadersindex.Com/Report-2019-20/> > accessed 19th May 2023.

³⁹⁸ Ibid

³⁹⁹ Ibid

⁴⁰⁰ Alfarran, Pyke and Stanton (n 375).

positions for Saudi nationals in the private sector. The rule applies to any organisation with six or more employees.⁴⁰¹ It has positively stimulated Saudi women's participation in the economy and steadily reduced their unemployment rate. However, it is essential to stress that the existence of jobs will not improve women's situations if those jobs are unacceptable and unsuitable to women's skills and experiences. Perhaps more efforts are needed to align training programmes with employers' needs and maintain effective links between employers and the programmes, so vacancies are continually updated and advertised in a timely manner. Similarly, the programme should maintain strong connections with female job seekers to facilitate positive change and ultimately secure suitable employment.⁴⁰²

The *Nitaqat* programme also highlights the advantages the private sector gains and the benefits it receives from hiring women. For decades, public-sector jobs have been preferred by Saudi women because they largely meet their needs and align more closely with the country's cultural norms and beliefs. Nonetheless, the public sector's positions are limited and not easily attainable⁴⁰³ in contrast to the easily attainable jobs offered by the private sector, which are mostly divergent from the cultural norms and are thus often rejected by Saudi women.⁴⁰⁴ Nonetheless, it is important to note that noticeable progress is underway in the private sector. In 2021, the number of women hired in the private sector was twice that in the public sector⁴⁰⁵; the total number of Saudi employees in the public sector was 1.55, while it was 2.14 in the

⁴⁰¹ Hammad & Al-Mehdar Law Firm, 'Saudization "Nitaqat"' (2022) <<https://www.lexology.com/library/detail.aspx?G=A2014b2e-C855-44db-8296-B4a607d3fb83>> accessed 20th May 2023.

⁴⁰² Abdulrahman Basahal, Chris Forde and Robert Mackenzie, 'Labour Market Localisation Policies and Organizational Responses: An Analysis of the Aims and Effects of the Saudi Nitaqat Reforms' (2021) *International Journal of Organizational Analysis* <<https://eprints.whiterose.ac.uk/176907/>> accessed 20th May 2023.

⁴⁰³ Naif Fawzi and Sultan Almarshed, 'HRM Context: Saudi Culture, 'Wasta' and Employee Recruitment Post-Positivist Methodological Approach, The Case of Saudi Arabia' (2013) 1 *Journal of Human Resources Management and Labor Studies* 2.

⁴⁰⁴ Al-Asfour & Khan (n 300).

⁴⁰⁵ Arab News, 'Saudi Private Sector Leads Surge in Female Employment' (2021) <<https://www.arabnews.com/node/1848386/business-economy>> accessed 20th May 2023.

private sector.⁴⁰⁶ The trend seems to continue throughout the years, reflecting the advances brought about by the *Nitaqat* programme for private employers. This outcome is also a result of the KSA's Vision 2030, which aims to increase the private sector's contribution to gross domestic product by 65%. Statistics indicate that the private sector employs the highest number of male and female Saudi nationals and is expected to attract more.⁴⁰⁷ This example of the *Nitaqat* programme concludes that the legal and social aspects of employment cannot be separated. Legal reforms will provide limited benefits if they disregard social customs. Social beliefs will continue to clash with developmental initiatives unless those initiatives are specifically designed to alter or prepare society to accept and assimilate new laws.

In terms of economic barriers, oil dependency has hindered Saudi women's employment. KSA's economy is dominated by oil resources. As the largest oil exporter, with 16% of the world's proven oil reserves, the country derives 80% of its budget revenue and 90% of its export earnings from the oil sector.⁴⁰⁸ Such heavy reliance on oil accounted for 26.9% of female unemployment⁴⁰⁹; nonetheless, this effect can be mitigated. This is based on the fact that the situation of Saudi women is comparable to that of their counterparts in neighbouring Gulf countries, which are oil-rich and have a strongly patriarchal social structure. While Saudi women face similar challenges in mobilising for their rights and achieving economic advancement, women in some Gulf countries have overcome these obstacles more effectively. This suggests that while oil exports act as a barrier, laws, norms, and institutions also play a role⁴¹⁰, so oil alone does not necessarily reduce women's participation in the labour force. In

⁴⁰⁶ Argaam, 'Saudi Arabia's Workforce Strength at 14.6 Mln By Q3 2022, 64% in Private Sector' (2023) < <https://www.argaam.com/en/article/articleDetail/Id/1618068#:~:Text=The%20private%20sector%20accounted%20for,2030%20from%20the%20current%2043%25> > accessed 21st May 2023.

⁴⁰⁷ Ibid

⁴⁰⁸ Nahla Samargandia, Md Al Mamunb, Kazi Sohagc, Maha Alandejani, 'Women at Work in Saudi Arabia: Impact of ICT Diffusion and Development' (2019) 59 *Technology in Society* 2.

⁴⁰⁹ Al-Munajjed (n 54).

⁴¹⁰ E.g. Ross (n 122).

fact, economic development in oil-based countries should increase women's participation in the economy.⁴¹¹ It has been indicated that the use of quotas by political institutions increases women's representation, whether in oil-rich or poorer countries, and that this correlates strongly with women's labour force participation. In cases where quotas are not introduced, the negative impact of oil on women's representation becomes more pronounced, as states may be less likely to note female demands, thereby reinforcing the patriarchal structure.⁴¹²

In addition to oil dependency, foreign labour dependency played a role in Saudi women's unemployment, private sectors were with only 7% of Saudi nationals of the workforce in 2013,⁴¹³ which led to a heavy change in policies such as deportation laws for foreign workers and the introduction of the previously discussed *Nitaqaat* scheme, the number of Saudi nationals in the private force constituted 22.75% in 2021⁴¹⁴, that continues to increase constituting 11,572,408 nationals in 2024.⁴¹⁵ Such a size of the foreign labour force and their competition in the market are realities that have costs for local employment, particularly for Saudi women. Another economic barrier, as elaborated by feminists, is that countries' economic growth is arbitrarily defined and measured, thereby disregarding the essential, often invisible, contributions of women in driving such growth.⁴¹⁶ The concept of 'economic inactivity' attributed to women encompasses vital contributions to the economy, such as their

⁴¹¹ Niels Spierings, Jeroen Smits and Mieke Verloo, 'On the Compatibility of Islam and Gender Equality Effects of Modernization, State Islamization, and Democracy on Women's Labor Market Participation in 45 Muslim Countries' (2009) 90 Soc Indic Res 503.

⁴¹² Alice Kang, 'Studying Oil, Islam, and Women as if Political Institutions Mattered' (2009) 5 Politics & Gender 4.

⁴¹³ Samargandia and others (n 408).

⁴¹⁴ Serco Institute, 'Are Saudis for Saudisation?' <<https://www.sercoinstitute.com/news/2022/are-saudis-for-saudisation#:~:Text=While%20sector%2D%20and%20role%2Dspecific,2021%2C%20with%20new%20Saudi%20employees>> accessed 14th April 2025.

⁴¹⁵ Arab News, 'Saudi Private Sector Adds 37k Local Employees in August: NLO Data' (2024)<[https://www.arabnews.com/tags/national-labor-observatory-nlo#:~:Text=National%20Labor%20Observatory%20\(NLO\)%20*%20Total%20number,Employees%2C%20including%20972%2C682%20women%20and%201%2C397%2C146%20men.](https://www.arabnews.com/tags/national-labor-observatory-nlo#:~:Text=National%20Labor%20Observatory%20(NLO)%20*%20Total%20number,Employees%2C%20including%20972%2C682%20women%20and%201%2C397%2C146%20men.)> accessed 14th April 2025.

⁴¹⁶ Marilyn Waring, *If Women Counted. A New Feminist Economics* (London: Macmillan Press 1989); Kabear (n 12).

involvement in the production process of goods, through unpaid domestic labour that is subsequently sold in the market, or in childcare, eldercare, or household management, which are widely observed in KSA. Such activities, while crucial for sustaining the economic system, remain invisible in conventional growth metrics and are excluded from the definition of growth.⁴¹⁷ Therefore, defining growth as the increase in the goods and services produced in a country within a given year, restricted to those that can be bought and sold in the marketplace⁴¹⁸, is not only inadequate but also gender biased. This prompts a broader discussion amongst feminists regarding how the patriarchal structure has impacted economic policies and the interpretation of productivity, thus perpetuating gender inequality and undermining women's formal and informal economic participation.

The interrelationship between growth and patriarchy, and how imperative this is for developing more inclusive economic policies, is recognised. Thus, incorporating the value of women's visible and invisible economic roles into growth measurements is needed. This leads to a more holistic understanding of women's economic participation and, ultimately, more supportive legal empowerment policies. An insight derived from the discourse is Klasen's pathways, through which gender equality in access to resources contributes indirectly to economic growth.⁴¹⁹ The first is a family-mediated pathway, whereby women invest resources under their control in their children, such as through education, which leads to their future economic participation.⁴²⁰ The impact of women on economic growth in this situation will not materialise until the children grow up and enter the workforce. The second is the market-mediated pathway, where equal resource distribution maximises the productivity of human

⁴¹⁷ Ibid

⁴¹⁸ Kabeer (n 12).

⁴¹⁹ Stephan Klasen, 'Does Gender Inequality Reduce Growth and Development? Evidence from Cross-Country Regressions' (1999) Policy Research Report on Gender and Development. Washington, DC: World Bank.

⁴²⁰ Ibid; Kabeer (n 12).

resources and accelerates market growth.⁴²¹ The impact of this pathway is likely to materialise sooner. The reason is that equal allocation of resources reflects the distribution of individuals' talent rather than gender norms, leading to increased productivity and economic growth.⁴²² The first path could be argued to exist in KSA, and it is endeavouring to implement the second path. Overall, the thesis posits that policies that acknowledge gender inequality in investment and population growth indirectly affect economic growth and contribute to limitations on women's rights and empowerment in KSA.

Conclusion

In conclusion, this chapter identified some of the main challenges that women's empowerment initiatives in KSA are expected to face. It explored women's legal empowerment in employment by examining the country's legal reforms, which are a good start but are insufficient to encourage women to participate in the economy and should be accompanied by further initiatives. It also examined the legal, cultural, and economic barriers faced by Saudi women in their efforts to achieve empowerment. These barriers are intended to be considered in the questionnaire used in the thesis to assess their presence in the daily lives of Saudi women. Legal barriers range from the absence of clear regulations that distinguish among laws, customs, and *Sharia* to implementation issues. Social barriers are also discussed, as the norms and customs are interrelated with both women's agency and the country's institutions. Women's forms of agency and the institutions' behaviour respond to and adapt to these norms, creating significant barriers to women's empowerment. Economic factors such as reliance upon oil and growth definition were also considered. These barriers are examined using theories

⁴²¹ Klasen (n 419); Kabeer (n 12).

⁴²² Kabeer (n 12).

supported by the questionnaire and data analysis. The next chapter presents the thesis's theoretical and analytical framework, which distinguishes it from other studies by grounding approaches to Saudi women's legal empowerment in these theories. The theories help provide a clear understanding of the KSA context and develop the most relevant legal empowerment strategies for the country. The chapter is the contribution of this thesis, which makes the final results and recommendations significant and promising.

Chapter Five

Theoretical and Analytical framework for Women's Legal Empowerment in KSA

Introduction

Building on the previous chapters, which examined the context and the legal frameworks related to women in KSA, clarifying their current position in terms of needs, strengths, and the obstacles they face, this chapter details the thesis's unique theoretical contribution by presenting the analytical framework that guides the interpretation of the empirical findings. It integrates seemingly distinct theories into a combination that is theoretically unique and valuable for changing Saudi women's positions in employment. The framework integrates Naila Kabeer's empowerment theory, the CLEP's legal empowerment approach, Islamic feminism, and development theories applicable to the KSA context to provide a rigorous, contextually grounded approach to examining Saudi women's experiences in relation to economic participation. Each of these theories offers distinctive analytical strengths: CLEP's legal empowerment elucidates the structural and institutional dimensions of reform; Kabeer's theory foregrounds women's access to resources, agency and achievement of empowerment; and Islamic feminist scholarship situates women's choices and constraints within the cultural and religious norms that shape everyday life in KSA.

Bringing together these theories' perspectives creates a robust, multidimensional analytical lens well suited to address the research questions. This approach not only enables the thesis to move beyond descriptive accounts of policy change, but it also rather interrogates how women encounter, negotiate, and utilise legal and economic reforms within a specific

socio-religious context. Therefore, the interplay among law, agency, and cultural norms is captured, which is very important for understanding Saudi women's realities. By applying this integrated framework to the empirical data, the thesis generates nuanced insights that neither theory could achieve on its own, making it a clear contribution to the discourse. Crucially, this chapter reflects on how the composite framework generates new knowledge. By integrating legal empowerment theory with Kabeer's conceptualisation of agency and the interpretive principles of Islamic feminism, it offers an original analytical perspective that has not previously been applied to women's employment in the Saudi context. This allows the thesis to illuminate how empowerment is constructed, constrained, and realised at the intersection of law, gender, religion, and culture. Therefore, the work contributes not only to debates on women's empowerment in the Gulf region but also to broader scholarly discussions in feminist legal theory, gender and development, and Islamic feminist studies.

The previous chapters outlined the historical, social, and economic formation of KSA and identified the key barriers shaping women's participation in the labour market. Among these, patriarchy remains a central and persistent obstacle, one that global feminist and development theories have long critiqued, but which continues to constrain women's legal empowerment in the Saudi context. Yet patriarchy is only one part of a wider constellation of challenges. Saudi women's empowerment is shaped by interlinked social, economic, cultural, and legal factors—including deeply embedded norms, the legacy of oil dependency, and the often-blurred boundaries between law, custom, and practice. These intersecting dynamics create everyday barriers that are frequently overlooked in policies that claim to advance women's rights. Although recent reforms have increased women's entry into the workforce, participation rates remain comparatively low, suggesting that legal change has outpaced social transformation. This underscores the need for an approach that recognises both the structural and normative

constraints affecting women's lives. Accordingly, this chapter brings together Kabeer's framework, gender and development perspectives, the CLEP model of legal empowerment and Islamic feminist discourse to develop a comprehensive analytical lens. By integrating these frameworks, the chapter proposes a contextually grounded and multidimensional strategy for understanding—and advancing—the legal and economic empowerment of Saudi women. It begins with feminist approaches to empowerment, focusing on Islamic feminism in KSA as a core theoretical lens to the thesis. This is followed by Naila Kabeer's feminist theory of agency and its application to KSA. Next, it examines development theories relevant to women's empowerment in the Kingdom, followed by an analysis of the CLEP framework as a guiding approach. The chapter concludes by emphasising the need to combine subjective empowerment with objective empowerment initiatives to create effective, context-sensitive strategies for empowering Saudi women both legally and practically.

5.1 Feminism Approaches and Application in KSA

Employing a culturally sensitive framework, such as Islamic feminism, is significant for empowering Saudi women and promoting gender equity across all aspects of life, including the workplace.⁴²³ This approach emphasises that dismantling patriarchy requires not only policy change but also a transformation in societal mindsets—especially among women—so they can actively engage in transforming patriarchal standards. This section begins with an overview of feminism, its critique of patriarchy, and the emergence of Islamic feminism as a culturally grounded approach to women's legal empowerment in KSA. Feminism, defined as 'a

⁴²³ Badran (n 96).

movement to end sexism, sexist exploitation, and oppression⁴²⁴, for the purposes of this thesis, feminism is understood:

(A)phenomenon engaging with issues of women's rights, women's liberation, and gender equality as part and parcel of the rights, liberation, and equality of all was constructed and shaped *concurrently* by Muslims and others in the East and by Westerners in the late 19th and early 20th centuries.⁴²⁵

This definition implies that feminist movements have been a force towards women's empowerment. It also suggests that characterising feminism as a Western phenomenon is flawed; Western and Eastern feminisms coexisted, but the emergence of the latter was overshadowed. Both met in the 20th century, when feminists from different parts of the world attempted to cooperate at international meetings and conferences for women's rights.⁴²⁶ The phrase used to describe the rise of feminism in colonising Western nations is 'imperial feminism', while 'nationalist feminism' refers to the development of feminism in Asia and Africa, the East.⁴²⁷

Feminist movements are often described in waves. The first emerged in the late 19th and early 20th centuries, focusing on securing equal access and opportunities for women in industrial Western society and liberal politics.⁴²⁸ The second wave of the 60s and 70s witnessed feminists from various cultural backgrounds—including different races, ethnicities, classes, and religions—unite to confront and eliminate gender-based oppression.⁴²⁹ The third wave, beginning in the 1990s, represents modern feminism that challenges conventional definitions

⁴²⁴ Bell Hooks, *Feminism is for Everybody* (London: Pluto Press 2000).

⁴²⁵ Badran (n 96).

⁴²⁶ Ibid

⁴²⁷ Ibid

⁴²⁸ Charlotte Krolokke & Anne Scott Sorensen, *Gender Communication: Theories and Analyses* (Thousand Oaks: Sage Publications 2006).

⁴²⁹ Ibid

of feminism and embraces a diversity of theories, ambiguities, politics, and personal experiences that shape feminist beliefs.⁴³⁰ Such postmodern feminism, including Islamic feminism, serves as a framework for deconstructing the ideologies and practices that perpetuate gender inequities between women and men. It also critiques essentialist feminist theories that overlook the differences among women related to factors such as age, race, class, and sexual orientation.⁴³¹

Across all waves, feminism has consistently critiqued patriarchy. Radical feminism perceives patriarchy as a system where men are the primary beneficiaries of women's subordination. For them, male dominance is deeply rooted in culture through controlling resources and women; consequently, enjoying greater social, political, economic privileges and legal rights.⁴³² While this thesis acknowledges the influence of cultural and social norms on the preservation of patriarchy, it diverges from radical feminism by opposing its extreme rejection of the natural distinctiveness between genders. Matrix feminism assumes that gender inequality stems from capitalism, arguing that men's domination over women results from capitalist control over labour.⁴³³ This is also not supported by the thesis, as it is too narrow to explain pre-capitalist and non-capitalist patriarchal societies, such as KSA. It fails to sufficiently account for the existence of patriarchy before the discovery of oil in KSA or after the advent of Islam.

⁴³⁰ Ibid

⁴³¹ Kristine Baber & Katherine Allen, *Women & Families: Feminist Reconstructions* (New York: Guilford Press 1992).

⁴³² Haghghat (n 207); Torben Iversen & Frances Rosenbluth, 'The Structure of Patriarchy: How Bargaining Power Shapes Social Norms and Political Attitudes' in Torben Iversen & Frances Rosenbluth (Eds.), *Women, Work, and Politics: The Political Economy of Gender Inequality* (New Haven, London: Yale University Press 2010).

⁴³³ Ibid

In the Middle East, Secular and Islamic feminism shaped the region.⁴³⁴ The former emerged in the late 19th century through engagement with secular nationalism, Islamic modernism, humanitarianism, human rights, and democracy. The latter, which arose in the 20th century, has been based on a single, overarching religiously grounded discourse, taking the Qur'an and the *Sunnah* as its references.⁴³⁵ At the time when the Middle East was experiencing new national identities following the decline of the Ottoman Empire in the late 19th century, the Islamic reform movement emerged in Egypt, led by Islamic modernists who called for the revival of *ijtihad* to help people navigate the challenges of becoming modern Muslims.⁴³⁶ Their insight helped Muslim women to expose the patriarchal values imposed on them in the name of religion. Nonetheless, patriarchal values and practices in the family and private sphere proved more resistant to Islamic modernism than those in the public domain.⁴³⁷ With the rise of women's literacy and the advent of the printing press, women initiated a Secular feminism discourse that became intertwined with religious reforms, Islamic modernism, and nationalist discourse.⁴³⁸ The first wave of Secular feminists sought a regime with complementary gender roles but viewed the patriarchal family unit as Islamic. The second wave challenged the concept of patriarchy within families and aimed to reform laws that supported these patriarchal practices, particularly family / Personal Status laws.⁴³⁹

In the final third of the 20th century, a new group of urbanised, middle-class women experiencing modernity—often with uneven access to opportunities and constrained by

⁴³⁴ Margot Badran, 'Between Secular and Islamic Feminism/S Reflections on the Middle East and Beyond' (2005) 1 Journal of Middle East Women's Studies 1.

⁴³⁵ Ibid

⁴³⁶ Ibid

⁴³⁷ Badran (n 96).

⁴³⁸ Ibid; Margot Badran and Miriam Cooke (Eds.) *Opening the Gates: An Anthology of Arab Feminist Writing* (2nd Ed. Bloomington: Indiana University Press 2004).

⁴³⁹ Personal Status Law, Royal Decree No. (M/73) 9/3/2022, Council of Ministers Resolution No. (429) 8/3/2022, issued in 09/03/2022 and published in 18/03/2022.

patriarchal cultural norms—found themselves drawn to Islamism and its critiques of state and society.⁴⁴⁰ They contributed to a feminist discourse that moved beyond nationalists’ calls for women’s liberation and the Islamic modernists’ focus on reforms to domestic life, away from the public sphere.⁴⁴¹ It is essential to note that both secular and Islamic feminism coincided with the advent of new technology, which enabled the circulation of ideas and led to an unprecedented production of Islamic feminist works.⁴⁴² A new feminism, which seeks to assert women’s rights based on a fresh interpretation of the Quran, has emerged to dismantle patriarchal practices and activate women's rights. It provides a particularly significant lens for analysing women’s empowerment in KSA.

In the KSA context, Islamic feminism is evident regardless of the label, and its impact on Saudi women’s empowerment strategies is gradually becoming apparent, albeit indirectly. Saudi women scholars and academics base their rights on Islamic principles, with their education influencing their approaches.⁴⁴³ They address, in a balanced manner, issues faced by women, such as workplace discrimination and educational challenges that hinder their progress in life.⁴⁴⁴ This has been done while adhering to social norms and grounding their rights on the Quran and *Sunnah*. They have been described as precedent-setters, respected for their deference and admiration for their confidence in Islam.⁴⁴⁵ Nonetheless, they have adopted careful language, making it difficult to associate them with particular schools, perhaps because

⁴⁴⁰ Badran (n 434).

⁴⁴¹ Ibid

⁴⁴² Ibid

⁴⁴³ Maha Aqeel, ‘Gender Equality in Politics Remains a Distant Prospect’ (2025) Arab News < <https://www.arabnews.com/node/2605417>> accessed 11th July 2025; Muneerah Almahasheer, ‘Feminism in the Works of Fawziyya Abū Khālid’ (2018) 20 *Clweb: Comparative Literature and Culture Clweb: Comparative Literature and Culture* 1.

⁴⁴⁴ Magdalena Karolak and Hala Guta ‘Saudi Women as Decision Makers: Analyzing the Media Portrayal of Female Political Participation in Saudi Arabia’ (2020) 18 *Journal of Women of the Middle East and the Islamic World* 75, 79.

⁴⁴⁵ Eiman Kurdi, ‘Women in the Saudi Press’ (2014) Dissertation Cardiff School of English, Communication and Philosophy, Cardiff University, 129.

they reject accusations of ties to foreign groups or an outside agenda.⁴⁴⁶ They deny labels of feminists or secularists because they are often associated with Western projects.⁴⁴⁷ Yet, due to their literature, they could be identified as Islamic feminists. The survey responses in this thesis clearly illustrate this phenomenon: participants were careful with their wording, distinguishing between traditions and religion and advocating moderation in addressing women's issues. Perhaps patriarchy creates a complex position, influenced by cultural, economic, religious, legal, and psychological factors, making it a sensitive and difficult topic to discuss without being judged.

Sharia law in KAS is widely understood, by both scholars and judges, to guarantee women's economic rights; nonetheless, its practical application depends entirely on judicial interpretation.⁴⁴⁸ Saudi Judges are predominantly male, *Sharia* School graduates with ultra-conservative perspectives.⁴⁴⁹ They often lack exposure to women's rights frameworks, international law, or contemporary judicial practices. In the absence of codified law, they interpret the Qur'an and *Sunnah* on a case-by-case basis, drawing on conservative jurisprudence and cultural traditions that may reinforce patriarchal norms.⁴⁵⁰ Royal decrees issued by the state do not bind judges, further limiting the impact of recent reforms on court decisions. This legal structure makes dismantling patriarchy particularly challenging, as social norms, education, and institutional practices collectively sustain male authority. Within this context, introducing feminist knowledge—through higher education, legal training, or professional development—becomes a crucial tool for transforming women's empowerment

⁴⁴⁶ May Al-Dabbagh, 'Saudi Arabian Women and Group Activism' (2015) 11 *Journal of Middle East Women's Studies* 2.

⁴⁴⁷ Krolokke & Sorensen (n 428); Badran (n75).

⁴⁴⁸ Olmsted (n 111).

⁴⁴⁹ Samah Al-Agha, 'Female Judges in Saudi Arabia, Hope Versus Reality' (2021) 35 *Arab Law Quarterly* 1.

⁴⁵⁰ Knut Vikør, *Between God and the Sultan: A History of Islamic Law* (Oxford: Oxford University Press 2005); Liv Tonnessen, 'Women's Activism in Saudi Arabia: Male Guardianship and Sexual Violence' (2016) CMI Report < <https://www.cmi.no/publications/file/5696-Womens-Activism-In-Saudi-Arabia.Pdf> > accessed 6th March 2025.

in the workplace. Feminist frameworks offer critical methods for analysing how laws, institutions, and cultural norms shape Saudi women's experiences in both the public and private spheres.⁴⁵¹ They help identify structural barriers to women's employment, clarify the social dynamics that perpetuate inequality, and guide the development of strategies that raise awareness and support more equitable decision-making.⁴⁵² By equipping judges, policymakers, lawyers, and other professionals with these analytical tools, feminist perspectives can contribute to a more informed and just interpretation of women's rights within the Saudi legal system.

Feminism identifies private patriarchy in familial matters and public patriarchy in spheres such as education and politics, both of which affect women's work in KSA.⁴⁵³ Within the family, decisions about women's workforce participation are often collective rather than individual, reflecting the country's strong familial orientation.⁴⁵⁴ Women's primary responsibility has traditionally been associated with caregiving and domestic work, which has limited their perceived suitability for full-time employment. Feminism directly engages with such private matters—often considered beyond the scope of state intervention—thereby offering tools to strengthen legal protections and support women's autonomy. In the public sphere, women continue to be disadvantaged compared to men, facing fewer employment opportunities and multiple structural barriers. Socially constructed gender roles have produced a labour market in which men dominate participation, while women's involvement remains significantly lower.⁴⁵⁵ From a feminist perspective, this reflects how the economic system is

⁴⁵¹ Miriam Freeman, 'Beyond Women's Issues: Feminism and Social Work' (1990) 5 *Affilia* 2.

⁴⁵² E.g. Ruby Payne, *A Framework for Understanding Poverty* (4th Ed. Highlands, TX: RFT Publishing 2005).

⁴⁵³ Arab Human Development Report, 'Youth and the Prospects for Human Development in a Changing Reality' (2016) New York: Regional Bureau for Arab States Published for the United Nations Development Programme, 16.

⁴⁵⁴ Parveen (n 197).

⁴⁵⁵ Ann Whitehead, 'Some Preliminary Notes on the Continuing Subordination of Women' (1979) 10 *IDS Bulletin* 3; Kabeer (n 12).

organised to privilege men's access to stable employment and mobility. Consequently, the disparities observed are not the result of women's individual choices, but the product of gendered norms, organisational practices, and social expectations that constrain women's opportunities and shape their economic behaviour.⁴⁵⁶

Feminism is not popular in KSA's society, possibly due to its association with the West and a lack of understanding of its ideology.⁴⁵⁷ A study on feminist perspectives and women's education challenges in KSA identified three segments of Saudi women: a small segment of the elite, who are pro-Western feminists, emphasising Western experiences while ignoring the needs of women from traditional religious backgrounds; the pro-Islamic group, which rejects the push for equality based on religious beliefs, insisting on fair treatment without equality; and the contemporary Islamic group, advocating for fairness over equality but sharing scepticism towards pro-Western feminists.⁴⁵⁸ Since the majority of Saudi women are pro-Islamic and facing patriarchy, they need to collaborate and advocate for their case. Islamic feminism can amplify its voices to authorities for change by utilising available resources and initiatives. For example, participation in the *Shura* – consultative - allows women to highlight issues that were previously overlooked by their male counterparts in the council. Consulting with Islamic feminists can strengthen their proposals and organise their framework, while bearing in mind that women's current entry into the workforce and the overcoming of some cultural barriers may not necessarily correlate with such consciousness.

⁴⁵⁶ Nancy Folbre, *Who Takes Care of the Kids? Gender and the Structures of Constraint* (London: Routledge 1994); Kabeer (n 12).

⁴⁵⁷ E.g. Jacquelyn Lauren Hoza, 'Is There Feminism in Saudi Arabia?' (2019) 20 *Journal of Undergraduate Research* 2.

⁴⁵⁸ Khadijah Bawazeer, 'Feminist Perceptions and the Challenges for Women's Education in Jeddah, Saudi Arabia, in the 21st Century' (2015) 6 *Advances in Language and Literary Studies* 1.

Feminism remains unpopular in KSA, largely due to its association with Western ideology and limited public understanding of its principles.⁴⁵⁹ A study on feminist perspectives among Saudi women identifies three broad groups: a small elite segment aligned with Western feminist ideas; a dominant pro-Islamic group that rejects equality discourse on religious grounds and instead emphasises fair treatment; and a contemporary Islamic group that also prioritises fairness but is critical of Western feminist influence.⁴⁶⁰ Since most Saudi women fall within the pro-Islamic spectrum and continue to confront patriarchal structures, their empowerment requires collective advocacy grounded in culturally accepted frameworks. Islamic feminism offers such a platform by articulating women's rights through religious discourse and by strengthening women's ability to raise concerns through existing institutional channels—such as participation in the *Shura* Council, where women can highlight issues that have historically been overlooked by male members. This provides a culturally resonant pathway for advancing women's legal and economic empowerment, even if increased labour participation alone does not guarantee feminist consciousness.

5.1.1 Islamic Feminism as a Pathway for Transformative Change in KSA

Awareness of both feminism and Islamic feminism remains limited in KSA, as reflected in this thesis's survey findings, where women's increased workforce participation and ability to overcome certain barriers did not necessarily signal engagement with feminist ideas. Instead, the responses linked these shifts to the state's legal reforms to dismantle patriarchy, consistent with the literature.⁴⁶¹ This highlights the need to complement policy reforms with greater conceptual awareness of gender justice, grounded in Islamic discourse. Only then can social

⁴⁵⁹ E.g. Hoza (n 457).

⁴⁶⁰ Bawazeer (n 458).

⁴⁶¹ E.g. Aldossari and Chaudhry (n 115).

change move beyond compliance to cultivate genuine recognition of women's rights. Work segregation illustrates the challenges that arise when reforms advance faster than social perceptions. Allocating women-only spaces is rooted in Saudi cultural norms, although some women find a sense of comfort, it has its disadvantages regarding their career progression. It reinforces traditional gender roles, sustains unequal division of labour, and caregiving responsibilities to women. Such occupational segregation often confines women to specific roles, marginalising them from leadership and decision-making positions. It also channels women into low-paying jobs, suppressing wages and working conditions in female-dominated sectors in KSA.⁴⁶² This underscores the need for reforms informed by gender-aware frameworks—Islamic feminism provides one such approach

Reforms aimed at increasing women's participation, but hindered by a lack of social support and resources necessary for full implementation, have resulted in gender-specific precarity.⁴⁶³ Starting with the 1995 *Saudisation* efforts, followed by the 2011 *Nitaqat* Programme and the Feminisation policy, and culminating in Vision 2030's goal of increasing women's workforce participation to 30%, these initiatives have created clashes between modern legal reforms and conservative, patriarchal traditions. Retail feminisation policies, while intended to increase women's employment within culturally acceptable frameworks, often pushed them into unstable, low-wage jobs previously held by expatriates. It reinforced stereotypes about women's "appropriate" jobs and placed them in demanding conditions with minimal benefits. Though Vision 2030 lifted some segregation requirements and introduced gender-neutral spaces, resistance rooted in norms remains. Employers often preserve gendered roles, placing women in socially acceptable but limited positions, such as cashiers or behind

⁴⁶² E.g. Cecilia Ridgeway, 'Framed by Gender: How Gender Inequality Persists in the Modern World' (Oxford: Oxford University Press 2011); Leah Vosko, *Temporary Work: The Gendered Rise of a Precarious Employment Relationship* (Toronto: University of Toronto Press 2000); Aldossari and Chaudhry (n 115).

⁴⁶³ Aldossari and Chaudhry (n 115).

gender-specific counters.⁴⁶⁴ These contradictions demonstrate the complex negotiation between modern legal reforms and conservative patriarchal traditions to empower women, a negotiation that Islamic feminism is well-positioned to address.

Subjective experience studies show that women in male-dominated environments are more vulnerable to harassment.⁴⁶⁵ This often stems from societal resistance to women entering the workforce, leading to job or personal insecurity for men, rooted in the male breadwinner model. Saudi men face social pressure to provide for extended families and meet costly marital obligations, contributing to resentment expressed in discriminatory behaviours when women are seen as benefiting from legal protections, thus reinforcing women's precarity.⁴⁶⁶ In response, Saudi women reported adopting coping mechanisms such as wearing the *Hijab*, veil, dressing modestly, and forming informal support groups or sisterhoods as a means of embracing feminist principles, although based on faulty ideas.⁴⁶⁷ Such actions suggest the emergence of a feminist consciousness, reinforcing the argument for embracing Islamic feminism as a strategy to articulate and legitimise women's concerns in the workforce.

This study advocates for Islamic feminism in KSA, acknowledging its growing relevance as feminist theories evolve to reflect diverse lived experiences. Islamic feminism integrates Islamic teachings with feminist principles, offering an alternative to Western feminism that often fails to account for the religious and cultural contexts of Muslim women. This framework resonates with many in KSA, where Islam is viewed not only as a religion but as a way of life. Consequently, women's empowerment initiatives are more effective when

⁴⁶⁴ Ibid

⁴⁶⁵ Heather McLaughlin, Christopher Uggen, and Amy Blackstone, 'The Economic and Career Effects of Sexual Harassment on Working Women' (2017) 31 *Gender and Society* 3.

⁴⁶⁶ Aldossari and Chaudhry (n 115).

⁴⁶⁷ Ibid

rooted in Islamic values. Al-Dabbagh categorised group movements in KSA into liberal, right-based, Islamic feminists, and conservatives⁴⁶⁸; although Islamic feminism has not developed into a formal movement, it is evident in academia, and through various individual and collective efforts, often informal, digital and at the social level, which are argued to have achieved positive outcomes.⁴⁶⁹ These efforts do not oppose religion, society, or culture; instead, they reinterpret religious texts to contest patriarchal readings and practices. The term feminism is rarely used or accepted in Saudi discourse. Yet, many women who advocate for gender justice align with Islamic feminist ideals.⁴⁷⁰

Moreover, the intersection of nationalism and gender in KSA influences women's experience. Saudi women are often perceived as carriers of national identity, responsible for safeguarding cultural values and expected to uphold Islamic purity, national dignity, and cultural heritage.⁴⁷¹ As a result, empowerment that appears to challenge social norms provokes resistance,⁴⁷² instead, empowerment usually occurs within traditional frameworks. For example, women's education and modest dress are encouraged as benefits to national integrity and future society, while reforms granting women the right to drive, travel, and vote are portrayed as national progress rather than feminist achievements. Such standpoints contrast with Western feminism, which sees these links to tradition as patriarchal. Islamic feminism helps reconcile this tension by framing women's empowerment as compatible with national progress and religious authenticity.

⁴⁶⁸ Al-Dabbagh (n 446).

⁴⁶⁹ Ibid

⁴⁷⁰ Le Renard (n 5) 115.

⁴⁷¹ Smeeta Mishra, 'Liberation' Vs. 'Purity': Representations of Saudi Women in the American Press and American Women in the Saudi Press' (2007) 18 *The Howard Journal of Communications* 259.

⁴⁷² Karolak and Guta (n 444) 79.

Islamic feminists reinterpret the Quran and *Sunna* to promote justice and equity and women's being co-creators of laws, not just subjects to them.⁴⁷³ This aligns with Kabeer's theory of empowerment, emphasising meaningful participation. In KSA, recent reforms have led to the emergence of two major groups of women. The first is liberal, advocating for freedom without restrictions, and the second prioritises Islamic adherence when defining women's rights.⁴⁷⁴ Both groups rely on government reforms to realise their visions and enhance women's participation in the public sphere, and both focus on gender-specific questions, seeking to address them through reinterpretation of the Quran. Nonetheless, their intellectual work rarely presents the broader picture of *the* application of Sharia.⁴⁷⁵ Thus, while Islamic feminist ideas exist in KSA, they do not always fit neatly within conventional definitions of feminism or Islamic feminism. factors such as the rejection of specific labels, differing interpretations of equity compared to mainstream feminists, the connection between nationalism, religion, cultural beliefs, and family values, and ultimately, the various goals these movements pursue, sets them apart from conventional feminist movements. Nonetheless, the main argument of this thesis is that, regardless of the labels and approaches employed, these initiatives set the base that Islam remains the sole legitimate source when discussing women's social positions. They help challenge gender inequalities, expand women's opportunities, and promote women's empowerment.

Finally, a key contribution of Islamic feminism is its redefinition of agency, a concept central to the KSA context. Unlike mainstream feminism, which equates agency with unrestricted autonomy, Islamic feminism understands agency as the capacity to act within the

⁴⁷³ Amina Wadud, 'Islam Beyond Patriarchy Through Gender Inclusive Qur'anic Analysis' In Zainah Anwar (Ed) *Wanted: Equality and Justice in the Muslim Family* (Musawah an Initiative of Sisters in Islam 2009) < https://Arabic.Musawah.Org/Sites/Default/Files/WANTED-EN-2edition_0.Pdf > accessed 28th July 2025.

⁴⁷⁴ Soekarba (n 320).

⁴⁷⁵ Ibid

boundaries of Islamic values, where decisions are made as an act of obedience to God rather than submission to patriarchal authority. For instance, a woman who chooses the *hijab* out of conviction, without external pressure, exercises religious agency, whereas forced veiling eliminates that agency. Islamic feminism adopts a broad definition of agency that includes both obedience and resistance. Women may act within patriarchal structures, not necessarily to resist them, but to reframe or subvert their meanings for personal or communal benefit; in this sense, agency does not always stem from overt resistance but can emerge from “inhabiting norms” and redefining them, as Mahmood stressed in her theory.⁴⁷⁶ Another example she provides is *sabr* (patience), in which enduring hardship without complaint is seen as a religious act.⁴⁷⁷ While she recognises *sabr* as a valid form of agency rooted in moral and spiritual strength⁴⁷⁸, others contest it because it lacks political motivation or visible resistance, which is often seen as essential in feminist discourse.⁴⁷⁹

Furthermore, Islamic feminism recognises that agency is not only women’s power to reason and choose as independent, autonomous individuals despite their susceptibility to social pressures and influences⁴⁸⁰, but also about acting with ethical intentionality. Women may comply with or contest social expectations, but both can constitute agency when rooted in informed judgment and authentic belief. Lastly, an essential, often overlooked aspect of agency is its beneficiaries. Islamic feminism asks not only *who* acts, but *for whom*.⁴⁸¹ Genuine agency should not reinforce oppressive structures or serve those who seek to control and marginalise women should aim to reduce harm, promote justice, and support collective

⁴⁷⁶ Mahmood (n 238) 37.

⁴⁷⁷ Ibid 220

⁴⁷⁸ Ibid

⁴⁷⁹ Such as Riya Chaturvedi, ‘Post-Modern Feminist Thought: Examining ‘Islamic Feminism’ (2021) < https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4132251 > accessed 17th June 2024.

⁴⁸⁰ E.g. Barry Barnes, *Understanding Agency: Social Theory and Responsible Action* (London: Sage 2000).

⁴⁸¹ Haideh Moghissi, ‘Islamic Feminism Revisited’ (2011) 31 *Comparative Studies of South Asia, Africa and the Middle East* 1.

wellbeing. This perspective challenges universalised assumptions about liberation and highlights that empowerment must be grounded in women's lived realities, cultural contexts, and spiritual commitments. For Saudi women, Islamic feminism provides a legitimate, socially resonant framework for pursuing economic empowerment. Aligning initiatives with Islamic values enhances their credibility, fosters wider acceptance, and strengthens efforts to address structural inequalities in a culturally sustainable manner. Overall, Islamic feminism is essential for understanding women's empowerment needs in KSA and offers innovative strategies for Saudi women's legal empowerment, particularly when integrated with the upcoming sections on Kabeer's development and CLEP theories.

5.2 Naila Kabeer's Approach and Application in KSA

Kabeer developed a conceptual model of the empowerment process that identifies resources, agency, and achievements as interrelated dimensions crucial for understanding empowerment.⁴⁸² According to her theory, empowerment occurs 'when individuals and organised groups can imagine their world differently and realise that vision by changing the relations of power that have been keeping them in poverty'.⁴⁸³ This assertion highlights the transformative potential of empowerment, yet it also invites a critical examination of the three dimensions. The first dimension, resources, includes material, human, and social assets necessary for women to exercise their choices. Saudi women can acquire these resources from their families, communities, or the market; they are distributed through various social institutions and can take the form of actual allocations or future claims.⁴⁸⁴ These resources

⁴⁸² Kabeer (n 31); Kabeer (n 17).

⁴⁸³ Rosalind Eyben, Naila Kabeer and Andrea Cornwall, 'Conceptualising Empowerment and the Implications for Pro Poor Growth: A Paper for the DAC Poverty Network' (2008) Institute of Development Studies, Brighton.

⁴⁸⁴ Kabeer (n 31).

encompass both tangible assets, such as financial or educational resources, and intangible human and social resources, including norms and institutional opportunities. This point is significant because norms and rules are essential resources for women's legal empowerment; they can grant an individual genuine authority over another regarding allocated resources and how they may be utilised or exchanged.⁴⁸⁵ For instance, in KSA, where the family is patriarchal, the head of the family has the authority to decide how resources are distributed within the family. Consequently, a woman's ability to make choices is constrained because access to resources depends on her family members. If the norm shifts to one in which the head of the family supports women's education and employment, or in which women are generally empowered to choose to work, they will be empowered.

This model prompts a critical examination of the inherent limitations of Kabeer's theory. First, it overlooks the influence of intangible resources, particularly societal norms, which can often outweigh that of tangible resources. For Saudi women, these entrenched norms continue to restrict access to job opportunities and education, regardless of what resources might nominally be available. Ignoring these barriers hinders genuine legal empowerment; identifying and dismantling them is a foundational first step. Second, the theory assumes that opportunities are equally available to all, ignoring disparities based on region or socioeconomic background, as in KSA. Without recognising such differences, efforts to implement laws that enhance women's rights risk being ineffective. Overall, while Kabeer's emphasis on the importance of resources is essential, it is essential to connect these resources to the structural obstacles that hinder optimal resource allocation. By taking this comprehensive view, we can better understand how agency, the second element of Kabeer's theory, requires not just access

⁴⁸⁵ Naila Kabeer, 'Gender Equality and Women's Empowerment: A Critical Analysis of the Third Millennium Development Goal' (2005) 13 *Gender and Development* 1.

to resources, but an understanding of the powerful socio-cultural forces that shape them. Only by addressing these intertwined factors can policymakers craft legal empowerment strategies that deliver true, transformative change for women in KSA.

Agency is the process of empowerment; it is the ability to define goals and act on them. It refers not only to women's actions but also to the motivations and purposes behind them.⁴⁸⁶ Agency is the driving force behind Saudi women's empowerment—the key to defining and pursuing personal and collective goals in a society evolving amidst deep-rooted traditions. For Saudi women, agency should embody the confidence and vision required to navigate and reshape entrenched gender norms, making it crucial for progress in an environment where societal and familial expectations can still hold significant influence. For Kabeer, acting as an agent has both positive and negative meanings⁴⁸⁷; in the former, women who act as agents invoke the Power to pursue their ambitions and assert their rights, despite opposition from longstanding customs or resistance encountered in everyday life. This form of agency has been vital for Saudi women as they engage with new professional, educational, and social opportunities created by recent reforms. As to the latter, the agency must not contravene others' rights—history has shown that Power over, or dominance, breeds division and undermines community trust. This thesis does not advocate extracting power from others or imposing dominance; instead, it emphasises the importance of constructive, coalition-based power. Effective empowerment for Saudi women depends on mutual support, collaborative opportunities, and building networks capable of challenging unfair structures from within.

⁴⁸⁶ Kabeer (n 31).

⁴⁸⁷ Kabeer (n 485).

Moreover, Power Within is a form of power in which a person has a sense of worth and self-knowledge;⁴⁸⁸ in this sense, Saudi women should recognise themselves, their shortcomings, and their differences, enabling them to aspire to self-fulfilment and dignity. For example, challenges arise when women internalise patriarchal norms as just or view their rights as threats to their familial dependencies, ultimately inhibiting their empowerment due to a lack of will or belief in their capabilities.⁴⁸⁹ This form of power is typically greatly amplified when paired with Power With, the collective spirit formed by women supporting one another to break down social injustices. In summary, when Saudi women acknowledge their Power Within and act together to exercise Power With, they gain Power To act as agents. Cornwall added that when women act together to eliminate injustices and inequalities, this becomes a Power For positive social change.⁴⁹⁰

Kabeer's theory has not explored agency in depth; while women's agency can be legally recognised, this does not guarantee that women can exercise it in practice. For instance, although the law in KSA may have abolished guardianship, women may still face societal or familial challenges when exercising this right. Kabeer's four dimensions of power are indeed essential for fostering agency; however, they are not sufficient in isolation in the complex sociocultural context of KSA. Additional support, such as cultural acceptance, structural reforms, or institutional mechanisms, is needed to ensure that women can translate their empowerment and agency into action. A significant challenge faced in this element analysis is whether legal empowerment translates into actual agency and vice versa. The theory suggests that women's agency expands linearly with access to resources; however, this research evidence indicates that this is not the case in KSA, where, despite access to resources, Saudi

⁴⁸⁸ Lisa Veneklasen and Valerie Miller, 'Power and Empowerment' (2002) PLA 43 <
<https://www.iied.org/sites/default/files/pdfs/migrate/G01985.pdf>> accessed 13th September 2023.

⁴⁸⁹ Kandiyoti (n 108).

⁴⁹⁰ Cornwall (n 58).

women's agency remains limited. The evidence from this research supports critiques of this contention,⁴⁹¹ that the theory overemphasises agency without adequately accounting for the structural and systemic barriers and norms that hinder women's power. This thesis found that although women's legal empowerment and agency are related, they do not necessarily lead to one another. Women may possess agency without being empowered and, conversely, may be empowered without actively exercising their agency. Overall, this theory emphasises the importance of structural and cultural factors in shaping women's choices and achievements. However, it tends to overemphasise agency while paying limited attention to state-driven reforms, which are a key driver of women's empowerment in KSA. The theory appears to align more closely with grassroots-level needs and aims to create sustainable cultural change, which is why the framework has been modified to include context-specific factors in KSA.

The final dimension of Kabeer's theory of women's empowerment is achievement. While agency signifies women's ability to seize resources and opportunities and articulate their goals, and take action towards them, achievement refers to the tangible realisation of those goals. Achievement is the degree to which this potential—the life women aspire to lead—is realised or falls short⁴⁹²; women should be able to see the outcomes of their efforts. This thesis aims to highlight the significance of achievement within the context of empowerment for Saudi women. For it to suffice, the focus on developing strategies for Saudi women's legal empowerment must primarily centre on resources and agency as processes to attain empowerment. Nonetheless, it is worth noting that, according to the theory, achievements are measurable outcomes. Yet this assertion has been challenged by some scholars, who contend that cultural and religious contexts can complicate the measurement of women's

⁴⁹¹ E.g. Kandiyoti (n 108); Andrea Cornwall & Althea-Maria Rivas, 'From 'Gender Equality and Women's Empowerment' To Global Justice: Reclaiming a Transformative Agenda for Gender and Development' (2015) 36 *Third World Quarterly* 2.

⁴⁹² Kabeer (n 485).

empowerment, especially when public expressions of agency may differ from private experiences, as in KSA.⁴⁹³ This thesis concurs with this perspective, suggesting that societal stigma and fears of cultural contradiction may obstruct an accurate evaluation of achievement in KSA. Consequently, the study adopts a mixed-methods approach, integrating qualitative and quantitative data collection techniques to capture both measurable outcomes and the nuanced, non-measurable personal narratives of Saudi women's empowerment, thus striving for a holistic understanding. Kabeer's framework regarding achievement is promising as it accounts for the qualitative aspects of empowerment alongside conventional indicators, such as employment rates. Furthermore, the interrelatedness of the three dimensions—resources, agency, and achievement—implies that changes in one dimension will inevitably influence the others.

The reason for applying Kabeer's theory in the context of KSA is that the thesis focuses on understanding women's personalities and needs, which facilitates identifying the most suitable legal empowerment strategies to encourage Saudi women to seek employment. Moreover, Kabeer's theory emphasises agency, a central component of Saudi women's empowerment. In KSA, current resources for women include job opportunities, ongoing legal reforms, women's education, and strategies to promote self-awareness, all of which enable agency. Kabeer explains the relationship between resources and agency, showing how they work together to foster empowerment.⁴⁹⁴ She distinguishes between passive agency, which exists when choices are limited, and active agency, which involves making deliberate choices on the one hand, and agency as either effective—focused on fulfilling roles efficiently—or transformative, which involves challenging and changing restrictive elements of those roles on

⁴⁹³ E.g. Margot Badran, *Feminism in Islam: Secular and Religious Convergences* (Oneworld Publications 2009)

⁴⁹⁴ Ibid; Kabeer (n 31); Kabeer (n 333); Kabeer (n 12); Kabeer (n 17); Eyben, Kabeer and Cornwall (n 483).

the other hand.⁴⁹⁵ Women's empowerment in KSA clearly requires both active and transformative agency, enabling them to question and challenge patriarchal practices.

Moreover, the theory aligns with the Saudi context because it views empowerment from women's perspectives, especially transformative agency that challenges inequality and fosters an environment for questioning patriarchal norms. While it grants empowerment to those denied choices, reflecting the reality for Saudi women regarding employment, it also asserts that not all choices are equally relevant to power, as they differ in significance and complexity in women's lives—an idea that applies empirically to KSA. Kabeer's theory has its limitations in terms of its inability to fully account for the sociolegal environment in KSA, such as the patriarchal practices in both public and private spheres, which may either encourage or hinder women's abilities to make choices. This limitation underscores the need to integrate this theory with the CLEP and developmental approaches to effectively address the challenges faced by Saudi women.

Despite the theoretical underpinnings of Kabeer's hypothesis, it is imperative to recognise that the empowerment of one woman may not necessarily catalyse the empowerment of another, and a woman's empowerment in one aspect of her life may not seamlessly translate into agency in other areas. Consequently, it is crucial to move beyond superficial measures such as providing support or guidance, as grassroots organisations might offer. The theory is more useful when it adopts a more holistic approach to understanding the relational dynamics of power and positive change. Therefore, Cornwall's insights are integrated to underscore that two essential levers are needed for Saudi women to enact meaningful transformation and address the root causes of gender inequality. The first involves processes that produce shifts in

⁴⁹⁵ Ibid

consciousness, while the second is engagement with culturally embedded, normative beliefs and understandings of gender, power, and change.⁴⁹⁶ Thus, attention should be directed towards Saudi women's self-image, as well as the normative beliefs and perceptions they hold about themselves concerning subordination and dependency. Wrong beliefs must be overturned, and the cultural and societal norms that perpetuate inequality ought to be challenged by the women themselves. The aim of empowerment will not be realised unless transformative change occurs across various spheres and sectors of society. For example, educational empowerment does not necessarily lead to economic empowerment; there may be a need to change public perceptions or implement legal reforms to enable Saudi women to participate more fully in the economy. Similarly, women's right to choose employment and to assert their rights in the workplace must be recognised and upheld by women themselves and by society to enable their realisation.

The roles traditionally assigned to men and women—and expectations about what they should or shouldn't do—must be reevaluated. Re-examining these roles means challenging women's understanding of gender and social relations. Literature suggests this can be achieved by creating spaces for women to share their experiences, which often reveal commonalities, and by offering training that introduces alternative frameworks for viewing their lives.⁴⁹⁷ Accordingly, cultivating a critical consciousness among Saudi women is paramount, alongside providing them with the necessary resources, such as employment opportunities and legal reforms, empowering them to act as agents. Their empowerment entails enabling them to critically evaluate societal beliefs about both genders and use these insights to identify and drive necessary changes; they play an active role in shaping this transformation.

⁴⁹⁶ Cornwall (n 58).

⁴⁹⁷ Zuhur (n 168).

Finally, this section discusses Kabeer's and Cornwall's models of women's empowerment and proposes their integration to achieve the best outcomes in KSA. Kabeer's theory incorporates resources, agency and achievement, while Cornwall's describes empowerment as 'a process of changes in consciousness and collective power'.⁴⁹⁸ Both scholars realised feminists' consensus that empowerment is a process based on recognising inequality, asserting a right, and working towards changing existing disparities.⁴⁹⁹ For empowerment to be transformative, a reciprocal relationship between 'self-understanding'⁵⁰⁰, the capacity for 'self-expression/ advocacy'⁵⁰¹ and access to and control over resources must exist. Both discussions underscore that empowerment cannot be granted to others; it must be claimed and enacted by individuals. Women must internalise their entitlement to make decisions and their capacity to influence their environment, with agency as the pivotal element of empowerment. In sum, while Kabeer's model provides a useful conceptual foundation for analysing empowerment, its application in KSA requires adaptation to account for the powerful influence of cultural norms, spatial dynamics, and the central role of state-led legal reforms. Empowerment must therefore be understood as a process that integrates rights, social support, and shifts in collective consciousness—rather than focusing solely on individual agency. Incorporating development theories discussed in the second section helps to better understand the current employment situation of Saudi women.

⁴⁹⁸ Cornwall (n 58).

⁴⁹⁹ Such As Batliwala (n 307); Gita Sen, 'Empowerment as an Approach to Poverty' (1997) 97 Working Paper Series 07, Background Paper for the UNDP Human Development Report, New York: UNDP; Kabeer (n 333).

⁵⁰⁰ Kabeer (n 333).

⁵⁰¹ Sen & Mukherjee (n 333).

5.3 Development Theories' Approaches and Application in KSA

Development agencies have considered feminist theories to form women's empowerment strategies, particularly by analysing the relationship between patriarchal rules and women's choices and opportunities. Tackling women's legal empowerment from a development perspective requires recognising the interconnections between development, patriarchy, and feminist theories. Development has the potential to disrupt the prevailing patriarchal structure within households and society, ultimately leading to women's empowerment. Its theories utilise feminist perspectives to understand how patriarchal beliefs and practices embedded in economic systems impact women's rights, agency and access to opportunities. Within the Saudi context, where patriarchal norms have historically influenced women's public and private roles, integrating these feminist-informed development approaches provides essential guidance for designing strategies that effectively enhance women's legal and economic empowerment. Ultimately, development and women's economic empowerment have a reciprocal causal relationship; policymakers and scholars agree that women's empowerment assists development in countries.⁵⁰²

The strategies adopted by development agencies to improve women's skills and education, particularly those that encourage women to enhance these areas through feminist consciousness-raising and collective action, play a key role in fostering development. Human capital is central to development theories alongside physical capital. Human capital affects family decisions about their children's education, the investment in their education, the number of children they have, and their willingness to involve them in economic activities. These

⁵⁰² Voxdev, 'Women's Empowerment and Development: the Family Connection' (2017) <<https://Voxdev.Org/Topic/Health-Educatio/Women-S-Empowerment-And-Development-Family-Connection>> accessed 28th July 2023

aspects are critical because the more education women receive, the greater their chances of participating in the economy. Such empowerment also positively impacts women's agency in their economic activities, including their ability to choose their employment sectors and modes of employment, reject or resist poor employment, and make informed financial decisions. In the KSA context, where women's educational attainment has risen substantially, these mechanisms are particularly relevant. Today, educated Saudi women increasingly influence household financial decision-making and contribute to broader economic well-being, demonstrating the mutually reinforcing relationship between women's empowerment and national development.

Debates about development and patriarchy emerged strongly in the 1970s among practitioners focused on women's issues.⁵⁰³ Dependency theorists argued for self-reliant development strategies, while Radical feminists called for the elimination of the patriarchal power structure, asserting that women can only develop if patriarchy is eliminated.⁵⁰⁴ Those critiques contributed to the emergence of a new approach, Women and Development (WAD), which diverged from the earlier Women in Development (WID) approach. WID originated among development advocates as a result of the three waves of feminism. Although it had the advantage of integrating women into the workforce, enhancing their productivity, encouraging participation in public life, and addressing social and cultural inequalities, it faced criticism for its limitations. It has been incapable of challenging gender stereotypes and male-dominated structures of power⁵⁰⁵; it failed to acknowledge women's challenges in the private sphere, as it

⁵⁰³ Marianne H Marchand & Jane L Parpart (Ed.), *Feminism, Postmodernism, Development* (London: Routledge 1995).

⁵⁰⁴ E.g. Mary Daly, *Gyn/ Ecology: The Metaethics of Radical Feminism* (Boston: Beacon Press 1978) < <https://Frauenkultur.Co.Uk/Wp-Content/Uploads/2020/05/Gynecology.Pdf> > accessed 17th June 2024.

⁵⁰⁵ Marchand & Parpart (n 503).

solely focuses on public sphere issues. Furthermore, it was based on Western assumptions about women, predominantly.

In response to those critiques, development agencies, especially NGOs, sought an alternative approach. WAD aimed to articulate the relationship between capitalism and patriarchy. Global poverty and patriarchy concerns led the socialist feminists to appear and make their contribution to WAD by focusing on economic, social and political realities and providing their answers to women's developmental problems. Thus, in KSA, considering feminists' perspectives on both women's public and private issues, WID and WAD developmental approaches and ways of dealing with the issues encountered are essential for development agencies aiming to empower women economically. The Saudi context requires a comprehensive approach that acknowledges the intersection of gender, economy, development, and power dynamics to craft effective strategies that not only promote women's participation in the economy but also challenge the very structures that perpetuate inequality. The historical evolution from WID to WAD reflects the broader struggle to move from inclusion to genuine empowerment—a challenge that remains central in KSA's development landscape.

Inglehart's Modernisation theory is employed in this thesis to analyse the economic situation of women in KSA. The theory establishes two phases of development. The first is Industrialisation, where education levels rise, and occupational specialisations emerge, leading to a shift from traditional to rational or secular values. During this phase, women typically enter the non-agricultural labour market and interact with the public domain; they start to prioritise their own identities rather than feeling responsible for extended family members- a process that gradually weakens patriarchal authority. This pattern resonates with many changes underway in KSA, where increasing female participation in professional and technical fields reflects

shifting social expectations and growing acceptance of women's economic roles.⁵⁰⁶ The second phase, post-modernisation, is characterised by a transition from survival to self-expression values, reduced authoritarian influence, loosened gender roles and significantly weakened patriarchal structures.⁵⁰⁷ Inglehart and Norris anticipate Muslim countries, including KSA, as still far from reaching this stage.⁵⁰⁸ Hence, analysing KSA requires a focus on the first modernisation phase, in which economic development catalyses social change while cultural norms remain influential. Nonetheless, scholars, including Inglehart, excluded oil-producing countries from their analysis at a particular stage due to their rentier characteristics and governance structures.⁵⁰⁹ Later, application of the theory was suggested,⁵¹⁰ perhaps to show that modernisation pathways may differ across contexts but share standard underlying drivers.

The Modernisation theory was criticised for prioritising economic factors while neglecting cultural, social, and historical influences.⁵¹¹ It was later revised to focus on both economic and cultural domains, stating that 'economic development tends to push societies in a common direction, but rather than converging, they seem to move on parallel trajectories shaped by their cultural heritage'.⁵¹² The theory also asserted that Islam is incompatible with both democracy and gender equality, which was challenged by scholars who argue that economic structures and political opportunities, and women's agency, are more influential.⁵¹³ This thesis aligns with the view that economic development increases women's labour market

⁵⁰⁶ Olmsted (n 111).

⁵⁰⁷ Ronald Inglehart, *Modernization and Post Modernization. Cultural, Economic and Political Change In 43 Countries* (Princeton University Press 1997); Ronald Inglehart & Wayne Baker, 'Modernization, Cultural Change and the Persistence of Traditional Values' (2000) 65 *American Sociological Review* 1; Inglehart and Norris (n 116).

⁵⁰⁸ Inglehart and Norris (n 116).

⁵⁰⁹ E.g. Gerhard Lenski and Patrick D. Nolan, (1984) 63 *Social Forces* 1; K.S.A Wickrama & Charles Mulford, 'Political Democracy, Economic Development, Disarticulation, and Social Well-Being in Developing Countries' (1996) 37 *The Sociological Quarterly* 3.

⁵¹⁰ E.g. Ronald Inglehart & Christian Welzel, *Modernization, Cultural Change, and Democracy: The Human Development Sequence* (Cambridge University Press 2005).

⁵¹¹ E.g. Rounaq Jahan, *The Elusive Agenda: Mainstreaming Women in Development* (Zed Books 1995).

⁵¹² Inglehart & Baker (n 507) 49.

⁵¹³ E.g. Spierings, Smits and Verloo (n 411).

participation even in rentier states like KSA, but that additional factors may moderate this effect.⁵¹⁴

KSA's current transformation offers a distinctive testing ground for the theory by linking economic progress to cultural change, suggesting that society undergoes cultural and social change as the economy develops. KSA's drive toward economic diversification, by emphasising women's participation in the workforce and moving away from oil dependency toward innovation and service-oriented sectors, demonstrates this relationship. It necessitated creating more opportunities for women and challenging existing social norms. This aligns with the theory's claim that economic change catalyses a shift in gender roles and social dynamics. Secondly, the theory highlights education as a key driver of economic growth. KSA's investment in women's education is preparing highly skilled women to enter the workforce, directly supporting the theory's predictions that education leads to cultural change and empowers women socially and economically. Furthermore, KSA's plans, including legal reforms, economic integration, and exposure to international norms through media, education, and business, account for both organic and policy-driven pathways to change. This type of change aligns with the modernisation theory. Ultimately, KSA stands as a distinctive case, showcasing how a state-driven, oil-based economy with enduring cultural traditions navigates rapid legal and social change. Modernisation theory offered an invaluable framework for understanding and guiding women's legal empowerment and economic participation within this unique context.

Thus, while Modernisation theory illuminates important aspects of Saudi women's economic empowerment, its explanatory power is only partially applicable to KSA. KSA's

⁵¹⁴ E.g. Ibid

rentier dynamics reinforce traditional values and slow the pace of cultural change predicted by the theory. Moreover, the deeply entrenched beliefs and values in KSA society moderate the pace of change predicted by the theory. Thirdly, the theory assumes an organic transition from the first Modernisation to the second post-modernisation phase, that economic development leads to a cultural shift. In the case of KSA, the heavy legal reforms do not necessarily reflect this transition. The empirical evidence obtained in the research clarifies the need to promote women as agents of change, thereby helping to alter socioeconomic values, improve their societal position, and contribute to the country's development. The evidence also emphasises that, due to the country's unique rentier economy, state-led reforms, and strong cultural and religious foundations, this theory must be combined with other theories, such as feminism to fully understand the Saudi case.

In conclusion, development theories offer valuable insights into how patriarchal structures operate and how feminist perspectives have shaped strategies to empower women in the economic sphere. The evolution from WID to WAD demonstrates the growing recognition that empowerment requires addressing both structural and cultural barriers. Modernisation theory adds analytical depth by linking economic progress to social transformation, yet its application to KSA must be nuanced and complemented by feminist theory to account for the country's unique rentier economy, state-led reforms, and cultural foundations. Taken together, these approaches provide an integrated theoretical framework for understanding and designing effective strategies to advance women's legal and economic empowerment in KSA.

5.4 The CLEP's Approach and Application in KSA

Building on Kabeer's conceptualisation of strengthening women's agency and on the earlier discussion of feminist approaches, particularly Islamic feminism, which emphasises justice, dignity, and equal economic participation. The CLEP offers a global development framework that directly links law, exclusion, and poverty.⁵¹⁵ For this thesis, CLEP is examined not as a universal prescription but as a repository of lessons that can be adapted to the Saudi context to complement existing development strategies. Legal empowerment for the CLEP⁵¹⁶ aimed to eliminate poverty; it examined poverty through the lens of those legally excluded from the protection of the rule of law. It identified four pillars of legal empowerment: Access to justice and the rule of law, Property rights, Business rights, and, most importantly to this thesis, Labour rights. Those areas have typically been approached by organisations in a top-down manner, identified as the 'rule of law orthodoxy' or the 'trickle down approach'⁵¹⁷, in which resources are located in courts and the government's legal institutions. An approach that, although promising for improving institutional functioning and alleviating poverty, still yields uneven results.⁵¹⁸ The Commission acknowledged new methods as promising for overcoming the limitations of the rule-of-law orthodoxy, which collectively gave it credit for raising the international profile of legal empowerment by emphasising the importance of directly using the law to strengthen the poor.⁵¹⁹ It acknowledged that the marginalised have historically been treated as passive beneficiaries of reform and proposed a shift by viewing them as partners in social and economic transformation. This resonates with Kabeer's emphasis on agency, as it focuses on enabling individuals to recognise their rights, navigate institutions, and challenge

⁵¹⁵ UN, Economic and Social Commission for Western Asia (n 272).

⁵¹⁶ The Commission on the Legal Empowerment of the Poor (n 10).

⁵¹⁷ Golub (n 30).

⁵¹⁸ Stephen Golub, 'A House Without a Foundation' In Thomas Carothers (Ed.) *Promoting the Rule of Law Abroad: The Search for Knowledge* (Washington DC, Carnegie Endowment for International Peace 2006) 105.

⁵¹⁹ Golub (n 30).

inequalities. The CLEP also deserves credit for placing legal empowerment on the development map⁵²⁰, making it well-suited to integration with development theories, as this thesis suggests. Yet, while CLEP's contribution is significant, its framework has its shortcomings, several of which are especially relevant when considering its application to Saudi women's economic empowerment.

Primarily, the CLEP asserts that the impoverishment of four billion people globally is due to their exclusion from the rule of law.⁵²¹ This has been criticised as an unsubstantiated claim, as Poverty is shaped by a complex web of social, economic, and cultural factors, including social exclusion, inequalities, economic inefficiency, inadequate social services and entitlement failures.⁵²² For Saudi women, this complexity is clear: legal reforms alone do not automatically translate into increased participation if social norms, organisational practices, or barriers to awareness remain. Another criticism is that the CLEP ignored previous research that offered broader perspectives on legal empowerment. It had been employed by NGOs interested in women's rights, environmental protection and other causes before the CLEP's establishment, some of which were predominantly hindered by a lack of funding and support.⁵²³ It would have been useful for the CELP, with its substantial funding, to consider the ideas they proposed. Based on that, the thesis examined strategies similar to those introduced in KSA by other countries in the region, with an eye to economic insights. A critical shortcoming of CLEP is its minimal attention to gender,⁵²⁴ despite women comprising one of the world's most structurally disadvantaged. This represents a gap that this thesis addresses by focusing on Saudi

⁵²⁰ Golub (n 30).

⁵²¹ The Commission on the Legal Empowerment of the Poor (n 10).

⁵²² E.g. Banik (n 372); Golub (n 30).

⁵²³ Golub (n 30).

⁵²⁴ Ibid

women and tailoring legal empowerment strategies in conjunction with development and feminist approaches for optimal outcomes.

Despite claiming to promote bottom-up empowerment, the CLEP relies heavily on state-led reforms to empower the disadvantaged, and it also recommends that states develop and implement legal empowerment strategies. The issue is that if some states were reluctant about the old ‘law of orthodoxy’, what guarantees their satisfaction with legal empowerment? This is crucial, as bottom-up legal empowerment initiatives can easily be redirected toward a top-down approach by policies, norms, or societal structures. For KSA, where Vision 2030 has generated extensive top-down reforms, CLEP’s experience underscores the need for complementary bottom-up efforts, particularly empowering women with knowledge, voice, and organisations that can represent their interests. Moreover, the CLEP exhibited an inordinate faith that rational persuasion alone would compel the elite to set aside their self-interest for the well-being of society, which proved challenging, and the Commission was unable to address it.⁵²⁵ There should be a balance between persuasion and reliance on legal approaches, since, in many countries, laws and court orders are not consistently enforced. Lastly, the CLEP has struggled to determine how to implement ambitious legal reforms effectively so they do not remain merely theoretical; while legal empowerment leads to meaningful changes in the law, their actual implementation and enforcement may remain only on paper in many instances.⁵²⁶ This is highly relevant in KSA, where rapid legislative changes require consistent implementation, monitoring, and awareness-building to ensure women can fully benefit from them.

⁵²⁵ Matthew Stephens, 'The Commission on Legal Empowerment of the Poor: An Opportunity Missed' (2009) 1 Hague Journal on the Rule of Law 132.

⁵²⁶ Golub (n 30), Stephen Golub, ‘The Past, Present and Possible Future of Legal Empowerment: One Practitioner’s Perspective’ (2013) <
https://Worldjusticeproject.Org/Sites/Default/Files/The_Past_Present_And_Possible_Future_Of_Legal_Empowerment_Golub.Pdf> accessed 29th April 2023.

Although the CLEP, which began its work in 2005 and produced its last report in 2008, faced several critiques, its work remains essential for understanding how legal empowerment is linked to economic well-being, a link recognised by the World Bank, ADB, and UNDP. The significance of its idea lies in employing ‘diverse arrays of legal services for the poor⁵²⁷’ -as partners- incorporating legislative, judicial, regulatory and dispute-resolution mechanisms. Drawing from the CLEP experience, this thesis identifies key lessons for shaping a legal empowerment strategy for Saudi women in the economic sector.

First, the four selected pillars are not necessarily the most critical for structural exclusion. This thesis contends that education, health, gender equality and violence rights- though not strictly economic- have profound implications for legal empowerment. To elaborate, one reason the disadvantaged are unable to access justice is their legal illiteracy, which necessitates education as a pillar. Moreover, property rights that focus on creating identity, belonging, and dignity among the disadvantaged are strongly linked to health; risks of ill health can be linked to poor property conditions and low standards of living. Similarly, the pillars of labour and business rights are closely linked to educational and health rights: education helps secure better positions and advocate for change, while poor working conditions, pollution, unfair access to employment, and inequality all negatively affect the health of disadvantaged individuals. Thus, CLEP revealed the need to expand the four pillars to address the full spectrum of barriers faced by Saudi women. This broader perspective aligns with previously discussed development theories, which emphasise the interaction between social structures and individual capabilities and Kabeer’s model and Islamic feminist insights that empowerment must address structural, cultural, and interpretive barriers simultaneously.

⁵²⁷ Stephen Golub and Kim Mcquay, *Legal Empowerment: Advancing Good Governance and Poverty Reduction* (Law And Policy Reform at the Asian Development Bank, Asian Development Bank 2001) <<https://www.adb.org/sites/default/files/publication/29683/lpr-adb.pdf>> accessed 29th July 2025.

Moreover, the CLEP examined the four pillars from the perspective of assets and income. In its report, De Soto framed the four pillars as the ‘livelihood of the poor⁵²⁸’. However, legal empowerment can involve more than livelihood-oriented activities.⁵²⁹ such as environmental issues that impact the health and dignity of the poor, even if their income remains unaffected and the above-mentioned women’s rights against violence that can represent a pillar of legal empowerment. Importantly, the CLEP asserted that legal empowerment saves four billion people from poverty; nonetheless, it failed to consider gender as a foundational aspect of legal empowerment.⁵³⁰ Women face numerous legal challenges and constitute half of humanity, and they are mostly among the disadvantaged. This thesis fills this literature gap by focusing on women, calling for the creation of opportunities that enable them to contribute more constructively to the productivity, growth, and development of their country, the KSA, in this context.⁵³¹ Thirdly, the CLEP focuses too heavily on institutional reform rather than the lived experiences of the poor. The most crucial question to pose in legal empowerment should be, ‘What are the issues that matter most to the disadvantaged?’, for this thesis ‘to Saudi women regarding their participation in the economy?’ rather than ‘What is wrong with the state’s institutions?’ as the CLEP has suggested⁵³² as it ultimately aimed to create a world free of poverty and ‘not a world free of judicial delay⁵³³’. This bottom-up orientation ensures that empowerment strategies reflect women’s practical needs, as empowerment can begin within people themselves, in their homes, and in their communities, outside governmental institutions. This would ultimately lead to demands to reform institutions and to introduce, amend, or enforce laws. This approach aligns with the objective of this thesis,

⁵²⁸ The Commission on the Legal Empowerment of the Poor (n 10) 31.

⁵²⁹ Banik (n 372).

⁵³⁰ Golub (n 30).

⁵³¹ Ibid; UN, ‘Gender Equality’ Global Issue < <https://www.un.org/en/global-issues/gender-equality> > accessed 21st June 2022.

⁵³² Stephens (n 525).

⁵³³ Golub (n 33).

to centre Saudi women's own priorities, their concerns about economic participation, rather than focusing solely on institutional shortcomings. Another lesson is that legal empowerment depends as much on non-legal factors as on legal reforms. Legal change alone is insufficient where social injustices, legal illiteracy, ineffective implementation, or institutional resistance persist. CLEP's experience shows that legal empowerment requires a broader set of tools, consistent with Kabeer's view, including legal education, capacity-building, community engagement, participation in law-making processes, and support from civil society actors.⁵³⁴ Without these complementary measures, even well-designed legal reforms may fail to produce meaningful change.

The CLEP's project placed significant emphasis on legal reforms, overlooking the social, political, and institutional dynamics that shape legal empowerment.⁵³⁵ Although it recognises the importance of non-legal factors, its strategies remain heavily centred on law-making and judicial processes, which could disempower the disadvantaged. In practice, reliance on judicial decisions alone is insufficient in many countries, as powerful entities may not comply with court rulings or can easily disregard them.⁵³⁶ Similarly, overemphasising legal reforms is inadequate, particularly in the face of significant social injustices, ignorance of legal norms, ineffective implementation and widespread legal illiteracy. Considering the above, one could assert that reliance on the law is the position embraced by the rule-of-law orthodoxy, which has faced significant criticism. Thus, in the context of KSA, the focus should be on empowering women in various ways beyond mere dependence on the law, as in many instances, particularly in labour sectors, the situations of the disadvantaged can improve

⁵³⁴ Rachael Knight, *Legal Empowerment to Promote Legitimate Tenure Rights (Legal Brief 4)*. Rome, Food and Agriculture Organisation of the United Nation 2021) <<https://openknowledge.fao.org/server/api/core/bitstreams/8eb9622e-c4df-484f-8ad4-fb957c76da7b/content>> accessed 29th July 2025.

⁵³⁵ Julio Faundez, 'Empowering Workers in the Informal Economy' (2009)1 Hague J Rule Law 156.

⁵³⁶ Golub (n 30).

without invoking the law.⁵³⁷ Efforts in effective implementation, institutional capacity, and shifts in societal attitudes, workplace culture, social support systems, and political commitment to women's economic inclusion lead to positive outcomes. While well-designed laws are an essential component of legal empowerment, their impact depends on public awareness, administrative enforcement, and the willingness of powerful actors to comply. Without these elements, even the most ambitious reforms risk remaining symbolic rather than substantive.

Besides the lesson learnt that legal empowerment in KSA is most effective when legal reform operates alongside social, economic, and institutional strategies, another key lesson is that legal reform without effective implementation has little impact.⁵³⁸ Even the strongest laws fail to benefit the disadvantaged when enforcement is weak or when the institutions responsible for administering them are inefficient, corrupt, or dominated by elite interests. CLEP also underscores the need to reform public institutions and legal education where existing structures exclude rather than empower the poor⁵³⁹; nevertheless, it offers limited guidance on how to achieve and effectively implement these reforms. Finally, CLEP highlights the vital role that national NGOs and civil society groups can play in legal empowerment, due to their proximity to communities and their ability to build trust. They should be utilised to strengthen women's legal and advocacy capacities and to provide them with legal services.⁵⁴⁰ Although civil society in KSA operates within a regulated framework, women's associations, business councils, university centres, and professional organisations are increasingly active and can play a similar bridging role. By acknowledging the multidisciplinary nature of legal empowerment, the thesis recognises that it is not solely the responsibility of lawyers. Economists, educators, healthcare professionals, and community leaders can all contribute to legal empowerment by expanding

⁵³⁷ Faundez (n 535).

⁵³⁸ The Commission on the Legal Empowerment of the Poor (n 10) 32-33.

⁵³⁹ Ibid

⁵⁴⁰ Golub (n 30).

Saudi women's capabilities and opportunities. This builds on CLEP's efforts to persuade those in power to legally empower the disadvantaged.

In summary, this section has outlined the CLEP's recognition of the connection between law and social exclusion and highlighted the lessons most relevant to the Saudi context. Beyond CLEP's four pillars, the Saudi case underscores the importance of education, health, and gender empowerment as core elements of legal empowerment. The focus must centre on women's own priorities and agency, rather than on institutions alone. Legal and non-legal factors must operate together, and legal reform must be accompanied by effective implementation to have a meaningful impact. Additionally, non-state actors play a vital role, as legal empowerment extends far beyond lawyers' work. While engaging elites can be useful, genuine empowerment requires a bottom-up approach. Above all, legal empowerment is a long-term, evolving process, not an immediate outcome. CLEP's contribution lies in offering a flexible, multidimensional framework rather than a prescriptive model. When its insights are combined with Kabeer's theory's focus on capabilities and structural transformation, and Islamic feminist principles of justice, dignity, and equitable participation, a robust foundation emerges for shaping legal empowerment strategies for Saudi women. In a context where women's participation in the labour market and entrepreneurial sphere continues to expand, the aim is not simply to grant rights on paper but to provide women with the knowledge, voice, identity, and agency needed to exercise those rights fully. Legal empowerment thus becomes both a development approach and a pathway to gender justice, aligning with the aims of this thesis. This also prepares the ground for the following section, which argues that women's legal empowerment in KSA must incorporate both objective and subjective dimensions to reflect the context's uniqueness.

5.5 Conclusion: Subjective Legal Empowerment

It is crucial to note that women's legal empowerment encompasses an internal process that involves women believing in their abilities to resolve issues and make informed decisions, and external strategies that relate to their capacity to implement and express the knowledge, information, skills, and capabilities acquired during the empowerment process.⁵⁴¹ While objective legal empowerment focuses on the existence of laws, institutions, and support mechanisms, subjective legal empowerment concerns how women perceive their ability to act, solve legal problems, and make meaningful choices. Both dimensions are interdependent: effective strategies, legal reforms, accessible services, and supportive environments build women's confidence, while women's confidence determines whether they will use the law to protect their rights.⁵⁴² In the Saudi context, where rapid change is underway, subjective legal empowerment is especially critical. When legal reforms are properly implemented, communicated, and aligned with cultural values, they strengthen women's belief in their capacity to rely on the law. Conversely, inconsistent enforcement, weak institutional performance, or lack of awareness erodes confidence, even when strong laws exist. Initiatives such as legal education programmes, legal aid centres, and accessible support services therefore play a dual role: they provide knowledge while simultaneously reinforcing self-efficacy.

Bandura's theory of 'self-efficacy' supports this contention. It focuses on self-confidence; the belief that a person can take the necessary steps to achieve a specific goal.⁵⁴³ Self-efficacy shapes how individuals confront problems and the choices they make to resolve

⁵⁴¹ Ruth Parsons, 'Empowerment for Role Alternatives for Low Income Minority Girls: A Group Work Approach. Social Work with Groups' (1988) 11 Social Work with Groups 4.

⁵⁴² Albert Bandura, *Self-Efficacy: The Exercise of Control* (New York: W.H. Freeman 1997).

⁵⁴³ Ibid

them. This inner strength is shaped by external strategies that can enhance this confidence, making them more likely to address their challenges.⁵⁴⁴ Subjective legal empowerment reflects women's state of mind, their belief in themselves and their ability to solve legal problems. While this mindset is necessary, it is essential to approach confidence with caution. Several studies have shown that overconfidence can negatively impact performance⁵⁴⁵; this confidence or 'perceived self-efficacy'⁵⁴⁶ must be accompanied by the skills and strategies necessary to act effectively. Overconfidence without the required competence can undermine outcomes. Therefore, building subjective legal empowerment in KSA should begin with assessing women's existing self-efficacy and developing their practical skills through education, training, and ongoing support. This ensures that women not only feel capable but are genuinely equipped to act as agents in their own lives. Subjective legal empowerment is a state of mind that is measurable and observable at the individual, group, and societal levels; its measurement can be used to assess and compare the impact of different legal interventions.⁵⁴⁷ In KSA, the extent to which Saudi women independently use courts, labour offices, or Ministry of Justice platforms indicates how empowered they feel. Moreover, subjective legal empowerment is connected to women's 'power'. Although the root 'power' of legal empowerment has been contested, it remains a crucial element for this study. According to Kaber, for an individual to be empowered, they must first be disempowered. Golub emphasises that the distribution of power is significant; for instance, women experiencing domestic violence are less likely to address their problems if they believe the other party holds more power. This situation is analogous to that of employees whose rights have been violated or who have been unfairly dismissed—they are less likely to seek justice when they perceive a

⁵⁴⁴ Ibid; Albert Bandura, *Self-Efficacy in Changing Societies* (Cambridge: Cambridge University Press 1995).

⁵⁴⁵ Suzie Kardong-Edgren, 'Bandura's Self-Efficacy Theory: Something is Missing' (2013) 9 *Clinical Simulation in Nursing* 9.

⁵⁴⁶ Albert Bandura, 'Social Foundations of Thought and Action: A Social Cognitive Theory' (1986) In David Marks (ed) *The Health Psychology Reader* (Sage Publication Ltd 2002) 94.

⁵⁴⁷ Gramatikov and Porter (n 193).

significant power imbalance and a lack of support. Thus, power dynamics are important, even within the rule-of-law orthodoxy; access to legal aid, justice, and resources is intended to address this imbalance between the disadvantaged and the elite. An empowered person is the ‘one who sees his or her position in an important relationship as not less powerful than the position of the other party’⁵⁴⁸. Subjective legal empowerment, therefore, involves women viewing themselves as equals to the other party when navigating the resolution of their problems.

The significance of examining subjective legal empowerment lies in understanding how it can be feasibly measured. An individual's sense of power can be reduced or enhanced depending on various factors, including time and place. For example, economic changes may affect the relationship between employees and employers. Similarly, a change in location, such as relocating to another country, can affect a person's sense of empowerment. Likewise, a change in a woman's income, such as getting a job and contributing to the household, is likely to alter family relationships, potentially leading to her involvement in family decisions. To be subjectively empowered, a woman, whether as a worker or a family member facing a problem, may not know her legal rights, but she would be committed to exploring her options and taking action to improve or change her situation.⁵⁴⁹ In contrast, objective legal empowerment refers to the existence of organisations and institutions that provide the strategies necessary to empower the disadvantaged. While these organisations may aim to effect change, they may not achieve significant results for the target groups, who might still feel disempowered despite the organisations’ efforts. Consequently, legal empowerment can be assessed both subjectively and objectively and because subjective empowerment is task-specific⁵⁵⁰, assessing Saudi women’s

⁵⁴⁸ Ibid

⁵⁴⁹ Ibid

⁵⁵⁰ Ibid

perceived ability to address workplace legal issues provides crucial insight into their actual empowerment.

In conclusion, by discussing the meaning and importance of subjective legal empowerment to be recognised alongside objective legal empowerment in improving women's employment situation in KSA, and drawing on Kabeer, Cornwall, development theory, and Islamic feminist principles, this chapter developed a framework appropriate for the Saudi context. Kabeer's emphasis on resources, agency, and achievements—combined with Cornwall's insights on self-awareness and collective power—provides a foundation for understanding how women navigate constraints. Feminists and Islamic feminists also capture specific dimensions of women's empowerment and integrate lessons from CLEP. Overall, the chapter highlights how women must first feel confident, capable, and supported before objective strategies can take full effect. The discussed theories provide the foundation for a contextualised, gender-sensitive KSA legal empowerment approach that is both objective and subjective, supporting women's agency within the employment sector. The upcoming chapters cover the thesis methodology, followed by the data and outcomes presented in consecutive chapters.

Chapter Six

Methodology

Introduction

The previous chapters provided the context of KSA, the issues, constraints, and solutions suggested by the literature and the country to empower women in employment. They proposed legal empowerment as a strategy to enhance the economic participation of Saudi women, setting the stage for this study from background to scope and structure. This chapter outlines the thesis's methodology, the primary data collection and analysis design that will support its objective, and the presentation of the findings. An empirical research design was carefully chosen to meet the thesis's objectives, incorporating both positivist and interpretivist research philosophies and both deductive and inductive approaches. This methodological blend was crucial for a comprehensive examination of the societal context in KSA, providing insights into how Saudi women make their decisions and participate in the economy. The study offers extensive, in-depth insights into women's access to and barriers to employment, making it the first empirical study in this context. The survey's quantitative, closed-ended questions enabled the collection of substantial, valid, reliable, and unambiguous information that can be generalised through numerical data analysis.⁵⁵¹ Conversely, the qualitative open-ended questions, through direct observation and interaction with the participants, provided a deeper understanding of the reasons behind Saudi women's low participation in the workforce, uncovering the underlying social dynamics that contextualise the quantitative findings. This mixed-methods approach was adopted to ensure that each method enhances the other, creating a robust framework for analysis and effectively addressing the research questions. By

⁵⁵¹ John W. Creswell, *Research Design Qualitative, Quantitative, and Mixed Methods Approaches* (Third Edition. Sage 2009).

integrating mixed methods, the study was able to collect stronger evidence and emphasise participants' views more effectively. Some barriers and influences affecting Saudi women's decisions could only be identified through this mixed-method approach, as relying on a single method would not yield the granular results sought due to the subject's sensitivity among Saudis. Overall, this integration strengthened the study beyond what qualitative or quantitative research could achieve independently.⁵⁵²

The primary data were collected through survey questionnaires distributed to Saudi nationals in KSA. Content analysis was chosen as the ideal tool for this research because it effectively describes individuals' psychological states, identifies their intentions, focus, and communication, and analyses open-ended questions to complement quantitative data.⁵⁵³ Several studies have successfully adopted this approach for similar purposes.⁵⁵⁴ This research aims to extract cultural insights from KSA's society, understand human thoughts, and analyse the use of language in the context of women at work in KSA. These methodological choices address the scarcity of qualitative research on Saudi women in the economy, assess the impact of legal reforms on their situation, and evaluate the effectiveness of feminist and developmental approaches in leading to their legal empowerment in the economic sector. This chapter begins by explaining the rationale for selecting the data collection methods and design, outlining the research paradigm, type, and methodology employed to address the research question. It details the techniques and tools for data collection regarding construction, sampling, timing, and the questionnaire's structure and questions. The chapter also focuses on data analysis techniques,

⁵⁵² John W Creswell & Vicki L. Plano Clark, *Designing and Conducting Mixed Methods Research* (Thousand Oaks, CA: Sage 2007).

⁵⁵³ Hsiu-Fang Hsieh and Sarah E. Shannon, 'Three Approaches to Qualitative Content Analysis' (2005) 15 *Qualitative Health Research* 9.

⁵⁵⁴ E.g. Frederieke Ten Kleijja and Pieter A.D. Musters, 'Text Analysis of Open-Ended Survey Responses: A Complementary Method to Preference Mapping' (2003) 14 *Food Quality and Preference* 43; Lisa McKenna, Ingrid Brooks and Rebecca Vanderheide, 'Graduate Entry Nurses' Initial Perspectives on Nursing: Content Analysis of Open-Ended Survey Questions' (2017) 49 *Nurse Education Today* 22.

discusses the pilot study's validity and reliability, and concludes by examining the study's ethical considerations and methodological limitations.

6.1 Research Purpose, Design and Paradigm

This research aims to identify the barriers to women's participation in the KSA economy, incorporating cultural, economic, social, and legal factors identified in the literature review chapters. This section outlines a structured approach to the study, with planning and execution of each component. To effectively address its objectives, the research employs a survey-based method to gather insights from a diverse sample of Saudi nationals, ensuring a broad range of perspectives on the challenges women face in the workforce. The survey is designed to align with the research purpose, facilitating both content and statistical analysis, data extraction and objective conclusions. A coherent set of procedures consistent with Bryman's framework is followed⁵⁵⁵, ensuring a clear structure for the chosen mixed-methods strategy. This thesis aims to identify barriers to Saudi women's employment and factors influencing their agency and decision-making. It also recommends legal empowerment strategies to enhance women's economic participation in alignment with local social and religious values; thus, it fulfils Bryman's first dimension by establishing causal connections between these variables. The second dimension is addressed as findings can be generalised to the broader context of Saudi women in the labour market, aided by structured survey responses. Additionally, focusing on the unique social context of the KSA meets the third dimension, deepening insights into the employment challenges and opportunities for women. Lastly, temporal changes are tracked through survey questions, allowing for an understanding of evolving social phenomena and their interconnections, thus fulfilling Bryman's final research design function.

⁵⁵⁵ Alan Bryman, *Social Research Methods* (4th Ed. Oxford University Press 2012).

The framework also provides a robust theoretical and practical foundation by linking Kabeer's theory of agency, Inglehart's modernisation theory, and self-efficacy theory to the study's outcomes. It also highlights the research's reliability and validity, ensuring data accuracy through structured qualitative and quantitative methods and careful sampling strategies. Moreover, ethical considerations, including participant consent and confidentiality, were strictly adhered to maintain transparency. By adopting a pragmatic philosophical approach, the design focuses on identifying effective empowerment strategies for women in KSA, acknowledging the unique cultural, social, and legal challenges they face, which may differ from those faced by other populations. It allows for a comprehensive examination of barriers and opportunities in the labour market, which is essential for drawing valid conclusions about women's legal empowerment strategies.

The research design, illustrated in the table below, is organised into two stages. The first involves a quantitative study that focuses on participant numbers and percentages, as well as their perspectives on specific employment areas through closed-ended questions. The second stage utilises open-ended questions to elicit participants' views, experiences, and understanding of the social context related to the subject. The research setting is the KSA, a location where the phenomenon is frequently observed, with the expectation that participants have experience regarding Saudi women and employment. This approach is chosen to uncover the factors that encourage or hinder women's participation in the economy and to comprehend their views and aspirations regarding employment.

Table. 3

Research Design	
Aspect	Approach
Paradigm	Pragmatism
Approach	Qualitative and quantitative

Methodology	Mixed method
Tools of collecting data	Questionnaire survey
Participants	Saudis in KSA
Method of analysis	Content analysis (SPSS), value allocation (Excel)

During the design phase of the research, limitations were acknowledged, particularly regarding the sensitive nature of legal empowerment in KSA, especially as it relates to gender issues. This sensitivity presents challenges for researchers⁵⁵⁶, contributing to the limited body of work on Saudi women's employment. In light of this, the data collection approach was adapted to encourage participation; questions were framed as neutral and general, avoiding legal jargon and culturally sensitive examples.⁵⁵⁷ This strategy aimed to mitigate potential social desirability bias, in which participants might provide socially acceptable answers rather than their genuine opinions.⁵⁵⁸ The questions focused on women's confidence, adaptability, and decision-making abilities, which are crucial to understanding the practical legal empowerment needs of Saudi women. However, this broad approach may have led to less specific responses, which could limit insight into certain legal and cultural barriers. Despite these challenges, open-ended questions were included to capture more nuanced perspectives, and the comment sections helped compensate for these limitations.

The study's participant pool was limited due to time constraints, yet the findings are considered indicative of broader Saudi views and experiences. Moreover, the mixed-methods approach provides a balance between the depth and breadth of data. However, it's essential to

⁵⁵⁶ E.g. Aldossari and Chaudhry (n 115); Mobaraki and Söderfeldt (n103).

⁵⁵⁷ Martyn Denscombe, *The Good Research Guide for Small Scale Research Projects* (2^{ed} Ed., Maidenhead: Open University Press 2003).

⁵⁵⁸ E.g. Yeslam Al-Saggaf & Kirsty Williamson, 'Online Communities in Saudi Arabia: Evaluating the Impact on Culture Through Online Semi-Structured Interviews' 5 Forum Qualitative Sozialforschung Forum: Qualitative Social Research 3; Lawrence Neuman, *Social Research Methods: Qualitative and Quantitative Approaches* (Pearson Education Limited 2014).

acknowledge that qualitative questions may not fully capture the diversity of experiences among Saudi women, given the limited sample size across various regions, age groups, and socioeconomic backgrounds. This is a standard limitation of qualitative research: it cannot generalise findings to broader populations as confidently as quantitative analyses.⁵⁵⁹ Nonetheless, the mixed-method approach allows qualitative methods to enhance quantitative ones, compensating for each other's limitations. This method, along with triangulation, provides a more robust knowledge base for legal empowerment research than any single data-collection method.⁵⁶⁰ Finally, while the mixed-methods approach provides comprehensive analysis, it is certainly more complex to design and execute than a singular method. It requires additional time, resources, and expertise to collect and analyse the data.⁵⁶¹ Overall, despite the limitations noted above, this thesis offers valuable insights into the barriers to women's economic participation in KSA, contributing to discussions on legal empowerment and gender equality in the region. The findings are expected to be highly significant given the scarcity and lack of comparable research on this topic in KSA.

The three main research paradigms are Positivism, Constructivism/Interpretivism, and Pragmatism. This research adopts a pragmatic perspective, in contrast to positivism, which views the social world as governed by natural laws and seeks objective truth through quantitative methods, such as experiments and surveys.⁵⁶² Positivist analysis is deductive, starting with a hypothesis that is confirmed or refuted by observation. In contrast, constructivism emphasises subjective realities shaped by participants' perspectives, with researchers actively engaging with them. Constructivists adopt a relativistic ontological stance,

⁵⁵⁹ Norman K. Denzin and Yvonna S. Lincoln, *Handbook of Qualitative Research* (2nd ed. Sage 2000).

⁵⁶⁰ Goodwin and Maru (n 3).

⁵⁶¹ E.g. Vicki L. Plano Clark and Nataliya V. Ivankova, *Mixed Methods Research: A Guide to the Field* (SAGE Publications 2015).

⁵⁶² Adil Abdul Rehman & Khalid Alharthi 'An Introduction to Research Paradigm' (2016) 3 International Journal of Educational Investigations 8.

acknowledging that culture and experiences influence observed reality, leading to varied conclusions. They employ qualitative methods, such as interviews and case studies, deriving theories inductively from the data.⁵⁶³

The employed pragmatic paradigm prioritises actions and situations over prior conditions, allowing for a flexible approach to research problems.⁵⁶⁴ Pragmatism acknowledges multiple realities, enabling both subjective and objective epistemologies, and it does not restrict itself to a single methodology. Instead, it encourages the use of various methods suited to the research objectives, incorporating both qualitative and quantitative approaches to address the complexities of the social phenomenon.⁵⁶⁵ This approach is particularly relevant for exploring the social dynamics behind women's low participation in the economy in KSA. Pragmatism is particularly suitable for this research for several reasons. It emphasises the provision of practical solutions, aiming not only to identify barriers to women's employment but also to recommend strategies for legal empowerment that encourage economic participation. Additionally, the use of mixed methods aligns with pragmatism's flexibility, as it combines quantitative data on women's participation with qualitative data to interpret their experiences through a single tool: the survey questionnaire. This approach is ideal for extracting both types of data, given the nature of this research, which overcomes the limitations of traditional qualitative methods. Pragmatists use the best available tools to answer research

⁵⁶³ Egon G. Guba & Yvonna S. Lincoln, 'Paradigmatic Controversies, Contradictions, and Emerging Confluences' in Norman K. Denzin & Yvonna S. Lincoln (Eds.) *The Sage Handbook of Qualitative Research* (3rd Ed, Thousand Oaks, CA: Sage 2005); Louis Cohen, Lawrence Manion & Keith Morrison, *Research Methods in Education* (6th Ed. New York: Routledge 2007).

⁵⁶⁴ Gretchen Rossman & Bruce Wilson, 'Numbers and Words: Combining Quantitative and Qualitative Methods in a Single Large-Scale Evaluation Study' (1985) 9 *Evaluation Review* 5; Michael Quinn Patton, *Qualitative Research and Evaluation Methods* (3rd Ed. Thousand Oaks, CA: Sage 2002).

⁵⁶⁵ E.g. John W. Creswell, *Research Design Qualitative, Quantitative, And Mixed Methods Approaches* (Fourth Edition. Sage 2014); Cleo Cherryholmes, 'Notes on Pragmatism and Scientific Realism' (1992) 21 *American Educational Research Association* 6; David Morgan, 'Paradigms Lost and Pragmatism Regained: Methodological Implications of Combining Qualitative and Quantitative Methods' (2007) 1 *Journal of Mixed Methods Research* 1.

questions, regardless of methodological tradition. Furthermore, pragmatism is outcome-oriented, making it particularly suitable for this research, which aims to provide actionable recommendations.

To be more specific, the research adopts a pragmatic, interpretive framework, employing mixed methods to provide a holistic understanding of women's participation in the Saudi economy and to offer actionable recommendations for enhancing their involvement. Some limitations of the pragmatic paradigm were experienced, starting with the time required to prepare, conduct the study and interpret the results; compared to traditional paradigms. Some of the data were difficult to interpret and reconcile with other questions, and some participants provided conflicting views. Nonetheless, its advantage is apparent due to the nature of the study and the sample group the research dealt with; the study had to shift from its original direction of a qualitative interpretive study to pragmatism to overcome the limitations of traditional methods, including issues of consent for interviews and voice recording, and focus more on the outcome. The methodology utilised is discussed next.

6.2 Methodological Approach and Strategy

This thesis adopts a mixed-methods strategy, a concurrent non-experimental design, in which quantitative and qualitative data are combined to provide a comprehensive analysis of the research problem.⁵⁶⁶ This approach was chosen based on the nature of the research problem, the issues confronted, and the target audience. A combination of open-ended and closed-ended questions was formulated in a questionnaire to overcome cultural and institutional barriers to implementing large-scale qualitative data, allowing for the simultaneous collection of data

⁵⁶⁶ Creswell (n 551).

through a single tool. This strategy is practical given the topic's sensitivity, which requires discretion and careful data collection. The questionnaire helped alleviate the pressure of face-to-face interviews, putting participants at ease. Ultimately, the required sample was obtained, data were collected, and the tool effectively fulfilled the study's purpose.

Commonly, sociolegal research employs various single-method approaches⁵⁶⁷, each with its own strengths and weaknesses. Some argue that qualitative data collection methods are superior at capturing contextual complexities, particularly the impact of legal empowerment interventions on people's lives. However, the mixed-methods approach provides a more comprehensive understanding based on research that maps evidence on legal empowerment studies.⁵⁶⁸ Among the advantages of this approach is that it enabled the collection of a substantial amount of information using a single tool, making it easier to obtain participants' consent than with interviews. Moreover, participants appeared more comfortable in their responses, and any limited data were effectively supplemented by subsequent clarifications in the open-ended questions. The pragmatic paradigm enabled testing of feminist theories of agency and developmental strategies for women's legal empowerment through a questionnaire survey that examined relationships among variables, using statistical tools in a quantitative approach. It also seeks to understand and explore the meanings participants ascribe to social phenomena and human issues, mainly the nature of patriarchal practices in KSA and why they exist, the economic dynamics between women and their families, and women's limited participation in the workforce.⁵⁶⁹ This technique of employing open-ended questions facilitates discourse and encourages a free flow of information while remaining focused on the research

⁵⁶⁷ E.g. Alfarasani and Mohammad (n 238).

⁵⁶⁸ Goodwin and Maru (n 3).

⁵⁶⁹ Creswell (n 566).

questions.⁵⁷⁰ It also allows for in-depth investigation of the phenomenon and detailed individual perspectives and experiences on the matter.

Regarding the research method, women's empowerment has been measured, quantified, and described in various ways, depending on the nature of the research topic.⁵⁷¹ Questionnaires are among the most common methods widely valued in the field of legal empowerment⁵⁷² as they are economical and efficient in terms of time, resources, and effort. Some studies have combined face-to-face interviews with questionnaires and secondary data to measure women's empowerment in developing countries⁵⁷³, but this thesis was best served by using questionnaires alone. The chosen indicators were deemed most suitable for the context of KSA as they are set to gain a comprehensive understanding of the current state of Saudi women's education, employment status, the barriers they face before and in employment, their level of legal empowerment, and the effectiveness of existing legal reforms, in addition to their expectations of legal empowerment strategies. One of the most apparent challenges was the complexity of measuring progress across multiple dimensions, given the diverse cultural and situational contexts. Such complexity was addressed through mixed methods, the development of context-specific indicators, and the inclusion of intersectionality across participants based on age, education, socioeconomic status, and region. In doing so, the thesis underscores the significance of its contribution to the empirical understanding of women's legal empowerment in a developing country where significant progress remains to be made; additionally, it covers

⁵⁷⁰ Steinar Kvale, *Doing Interviews* (Sage Publication 2007).

⁵⁷¹ E.g. Simeen Mahmud, Nirali M. Shah and Stan Becker, 'Measurement of Women's Empowerment in Rural Bangladesh' (2012) 40 *World Development* 3.

⁵⁷² Goodwin and Maru (n 3).

⁵⁷³ Shamsun Nahar and Cecilia W. Mengo, 'Measuring Women's Empowerment in Developing Countries: A Systematic Review' (2022) 34 *Journal of International Development* 2.

the demographic characteristics of KSA, which have not been extensively articulated empirically or theoretically.⁵⁷⁴

The questionnaire was bilingual in Arabic and English; it accommodated those who did not speak either language, facilitating the researcher's analysis. The questionnaire included yes/no, multiple-choice, and open-ended questions to encourage participants to share their thoughts, opinions, and feelings about women's agency and employment. The research's epistemological position was subjective, resulting in value-mediated findings. Lastly, the questionnaire design prioritised participant privacy and security, as well as the researcher's safety, as essential to completing the study. Several precautions were undertaken to ensure the researcher would not find themselves in a compromising situation that could lead to allegations of impropriety, such as securing the University and Ministry's ethical research approvals and acquiring access passes from the organisations. The research design also minimised risks associated with social interaction, transportation challenges, or potential psychological or physical harm. Finally, budgetary considerations were made regarding time spent on fieldwork, transport needs, and necessary training courses. Finally, employing such a questionnaire, incorporating diverse theories, necessitated careful attention to validity and reliability factors, beginning with triangulation, as discussed in the next section.

6.3 Triangulation

Given the complexity of Saudi women's work situation, a mixed research approach was adopted, requiring triangulation to enhance the validity, reliability, and accuracy of the findings

⁵⁷⁴ Presser and Sen (n 190).

by using multiple methods, resources, or theories to investigate a single phenomenon.⁵⁷⁵ It is commonly utilised in social studies and holds particular significance in feminist research, which has contributed to mixed-methods research and, at the same time, employed mixed-method approaches to promote their goals.⁵⁷⁶ Both methodological triangulation and theory triangulation are applied in the study. The methodological triangulation was intra-method, using two techniques of the same method⁵⁷⁷: qualitative open-ended questions and quantitative closed-ended questions within the questionnaire. This integration enabled a more nuanced understanding of women's economic participation in KSA and facilitated cross-validation of responses across different question types. Methodological triangulation ensured consistency across data collection techniques, thereby confirming the credibility of the findings. The thesis demonstrated that the barriers faced by women in KSA, their agency, and the impact of legal reforms—gathered as qualitative data—align with the participants' quantitative responses. This alignment provides a holistic understanding of the effectiveness of legal empowerment strategies in addressing the challenges women face in the country.

Theory triangulation was also applied to this study. It is understood as the application of various theoretical frameworks to understand and analyse data.⁵⁷⁸ To ensure a reliable and diverse construction of realities within this thesis, theory triangulation was achieved by applying various feminist theories, such as Naila Kabeer's on agency and development, examined in Chapter Five, including WAD theories and Inglehart's modernisation theory. These differing theories aided the analysis of the low economic participation of Saudi women

⁵⁷⁵ Michael Quinn Patton, 'Enhancing the Quality and Credibility of Qualitative Analysis' (1999) 34 *Health Services Research* 5 (2); Norman Denzin, *The Research Act: A Theoretical Introduction to Sociological Methods* (Taylor & Francis 2017).

⁵⁷⁶ Abbas Tashakkori & Charles Teddlie (Eds.), *SAGE Handbook of Mixed Methods in Social & Behavioral Research* (2nd Ed. SAGE Publications 2010).

⁵⁷⁷ Denzin (n 576).

⁵⁷⁸ Denzin (n 576).

from multiple perspectives. This research examines new empowerment strategies in women's employment settings in KSA. It employs feminist theory to understand the subjective reasons behind women's Power Within and the legal empowerment strategies that have adopted, as well as developmental theories to understand how economic, social, and political realities influence the adoption of such techniques. By applying both sets of theories, the study presented a more nuanced understanding that addresses both the process of legal empowerment and the contextual influences of its application. Overall, the adoption of theory and methodological triangulation strengthened the study's approach, reducing potential weaknesses. Through multiple techniques and triangulation, the thesis offered a more valid representation of the phenomenon under study than any single technique could. Triangulation, combined with the literature review chapters that analysed the literature and secondary data on the topic using both qualitative and quantitative methods, enhanced the validity and reliability of the research findings and contributed to the triangulation design.

6.4 The Pilot Study

A pilot study was conducted before the primary research phase. The pilot was instrumental in evaluating the study's sufficiency in design, structure and data collection methods, as well as estimating the quality of the data obtained. The questionnaire underwent rigorous testing for ambiguous or misleading items. The pilot test provided valuable insights into the questions of interest, allowing ample time for adjustments based on feedback from the pilot sample. Such refinements increased the likelihood of obtaining clear and accurate responses from the main study participants, facilitating a smoother analysis phase.⁵⁷⁹ Before initiating the pilot study, the research questions, study purpose, methods, and schedule were

⁵⁷⁹ Judith Bell and Stephen Waters, *Doing Your Research Project: A Guide for First-Time Researchers* (McGraw – Hill Education 2014).

thoroughly reviewed and finalised. A final translated draft of the questionnaire was distributed to six potential participants who matched the target population profile. They were asked to assess the questionnaire's length, design, and clarity, as well as whether any questions were sensitive or likely to cause reluctance in answering. Crucially, their understanding of the wording was evaluated, given the questionnaire's dual language, to ensure that their interpretation aligned with the study's intent. Participants offered constructive feedback leading to necessary modifications.

Additionally, the pilot study examined the feasibility of the research by evaluating the inclusion and exclusion criteria for the targeted participants. Information sheets and consent forms were sent with the survey, expressing gratitude and inviting comments and recommendations. Consent was obtained from all six participants before proceeding with the survey. The pilot study aimed to include five participants; an additional invitation was extended to a sixth if no one responded. This pilot study was conceived as an internal test, intended to be integrated into the main study without alterations. It was designed to minimise the number of participants needed for data collection and shorten the overall duration of that process.⁵⁸⁰ Nevertheless, because of changes in question formation and required response methods, the pilot study was treated as an external study, independent of the main research. This distinction helped avoid biases associated with deciding whether to include or exclude pilot data after it was collected.⁵⁸¹ The external pilot was crucial for generating information to inform the best approach to conducting the main study, allowing modifications to the study design, structure, questions, or participant selection based on the pilot results.

⁵⁸⁰ Junyong In, 'Introduction of a Pilot Study' (2017) 70 Korean Journal Anesthesiol 6.

⁵⁸¹ Queen Mary University of London, 'Introduction to Pilot and Feasibility Studies' <<https://Pilotandfeasibilitystudies.Qmul.Ac.Uk/Introduction/>> accessed 28th May 2023.

Overall, the pilot trial was conducted in KSA, and it ran from April 15, 2023, to May 8, 2023. Key outcomes indicated that the questions were clear, easy to understand, and flowed effectively. Some pilot participants noted that accessing the Google Form required a Google account, so the researcher ensured the survey was designed to allow any participants with the link to respond. Google Forms was chosen because it allows recipients direct access; they do not need Google accounts, and their email addresses are not collected. Additionally, some of the multiple-choice questions were modified, and the wording of certain open-ended questions was revised for clarity. The results from this stage were valuable, highlighting the importance of the training received in methodology and data analysis.

6.5 Data Collection

6.5.1 Introduction to the Literature Review

The literature review, from Chapters Two to Five, played a critical role in preparing for the fieldwork and data collection phase of this research. These chapters laid the foundation for understanding the current state of research on women's empowerment in KSA, which helped identify gaps in the literature and shape the subsequent fieldwork investigation. The initial data collection phase involved a comprehensive analysis of the country's ongoing legal reforms, followed by an examination of the barriers women face in utilising these reforms to participate in the economy, as detailed in Chapter Four. Furthermore, the literature review directly influenced the design of the data collection methods and research tools. Through critical analysis of previous studies in Chapters Two, Three and Five, foundational and pertinent data were gathered on the patriarchal structures that shape Saudi society, as well as the impact of feminism and development theories on this issue. As a result of this review, primary areas of

inquiry were identified, and key questions for the questionnaire were developed. Additionally, prior studies have underscored both the consistency and divergence of findings across cultural contexts, notably Kabeer's theory of agency and the CLEP's developmental and empowerment approaches, as discussed in Chapter Five. This analysis allowed for an evaluation of the most effective research design for data collection and interpretation. A systematic process was employed in the literature review, where works were categorised based on their relevance to the research questions. This approach enabled a better understanding of how women's empowerment manifests across countries and revealed effective strategies tailored to regional needs. The contributions from the CLEP provided valuable guidelines and practical insights that were crucial during the fieldwork phase. In conclusion, this critical integration of earlier research not only shaped the methodology but also ensured a structured and theoretically informed approach to data collection

6.5.2 Sampling Strategy

The sample for this study was drawn from Riyadh, KSA, due to its unique socioeconomic position as the capital, large population, diverse employment opportunities, and central role in national policy implementation.⁵⁸² Riyadh's significant development initiatives, aligning with G20's sustainable development agenda, which emphasises 'Empowering People, by creating the conditions in which all people – especially women and youth – can live, work and thrive'⁵⁸³ and Vision 2030, which focuses on planning careers nationwide, make it ideal for studying the impact of legal reforms on women's empowerment. The diverse participants,

⁵⁸² Ministry of Municipal and Rural Affairs, 'CPI PROFILE – Riyadh' The Future Saudi Cities Programme; United Nations Human Settlements Programme (UN-Habitat) <https://unhabitat.org/sites/default/files/2020/04/cpi_profile_for_riyadh_2019.pdf> accessed 26th July 2025.

⁵⁸³ UNDP, UNDP Saudi Arabia Report 2022 – 2023' <<https://www.undp.org/saudi-arabia/publications/undp-saudi-arabia-report-2022-2023>> accessed 4th September 2024.

residing in this rapidly transforming city, provided valuable insights into the evolving roles of women in society and employment. They were anticipated to have observed women's situation in society and employment and explore new strategies for legal empowerment; thus, using a Riyadh-based sample is justified, despite potential concerns about representativeness. Riyadh accounts for 69.3% of KSA's total population⁵⁸⁴, suggesting that its residents can provide a reliable reflection of national trends, and the relatively homogenous religious, linguistic, and cultural values across KSA mitigate generalisability limitations. Therefore, despite geographic limitations, the sample provided rich and contextually relevant perspectives on women's experiences and potential strategies for legal empowerment. While the sample is not statistically representative of all Saudi women, its location and diversity of experiences justify its use for analytical rather than statistical generalisation.

The selection of a hundred participants was deliberate, based on the study's scope, approach, analytical methods, available resources, and supervisors' input. It strikes a balance between feasibility and the need for reliable data, providing the depth of insight required while remaining manageable within the timeline. The thesis sample size is sufficient and falls within the recommended range for this type of research. Notably, a sample of 50 participants is considered sufficient for behavioural studies, and in social science research more broadly, other scholars have determined that a range between 30 and 500 participants is typically acceptable for ensuring the validity of the conclusions.⁵⁸⁵ A larger sample would have been ideal, but impractical, while a smaller sample would have risked sampling error. Therefore, selecting a sample size of 100 follows established methodological guidelines and is suitable for generating

⁵⁸⁴ World Population Review, 'Riyadh' <<https://Worldpopulationreview.Com/Cities/Saudi-Arabia/Riyadh>> accessed 4th September 2024.

⁵⁸⁵ John Roscoe, *Fundamental Research Statistics for the Behavioural Sciences* (2nd Ed, Thomson Learning 1975); Uma Sekaran & Roger Bougie, *Research Methods for Business: A Skill Building Approach* (5th Ed. West Sussex, UK: John Wiley & Sons Ltd. 2010).

meaningful insights. By using the first 100 responses, the thesis adopted a non-probability convenience sampling, commonly used in sociolegal and gender research in contexts similar to this thesis, where access to participants is restricted. The implication of this strategy should be acknowledged. The responses were received on a subject-to-availability basis and were limited to those willing to participate; therefore, not all members of the Ministry of Health (MOH) had an equal or known chance of inclusion. Those who responded quickly might have the time and interest in the subject of the thesis, or are more engaged with the current reforms, so there is a possibility they might be of different from non-respondents in socio-economic background.⁵⁸⁶ Self-selection and its potential to introduce sampling bias were taken into consideration; however, to the context of this thesis, self-selection offered distinct advantages. Participants who chose to respond to the survey appear to have personal experiences or issues related to women's empowerment and employment. This enhances the richness of the perspectives and ensures the data genuinely reflect their realities. Given the sensitivity of the topic, self-selection allowed individuals, particularly women, to contribute voluntarily and candidly, thereby promoting the ethical suitability of the thesis design. It allowed the respondents to provide deeper insight into the obstacles women face, offer an authentic reflection on the reform's impact, and accurately identify what women perceive as solutions. This voluntary nature and ownership over their participation aligns conceptually with the theoretical framework that investigates agency and empowerment by capturing voices that are both informed and motivated to articulate their experiences, as women's and men's willingness to speak reflects their engagement with reforms. All in all, while this approach may limit generalisability, it provides depth, authenticity, and contextual accuracy that strengthen the exploratory aims of the research.

⁵⁸⁶ Mark Saunders, Philip Lewis & Adrian Thornhill, *Research Methods for Business Students* (9th ed. Pearson, 2023).

The generalisability of the statistic to the entire population is limited by the non-probability convenience sampling. It imposes limitations on external validity; however, it remains appropriate for capturing the nuanced, context-specific perspectives central to examining women's legal empowerment and barriers to economic participation in the Kingdom.⁵⁸⁷ The data provide exploratory insight into how legal, social, and economic reforms are perceived by those who voluntarily participate and were available at the time of data collection, either online or in a specific location. The survey was distributed to the research population, which consists of Saudi nationals who are currently or have previously been employed by the MOH. This decision was crucial for achieving the study's objectives and ensuring accessibility; it was also influenced by the need to adhere to strict ethical guidelines, which necessitated identifying a population that could be feasibly reached while remaining relevant to the research aims. Had the study targeted a broader population, such as all Saudi nationals regardless of association with the host organisation, the approval process would have been significantly prolonged, potentially compromising the study's timeline.

The survey was administered online via Google Forms. A link was created and distributed via e-mail, and when the researcher visited the Ministry and its institutions, it was sent again via e-mail or smartphones to willing participants. The pool includes those who were previously employed by the ministry, which resulted in 12% of participants with varied employment status as self-employed, unemployed or homemakers, which clarifies the broader spread appearing in the socioeconomic table in the finding chapter. This inclusion does not fundamentally affect the sampling frame since the link was circulated through MOH channels and social networks connected to its employees. Therefore, the sample is still best characterised as a non-probability, convenience/self-selection sample rooted in a single major public-sector

⁵⁸⁷ Alan Bryman, *Social Research Methods* (5th Ed. Oxford University Press 2016).

employer. This has several implications; the first concerns generalisation, which is primarily limited to the public sector. The MOH is an unusually large and well-structured employer that clearly adheres to labour law, unlike other private-sector employers; this stability may influence the respondent's perception of the reforms. That said, the presence of this category, which moved or left employment, provides valuable insight into the data. Their reflections on the questions are shaped by real transitions between sectors. This adds depth to the findings, even if it does not provide statistical generalisability.

It should be stressed that, because the study examines national labour law reforms, gender norms, and empowerment frameworks relevant across sectors, the results enable analytical generalisation that supports generalising findings based on theory and concepts, rather than statistical generalisation based on size. The survey focuses on women's empowerment in employment, the impacts of recent legal reforms, women's rights to work and in the workplace, gender justice, and the social norms that affect women's agency. Those issues apply across sectors, not only to MHO employees, so they can be generalised in the sense that the patterns identified might strongly appear in the private sector too. The themes are also relevant to women's empowerment more broadly than to a specific sector. Moreover, the *implications* of reforms are national, not sector-specific. Lastly, it is important to note that the 2018 privatisation programmes adopted by MOH⁵⁸⁸ brought the ministry closer to private-sector dynamics; thus, analytical generalisations definitely apply to the findings.

Overall, the research sample is representative because it includes a cross-section of the population, reflecting a broad range of perspectives and a well-balanced mix of

⁵⁸⁸ Ahmed Ali Alasiri and Viqaruddin Mohammed, 'Healthcare Transformation in Saudi Arabia: An Overview Since the Launch of Vision 2030' (2022) 15 *Health services insights* < <https://journals.sagepub.com/doi/10.1177/11786329221121214> > accessed 16th November 2025.

characteristics.⁵⁸⁹ The MOH's database provided a comprehensive sampling frame, incorporating a diverse and accessible participant pool. It facilitated easy access to contact details; the Research and Studies General Department of the MOH facilitated the survey across its various administrations and associated bodies. Additionally, the researcher's direct engagement with consenting participants ensured the collection of diverse responses, accounting for variables such as gender, age, and education level. This diversity enriches the analysis of women's employment and legal empowerment, supporting the analytical generalisation. The questionnaire is elaborated on in the sections that follow.

6.5.3 Primary Data Collection Method: Questionnaire Design and Structure

The primary tool of the study was a questionnaire developed from a review of the existing literature. It consisted of twenty questions aimed at gathering information directly from the participant, which was subsequently analysed. This tool was suitable as it enabled a large number of respondents from various locations to provide straightforward information in an open environment, encouraging full and honest answers.⁵⁹⁰ The questionnaire collected both factual information, which required little judgment, and opinion-based information, exploring respondents' values, attitudes, and views on legal empowerment in KSA. It was built on methods previously employed in several studies on women's empowerment in KSA. For example, a recent study on Saudi women's economic empowerment used a survey to identify challenges and opportunities under Vision 2030,⁵⁹¹ similar to other studies that focused on barriers to career advancement for Saudi women⁵⁹², and investigated knowledge and attitudes

⁵⁸⁹ Denscombe (n 558).

⁵⁹⁰ Ibid

⁵⁹¹ Alessa and Others (n 205).

⁵⁹² Katlin Cundiff, Abdallah M. Elamin and Katlin Omair 'Males' Attitudes Towards Working Females in Saudi Arabia' (2010) 39 Personnel Review 6.

towards women's empowerment in KSA.⁵⁹³ International projects on women's empowerment have similarly utilised surveys for data collection, such as the Namati⁵⁹⁴, the CLEP⁵⁹⁵, and the OECD, which aims to promote sustainable economic growth globally, relying on surveys to understand the relationship between labour regulations and the informal economy.⁵⁹⁶ Finally, the World Bank highlighted the use of survey-based measures of economic empowerment in its programmes, emphasising that quantitative assessments and cross-country comparisons remain limited.⁵⁹⁷

The advantages of collecting questionnaire data lie in its suitability for quantitative analysis, which enables generalisation of findings and necessitates a relatively large sample size, and for qualitative analysis, which identifies themes and recurring ideas. A combination of closed-ended and open-ended questions is considered the most effective. Given the limited research on policy-level solutions in the region, relying solely on quantitative data would have been insufficient to identify appropriate strategies for women's legal empowerment and to shape the study's recommendations. Uncovering these solutions represented a novel aspect of the research, making this explanatory method essential. The open-ended questions offered several advantages. They provided a unique opportunity to analyse the motivations behind participants' actions deeply.⁵⁹⁸ They fostered a sense of empowerment by allowing the respondents anonymity and providing a rare opportunity to express their views openly.⁵⁹⁹ The questions also allowed the researcher to gather detailed, free-flowing information regarding

⁵⁹³ Awad M Al-Qahtani, Waffa T Elgzar & Heba A Ibrahim, 'Predictors of Women Empowerment Knowledge and Attitude Among Saudi Academic and Administrative Staff: A Cross-Sectional Study' (2021) 25 *African Journal of Reproductive Health*, S1.

⁵⁹⁴ Goodwin and Maru (n 3).

⁵⁹⁵ The Commission on Legal Empowerment of the Poor (n10) 3.

⁵⁹⁶ Christian Morrisson, '*What Institutional Framework for the Informal Sector?*' (OECD Development Centre, Policy Brief No 10, OECD Publishing 1995) < <https://doi.org/10.1787/163720661354> > accessed 3 August 2025

⁵⁹⁷ Fox and Romero (n 169).

⁵⁹⁸ Manuel Kaar, *A Critical Investigation of the Merits and Drawbacks of In-Depth Interviews* (Germany: GRIN Verlag 2009) 2.

⁵⁹⁹ Paul H. Berent, 'The Depth Interview' (1966) 6 *Journal of Advertising Research* 2, 28.

experiences and perceptions. Overall, although analogous studies have provided insights into women's legal empowerment, they were conducted in different contexts and used different methods, and thus do not directly apply to Saudi women. The distinct economic, religious, and cultural dynamics in KSA, along with policymakers' beliefs and strategies, necessitated context-specific recommendations.

The questionnaire was designed to encourage participation, extract essential information from respondents, and facilitate the effective analysis and interpretation of the data. Nine steps were followed to develop the survey before distribution.⁶⁰⁰ The first step was to determine the required information. Based on the objectives outlined in Chapter One, a visualisation of the results was planned to help identify the necessary variables for the questionnaire and analysis. These indicators address gender inequalities in employment and the legal frameworks that aim to empower women. For instance, the survey data would confirm or expand upon anticipated empowerment barriers and assess the presence of women's agency in employment, as discussed in the literature review, which is crucial for the analysis. The second step was to determine the appropriate method in accordance with the research question. A survey was chosen as the tool for collecting empirical data, allowing the researcher to investigate both the meso and macro levels of social reality. At the meso level, it focused on the influence of institutions, communities, and organisations on employment policies and on the employed, which either support or hinder women's empowerment. At the macro level, the larger systemic structures were examined, including legal reforms, societal norms, and national employment policies related to women's participation in the workforce.⁶⁰¹ Including these

⁶⁰⁰ E.g. Gilbert A. Churchill and Dawn Iacobucci, *Marketing Research: Methodological Foundations* (9TH Edition, Thomson South-Western Publisher 2005); D H Stone, 'Design A Questionnaire' (1993) 307 *British Medical Journal* 1264.

⁶⁰¹ Neuman (n 559).

macro- and meso-level indicators helped clarify how long-term reforms and government strategies, alongside institutions and societal structures, affect women's employment.

The third step was the decision to conduct the survey online. Questions were formulated to be directly linked to the research objectives and to decisions about their types, including multiple-choice, yes-or-no, and comment-based questions, which were finalised. The fourth step involved determining the response format for each question. The questions were designed to be specific and concise, avoiding legal jargon, as legal rights and employment regulations can be complex. Thus, respondents' understanding ensured accurate responses, which ultimately eased the process of interpretation and analysis. The fifth step involved organising the questionnaire layout. It began with an information sheet that included the title, purpose, invitation details, researcher information, and confirmation of adherence to ethical guidelines, followed by a consent form to be acknowledged by the respondents. The close-ended questions required only a click, with 'Other' options included for customised answers. The open-ended questions also provided respondents with a space to express their opinions. Additionally, comment sections were added after each question, allowing respondents to share their thoughts in their own words rather than being constrained to predefined answers.⁶⁰² The form prevented progression until each section was complete, as fully completed responses would assist in the analysis phase. The questions progressed from general to specific and from less sensitive to more sensitive topics, concluding with a note of appreciation for participation.

The sixth step involved generating potential themes to group similar responses under broad categories that reflect key concepts. Initially, two sets of themes were created for the quantitative and the qualitative questions Table. 4 This approach was adopted with the

⁶⁰² Hugh Coolican, *Research Methods and Statistic* (London: Hodder and Stoughton 1990).

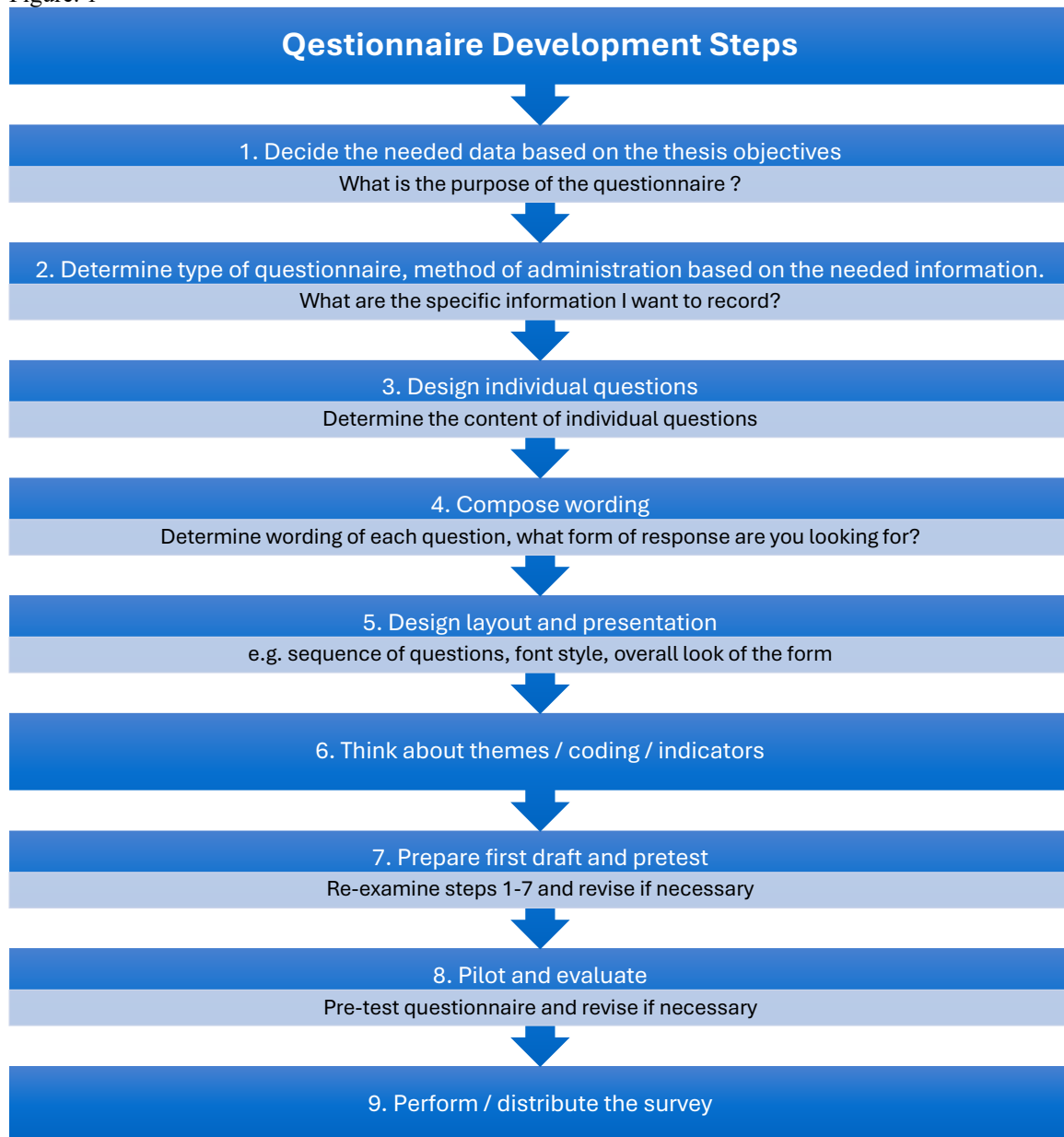
understanding that advanced coding may not always save time, particularly if the responses are unpredictable; nonetheless, it assisted in organising the researcher's plan for analysis.

Table. 4

Themes from Closed-Ended Questions	Themes from Open-Ended Responses
Demographics (Questions 1-6)	Women's Agency and Decision-Making (Questions 11-13, 20)
Employment Awareness (Questions 7-8)	Barriers to Employment (Questions 14-16)
Legal Rights Awareness (Questions 9-10)	Impact of Legal Reforms (Questions 17-19)
	Strategies for Legal Empowerment (Questions 15, 21)

At that point, the questionnaire seemed complete and ready; nevertheless, it was essential to pretest it with family or friends for feedback as the seventh step. This feedback was subsequently employed to make necessary corrections and improvements to the questionnaire form. The eighth step involved conducting a pilot study with a sample from the target population to ensure the survey's validity and reliability. The pilot study helped refine the questionnaire's indicators, particularly those measuring women's agency, legal awareness, and barriers to employment. The final step was distributing the questionnaires as arranged with the host body in KSA and monitoring the response rates. The chart below summarises the process of developing the questionnaire.

Figure. 1



In the questionnaire, closed-ended questions used various formats, particularly when the research aimed to explore multiple contributing factors, as in questions 8 and 14. A single version of the questionnaire was prepared and distributed via email and in person to the sample population. In the questionnaire, the first quantitative section collected participants' general sociodemographic characteristics and explored their views on women's awareness of employment and workplace agency. The questions also investigated participants' perceptions of the main barriers to women's access to work in KSA, the barriers to women's legal

empowerment at work, and their opinions on the regulations and reforms affecting women's agency and legal empowerment. The second part of the questionnaire was qualitative, focusing on participants' responses to open-ended questions. The main indicators categorised factors that improve Saudi women's access to employment, sources of information about their legal rights, and their views on agency and economic independence. It examines how women assert their rights at work, the relationship between employment and agency, and their opinions on women's legal empowerment in the labour sector in KSA, while also addressing barriers to women's employment.

The survey was framed within the 'context of legal needs' methodology, exploring the types of problems encountered by participants over time, how these problems affected them, and what actions they had taken or attempted, in addition to assessing the current status of these problems.⁶⁰³ From these questions, a clear picture of the participants' legal experiences and needs emerged, along with their perceptions of how likely they were to resolve their legal problems, providing insight into their level of empowerment regarding employment. The basis for measuring respondents' subjective legal empowerment was grounded in the theory of self-efficacy, discussed in Chapter Five. The legal needs methodology also enabled the measurement of the impact of specific actions, such as legal reforms, at scale and generated actionable feedback, allowing comparison of legal empowerment levels across communities.⁶⁰⁴

The survey questions address both the main and subsidiary research questions. They are designed to ensure that each question yields empirical data to evaluate the effectiveness of

⁶⁰³ Robert B. Porter, 'Subjective Legal Empowerment: A Measure of Legal Empowerment through the Subjective Perceptions of Individuals' (2016) Phd Thesis <
https://Pure.Uvt.Nl/Ws/Portalfiles/Portal/12391175/Porter_Subjective_27_05_2016.Pdf> accessed 18th May 2025.

⁶⁰⁴ Ibid

legal measures in promoting Saudi women's economic participation and to identify the principal barriers to their entry into the labour market. Q1–Q6 explore demographic characteristics, situating respondents within relevant social and employment contexts to illuminate differences in their experiences. Questions 11–13 support the main research question concerning women's agency in employment decision-making, providing evidence to assess whether legal reforms have enhanced women's autonomy and capacity for action, which is central to the thesis's investigation of personal and relational empowerment. Q14 (and its sub-items) and Q16 examine barriers to employment and legal empowerment, mapping onto the main research questions by identifying persistent social, cultural, economic, and regulatory obstacles. Q17–Q21 assess the impact of recent legal reforms on women's public and private lives, directly addressing the overarching question of how current legal measures foster empowerment at personal, relational, and institutional levels. To address the thesis's sub-questions, Q7–Q10 examine awareness of employment rights, legal rights, and sources of legal information, directly corresponding to women's capacity to engage with the law and benefit from legal reforms. Q15 (and sub-items) assess legal empowerment strategies, addressing which measures are needed to overcome existing barriers and why legal empowerment may be effective in enhancing women's economic participation. Altogether, these survey items provide a coherent empirical foundation for answering the thesis's research questions and for formulating the use of legal empowerment as a practical tool to enhance Saudi women's participation in the economy.

6.6 Data Analysis Technique

Content analysis was chosen as the primary method of analysis in this study. This research technique enables the drawing of reliable and valid inferences about text usage

contexts, incorporating both qualitative and quantitative data.⁶⁰⁵ Quantitative content analysis involves coding and counting elements within the data, while qualitative content analysis focuses on identifying patterns, themes, and meanings. Content analysis is effective in reducing large volumes of information, thereby facilitating the extraction of meaningful insights. This technique simplifies text into a limited number of content categories guided by clear coding rules.⁶⁰⁶ It adeptly manages extensive datasets, enabling the discovery of participants' focal points both individually and collectively. This thesis particularly benefited from two key advantages of content analysis. It operates directly on transcripts of human communication, a central aspect of social interaction, and combines qualitative and quantitative analysis, merging two seemingly antithetical modes into a cohesive framework.⁶⁰⁷

Content analysis was employed in the study through several steps⁶⁰⁸, beginning with familiarisation with the data to guide subsequent analysis. This involved reading the responses multiple times to fully grasp the content and confirm the initial themes before distributing the questionnaire.⁶⁰⁹ Subsequently, all complete responses were selected for analysis, while incomplete forms were excluded. Descriptive statistics were generated from quantitative responses, and qualitative responses were analysed in depth. Secondly, the units of analysis were defined by creating categories of interest to the research, such as demography, age, and gender, for quantitative data. For qualitative data, individual themes served as the units of analysis; thus, the study primarily focused on the expression of ideas.⁶¹⁰ Codes were assigned

⁶⁰⁵Klaus Krippendorff, *Content Analysis: an Introduction to Its Methodology* (4th Ed. SAGE Publications 2018).

⁶⁰⁶ E.g. Robert Weber, *Basic Content Analysis* (2nd Ed. CA: Newbury Park 1990); Leping Liu, 'Quantitative Content Analysis Methods in Instructional Technology Research: Defining, Coding, Analyzing and Modelling (DCAM)' (2022) 15 *Journal of Educational Technology Development and Exchange* 1

⁶⁰⁷ Weber (n 608).

⁶⁰⁸ E.g. Yan Zhang And Barbara M. Wildemuth, 'Qualitative Analysis of Content' <
https://www.ischool.utexas.edu/~Yanz/Content_Analysis.Pdf> accessed 15th September 2024; Johnny Saldaña, *The Coding Manual for Qualitative Researchers* (2nd Edn. Sage 2013).

⁶⁰⁹ E.g. Virginia Braun and Victoria Clarke 'Using Thematic Analysis in Psychology' (2006) 3 *Qualitative Research in Psychology* 2.

⁶¹⁰ Victor Minichiello, *In-Depth Interviewing: Researching People* (Hong Kong: Longman Cheshire 1990).

to text chunks representing a single theme relevant to the research question. It is essential to note that the themes, coding categories, and word and sentence frequencies in this study were identified manually.

Thirdly, initial coding, patterns, and themes were generated by organising the data into groups. The codes in this step represented sub-themes of the general themes identified in the previous step, Table. 5. The data were approached with several questions in mind, focusing on what barriers women face at home and in the workplace. In some instances, particularly in the comment spaces, new themes emerged from the data. As an illustration, the coded responses generated sub-themes of social, legal, and educational barriers under the category of barriers to employment. Sorting the codes into potential themes initiated the data analysis, allowing for a nuanced understanding of the issues facing women and helping identify the barriers they encounter. This phase was sorted manually using a visual representation, which was recommended as helpful.⁶¹¹ Overall, once the responses had been collected, the data were downloaded and entered into Excel spreadsheets. The responses were translated into English, reviewed, coded, grouped into themes, and then exported to SPSS for presentation and confirmation of the analysis. The data were carefully checked to avoid bias, ensuring sample adequacy and were subjected to frequency analysis.

⁶¹¹ E.g. Braun and Clarke (n 611).

Table. 5

Theme	Sub-theme	Response	Coded for
Factors that enhance Saudi women's chances and access to employment	Responsibility for Family	A woman might be responsible for herself and her family, therefore, she needs a job to maintain her life	<ul style="list-style-type: none"> - Financial needs - Money - Self-support
	Education and Awareness	Raising the level of education and awareness enhances access to better job opportunities	<ul style="list-style-type: none"> - Education - Qualification - Skills - Awareness
	Work Environment and Personality	The environment is the biggest enhancer to women in addition to her personality	<ul style="list-style-type: none"> - Work environment - Family environment/ - Agency
	Respect Between Genders	The mutual respect among both sexes	<ul style="list-style-type: none"> - Respect - Gender - Relation - Work environment
	System and Legal Support vs. Qualifications	We currently rely mostly on employing women by taking advantage of the systems and laws that support them, rather than on their academic preparation and qualification and qualifying them to required capabilities.	<ul style="list-style-type: none"> - Qualification - Experience - Legal system - Legal framework - Workplace support
		Work is a means for a woman and not an end. If the circumstances exist, she will work and if it didn't, she has a father or husband to support her	<ul style="list-style-type: none"> - Conditional - Employment - Agency

Generating Themes: What Are the Factors That Enhance Saudi Women's Chances and Access to Employment?

The fourth step involved reviewing the themes and subthemes. This step was divided into two levels: level one focused on reviewing the coded data extracts to determine whether the codes formed coherent patterns that constituted a theme, or whether the coded data did not fit

within a theme.⁶¹² In cases where the latter occurred, a new theme would be created or problematic codes discarded. Level two involved reviewing the entire dataset to ensure the themes aligned with and accurately reflected the data.⁶¹³ It was crucial during this step to establish coding rules, especially regarding synonyms, to ensure consistency across the dataset and to determine when to stop refining the coded data, specifically when it no longer added substantial value to the overall dataset. By the end of this step, the refinements were embedded in the response codes and subthemes, resulting in a clear understanding of how all themes fit within the dataset as a whole and address the research objectives. The fifth step in the data analysis process was to define and name the themes, affirming general themes based on the questions posed in the questionnaires. During this phase, the aspects of each theme were delineated, with the extracted data being not only paraphrased but also analysed for their significance and relevance. Each theme was examined individually, resulting in a short paragraph that identified the theme, the narrative it conveyed, and its connection to the broader thematic categories, while importantly addressing the questions posed in the thesis. This step primarily focused on defining the themes and their scope. Finally, a report was compiled, and the data narrative was presented concisely and coherently. Based on this, an argument related to the research question was constructed, encompassing the final analysis of the gathered data as explained in the data analysis chapter.

6.7 Reliability, Validity and Methodological Limitations

Reliability and validity are vital for the quality of this study. The use of questionnaires provided consistent procedures and outcomes when administered repeatedly at different times,

⁶¹² Braun and Clarke (n 611).

⁶¹³ Ibid

reflecting quantitative reliability, which is ‘the extent to which an experiment, test or measurement yields the same result or consistent measurements on repeated trials’.⁶¹⁴ Likewise, qualitative reliability, which pertains to the consistency of the researcher’s approach across different studies and researchers,⁶¹⁵ is ensured because the processes and strategies used enabled effective evaluation of the data, research setting, and findings. Consistency is a shared characteristic of reliability in both quantitative research, which focuses on consistent test scores, and qualitative research, which emphasises describing techniques that demonstrate or enhance reliability. Since the study presents qualitative data, proving consistency will not be as straightforward as it is for quantitative data. The latter requires comparing more than one set of data and can measure a single objective or reality. In qualitative data, the social world is ever-changing in its views, and replicability is not guaranteed. Therefore, the study’s data are considered consistent and replicable, as pragmatists would expect, since the hypothesis can be confirmed in a follow-up study.

In this mixed-methods study, reliable and consistent research results were ensured by various techniques.⁶¹⁶ Triangulation was employed using different data sources for cross-checking, as discussed in Section 6.3. Additionally, the researcher provided an unedited, low-interference description of the data, primarily in tables, before the analysis. This approach enabled readers to critically evaluate the findings and verify the results by following the researcher’s steps and procedures. Furthermore, the researcher’s position or reflexivity was clearly expressed throughout the research to help readers understand how the data were interpreted and the conclusions drawn, disclosing her assumptions and perspectives

⁶¹⁴ David Silverman, *Interpreting Qualitative Data: Methods for Analyzing Talk, Text, and Interaction* (3rd Ed. Sage 2006) 84

⁶¹⁵ Graham R. Gibbs, *Analyzing Qualitative Data* (Sage 2007).

⁶¹⁶ E.g. Creswell (n 551); Sharan B. Merriam, *Qualitative Research: A Guide to Design and Implementation* (2nd Ed. Jossey-Bass 2009); Silverman (n 165).

significantly enhanced reliability.⁶¹⁷ Further reliability procedures involved checking original and translated survey responses to ensure accuracy during translation and data entry into Excel and SPSS. Consistent definitions and meanings for codes were maintained throughout the analysis by continually comparing the data with codes and taking notes for reference. Finally, the study's reliability was enhanced by cross-checking codes, frequencies, and consistency levels, supported by SPSS to validate the data.

Regarding validity, the study's quantitative part confirmed measurement validity, as the questionnaire effectively measured the intended variables and supported meaningful conclusions from the collected data.⁶¹⁸ Additionally, the validity of the research design is confirmed by assessing the appropriateness of the research value, tools, techniques, and process, as well as the soundness of the methodology, data collection, analysis, and conclusion.⁶¹⁹ Thus, the study demonstrates both internal validity (the soundness of the research) and external validity (the generalisability of outcomes). In the qualitative part, validity is determined by the truthfulness and certainty of the findings; they accurately represent the phenomena they refer to and are supported by evidence.⁶²⁰ Recognising that there is no single truth in pragmatism and constructivism, alternative validity concepts like trustworthiness, worthwhileness, and credibility were considered. Overall, validity in quantitative research is numeric and focuses on precision and rigour, which is the thoroughness and accuracy of a study's design.⁶²¹ In contrast, qualitative research validity is semantic and

⁶¹⁷ Merriam (n 618).

⁶¹⁸ John Creswell, *Educational Research: Planning, Conducting and Evaluating Quantitative and Qualitative Research* (2nd Edition. Parson Merrill Prentice Hall 2005).

⁶¹⁹ Nahid Golafshani, 'Understanding Reliability and Validity in Qualitative Research' (2003) 8 *The Qualitative Report* 4; Mimi Mohaffyza Mohamad, Nor Lisa Sulaiman, Lai Chee Sern and Kahirol Mohd Salleh, 'Measuring the Validity and Reliability of Research Instruments' (2015) *Procedia Social and Behavioral Sciences*. Elsevier, 204

⁶²⁰ Thomas Schwandt, *Dictionary of Qualitative Inquiry* (2nd Ed. Sage 2001).

⁶²¹ E.g. Sharon Andrew And Elizabeth Halcomb, *Mixed Methods Research for Nursing and Health Sciences* (Wiley-Blackwell, London 2009).

centred on trustworthiness, ⁶²² ‘the degree of confidence that the researcher has that their qualitative data and findings are credible, transferable ... dependable⁶²³’ and confirmable. These four criteria are proposed for data trustworthiness, are recommended to be viewed collectively rather than in isolation⁶²⁴, and were used to evaluate the qualitative part of the research; all were met, as explained below.

The study employed strategies to enhance the researcher’s integrity, including contextualisation and thick description, thereby facilitating the transferability of the findings to contexts beyond this research.⁶²⁵ Moreover, the data presented throughout the research highlighted the researcher’s natural positioning and reflexivity - confirmability-⁶²⁶, allowing the reader to draw their conclusions about the researcher’s objectivity, neutrality in conducting the study, and control of bias. The findings reflected the respondents’ views without the researcher’s influence. By converging multiple sources of evidence and mitigating unwanted influences, credibility was ensured.⁶²⁷ The study ensured the findings reflected reality by applying strategies that upheld the plausibility of the results, which were verified via triangulation, minimising external influences, and ensuring a strong theoretical fit. Additionally, the strategy of prolonged engagement and persistent observation is evident in this study. It is assumed that the longer the researcher engages in the project, the more convincing her results will be, and the four-year duration certainly contributes to their validity. Lastly, as the study’s process was logical and explained in detail, the findings were stable reflections of

⁶²² Roslyn Cameron, ‘Quality Frameworks and Procedural Checklists For Mixed Methods Research’ (14th Annual AVETRA Conference 2011: Research In VET: Janus- Reflecting Back, Projecting Forward: Proceedings AVETRA. Melbourne, 2011) <
[https://static.avetra.org.au/data/resources/the_research_process /Quality Frameworks And Procedural C
hecklists For Mixed Methods Research.Pdf](https://static.avetra.org.au/data/resources/the_research_process_quality_frameworks_and_procedural_checklists_for_mixed_methods_research.pdf)> accessed 29th July 2025.

⁶²³ Andrew and Halcomb (n 623).

⁶²⁴ Yvonna Lincoln, Egon Guba, *Naturalistic Inquiry* (CA: Beverly Hills, Sage 1985).

⁶²⁵ E.g. Ibid; Egon G. Guba, ‘Criteria for Assessing the Trustworthiness of Naturalistic Inquiries’ (1981) 29 ERIC/ECTJ Annual Review Paper 75.

⁶²⁶ E.g. Lincoln and Guba (n 626).

⁶²⁷ Patton (n 565).

the reality being investigated regarding women's legal empowerment in KSA, enabling other researchers to follow the same steps and reach similar, consistent findings, thereby affirming the research's dependability.⁶²⁸ Overall, this study is reliable and valid; the content analysis was used to validate the findings, with each participant's response examined from the same perspective to ensure consistency in the approach. Their experiences were compared to identify consensus and differences, yielding trustworthy, practical, and valid results on women's legal empowerment in employment in KSA.

Regarding the research limitations, most have been discussed in detail throughout the chapter. The topic's sensitivity in the context of KSA was the main reason for method and methodology adjustments, the scope, time, and resources led to limitation on the number of participants in addition to the adoption of a mixed-method approach, which, despite being the most effective for the study's purpose, required more time, resources, and training for data collection and analysis. Each of which was thoroughly discussed in section 6.1. Another limitation discussed in subsection 6.2 was the study's pragmatic philosophy, which was complex and time-consuming; nonetheless, it proved the most suitable paradigm for the nature of the research. Furthermore, it was inevitable to encounter inherent limitations in qualitative and quantitative data collection methods; nonetheless, the use of both methods compensated for each other's shortcomings, as elaborated in section 6.2. Sampling concerns regarding the targeted population and geographical location were addressed by recognising that, although the sample does not allow for statistical generalisation to all Saudi nationals, it offers a valid and contextually appropriate basis for analytical generalisation about the experiences of Saudi women within the employment sector, serving the study's focus and scope as explained in section 6.5.2. Finally, as discussed in the previous section, the cultural and ethical values of

⁶²⁸ Lincoln and Guba (n 626).

KSA necessitated meticulous planning of the study's design, methods, and analysis. A final limitation is that, as in most studies, some potentially informative questions were missing, which could have yielded additional insights. For example, the survey did not collect information on participants' length of employment, which could possibly introduce certain analytical limitations. Such a question plays a sociolegal role in this thesis because it influences levels of experience, familiarity with institutional practices, and exposure to legal or policy changes. Lacking this information, the study could not determine whether perceptions of women's legal empowerment, reform awareness, or labour market challenges varied by career stage. To compensate, the research used participants' ages as an indicator of employment duration, which helped to extract insights into women's situations before and after the reforms. Thus, the cumulative effect of gender-related reforms over time was still relatively assessed. Overall, the outlined limitations were justified, resolved, or traded off to better serve the research objectives, maintain a balanced approach, and provide generalisable findings of significant value to women's legal empowerment. Those studies' methodological limitations have created opportunities for future research to target a broader sample population, incorporate additional data collection methods such as interviews or case studies, and potentially narrow the scope of the research.

6.8 Ethical Considerations

Fieldwork was required for data collection; therefore, the details of the data collection process were submitted to the ethics committee for approval, in accordance with the University of Essex's guidelines. The University of Essex Committee approved this study in March 2023 (ETH2223-0081), followed by approval of the ethical committee of the host institution, the MOH in KSA, in April 2023 (RB:og No:23-35E). Finally, approval from the sponsor was

obtained to facilitate data collection in KSA. The researcher completed several research ethics training sessions on December 3, 2022, and March 25, 2023.

The ethical and cultural landscape of KSA necessitated that the study be conducted in a manner that respected societal norms and values. Obtaining consent was challenging because of the sensitive nature of the issues, which led to hesitation among potential participants. The sponsoring entities highlighted perceived sensitive questions that led to some content and wording modifications to encourage more participation. A careful balance was struck to gather meaningful data while safeguarding the rights and safety of participants and the researcher, without compromising the quality of the data. To respect the respondents' right to privacy, consent and an information sheet were provided at the beginning of the questionnaires, including clarifications on anonymity, data management and safeguard, parties with access to data, and the ethical guidelines followed in this study. Participants were informed about their rights to withdraw and assured of confidentiality throughout the survey. Overall, the researcher took significant steps to be sensitive and discreet in collecting the information, addressing the study's cultural and ethical limitations. While such limitations may have impacted the depth of the study, the findings from the sample allow for cautious analytical generalisation to wider employment contexts;⁶²⁹ they reflect varied perspectives among Saudis with different employment experiences, providing rich contextual data for understanding women's experiences, strengths and needs. Significantly, accuracy, clarity, and adherence to ethical policies were ensured before administering the survey.

⁶²⁹ Al-Asfour and Others (n 255)

Conclusion

This chapter outlined the thesis's methodological approaches. To achieve its objectives, the research design integrated various components and examined both qualitative and quantitative data to thoroughly investigate the problem question. Initially, a constructivist paradigm focused exclusively on qualitative data, recognised as sufficient for the research question. However, as the study progressed, it became necessary to navigate various challenges, shifting to a pragmatic paradigm that offers broader options for data collection, interpretation, and analysis. A mixed-methods approach was integrated into the design, leading to deeper findings, and the questionnaire was confirmed as the primary tool for gathering both types of data, reflecting the study's context and nature. A pilot study was conducted to ensure high-quality outcomes for the chosen method and methodology, thereby benefiting the research by highlighting necessary modifications across all design aspects. The data underwent triangulation, validity and reliability strategies, which enhanced the results' replicability, accuracy, and generalisability. Ethical considerations were prioritised to uphold high standards of academic research integrity and to protect the rights, safety, and well-being of both the researcher and the participants. Likewise, in any study, there were limitations, which were acknowledged and navigated.

The thesis's methodology is unique because it is specifically designed to capture the socio-legal dimensions of women's employment in KSA. It offers a context-specific approach that diverges from generic empowerment studies on Saudi women, focusing particularly on KSA's legal reforms associated with Vision 2030, which aim to enhance women's participation in the workforce; this approach significantly contributes to achieving that aim. It also bridges the gap between legal rights and real-life experiences, a critical but underexplored area in Saudi

research. Additionally, the adapted mixed-methods approach provides a comprehensive perspective by balancing statistical analysis with real-life experiences, which is particularly suitable for a traditionally conservative society. This is innovative because it utilises empowerment indicators relevant to local contexts, tailoring key measures of empowerment to KSA-specific factors, such as the significance of family opinions in employment choices and the types of work environments that empower Saudi women, while also considering cultural and religious factors in the workplace. This makes it more reflective of the lived experiences of Saudi women compared to global studies that may not account for these nuances.

Furthermore, this methodology addresses cultural and ethical challenges, as gender and employment issues in the KSA require careful consideration due to their sensitivity. Using anonymous surveys with careful wording and ethical safeguards enhanced participation while respecting social norms. Lastly, there is limited prior research on the legal empowerment of Saudi women in the employment sector. This study aims to fill that gap by providing first-hand data from Saudi nationals rather than relying solely on secondary sources or international reports; it offers original insights into a growing but still underdeveloped field of study. In conclusion, this methodology makes a significant contribution to the body of knowledge by providing one of the few empirical, context-specific insights into women's legal empowerment in KSA. It adds value in several key areas, offering a context-specific socio-legal analysis that assesses whether recent labour law changes have genuinely translated into empowerment for women. It investigates the intersection of law, culture, and employment, and their effects on women's work opportunities, as existing research often isolates legal rights from the cultural and societal factors that influence their implementation. Furthermore, it employs a mixed-methods approach in a sensitive context, navigating various challenges. Finally, the findings possess practical and policy implications, as they can inform policymakers, legal experts, and

employers about the effectiveness of current laws and the barriers to implementation. This contributes to evidence-based policymaking, fostering further legal reforms and advancements that promote gender equality. Ultimately, this research establishes a foundation for future studies on legal empowerment in KSA and similar socio-legal contexts, serving as a reference for comparative studies such as with other Gulf Cooperation Council (GCC) countries. The next chapter present the empirical data results from the field with analysis, comparison with the literature and connection to the proposed strategies. It also points to new information that assists in the formation of further new strategies for women's legal empowerment in employment, the most important contribution of this thesis.

Chapter Seven

Data Results

Introduction

This research examined the role of women's legal empowerment in the KSA economy, with the aim of encouraging greater economic participation. By aligning with feminist and developmental frameworks, the study sought to devise strategies to address the specific challenges women face when entering the workforce in the country. Using a mixed-methods research design that incorporates both quantitative and qualitative data collection and analysis techniques, a survey questionnaire was constructed using a pragmatic approach. This questionnaire underwent statistical and textual analysis to provide valuable recommendations based on the findings. Having presented the literature review in the previous five chapters and the data collection method, this chapter focuses on analysing the data by presenting and discussing the survey results. Each section commences with descriptive statistics that summarise the data, facilitating understanding of the patterns and trends observed. It also provides preliminary insights into the responses through tables, showcasing average responses

and the variability among them for each variable.⁶³⁰ Subsequently, content analysis was employed in each section to identify patterns, themes, and trends within the data; inferences are drawn, cross-referenced, and compared to the discussed literature. The literature review in Chapters Two, Three, Four, and Five explored the socio-economic landscape for women in KSA, outlining the factors influencing their participation in the workforce, the barriers they encounter, the reforms enacted to enhance their situation, and the impact of these reforms on their employment participation. This chapter aims to present evidence of the economic situation of Saudi women using primary data. It begins with the quantitative data, including descriptive statistics and findings organised by themes; each theme is then followed by a detailed analysis. Next, the qualitative results for each theme are presented, followed by their analysis too. Finally, the data are analysed, compared, and synthesised to form a comprehensive conclusion for the chapter.

7.1 Quantitative Content Analysis

7.1.1 Sociodemographic Characteristics

There were 100 participants, of whom 52.00% were females and 48.00% were males. 2.00% of the participants were aged 18-24 years, 13.00% were 25-30 years, 33.00% were 31-40 years, and 52.00% were aged 41 years and older. Most participants held a bachelor's degree (56.00%), followed by a Master's (25.00%), a Diploma (9.00%), a PhD (9.00%), and those with a high school qualification (1.00%). 72.00% of the participants were married, 18.00% were single, 8.00% were divorced, and 2.00% were widowed. A total of 82.00% of participants

⁶³⁰ Parampreet Kaur, Jill Stoltzfus, Vikas Yellapu, 'Descriptive Statistics' (2018) 4 Int J Acad Med1; Adamantios Diamantopoulos and Bodo B. Schlegelmilch, *Taking the Fear Out of Data Analysis: A Step-By-Step Approach* (Thomson 2000).

were employed, 1.00% were housewives, 7.00% were self-employed, 6.00% were students, and 4.00% were unemployed.

Table. 6

Note. n = 100

Characteristic	<i>n</i>	%
Gender		
Female	52	52.00
Male	48	48.00
Age		
18 - 24	2	2.00
25 - 30	13	13.00
31 - 40	33	33.00
41 years and above	52	52.00
Education level		
High school	1	1.00
Diploma	9	9.00
Bachelor	56	56.00
Masters	25	25.00
PhD	9	9.00
Marital status		
Single	18	18.00
Married	72	72.00
Divorced	8	8.00
Widower	2	2.00
Status of Employment		
Employed	82	82.00
Housewife (no intention to work and not actively seeking employment)	1	1.00
Self-employed	7	7.00
Student	6	6.00
Unemployed (actively seeking employment)	4	4.00

Sociodemographic Characteristics of Participants

As a socio-legal research study, the questionnaire was distributed to both genders to reflect the complexities of social dynamics and to deepen the study's insights. Including men in the study, despite its primary focus on women's issues, proved beneficial as it offered diverse perspectives and opinions. This gender inclusivity not only improved the quality of the data but also boosted participants' engagement, leading to more unbiased, reliable, and generalisable findings. The study demonstrated that women's legal empowerment has

implications for wider society, impacting not only their immediate families but also their parents and siblings, highlighting the importance of such inclusivity. In the sample, a higher number of women participated, indicating a stronger connection to the topic and resulting in the collection of more of their opinions and experiences. Notably, 31% of the female participants were married, which reflects the cultural practice of early marriage, beginning at a mean age of 25 in the sample, aligning with the 26.6 years reported in statistics.⁶³¹ Out of the 31%, 27% were employed and held university degrees, possibly indicating societal preferences for educated, employed women in marriage⁶³² or a trend where women prioritise education before marriage. Perhaps, the current economic climate in KSA necessitates a double income, which drives women to seek employment or acquire a university degree if they plan to work after marriage to ensure their financial stability.

The findings reflect alignment with the statistical improvements in women's employment status in KSA. 10% of women with university degrees were unemployed, suggesting that for every hundred degree-holders, five might experience unemployment, indicating a decline in unemployment rates among educated Saudi women. Education level was surveyed because of its significance for employment, empowerment, and development. Nonetheless, the data revealed no significant differences in educational qualifications between employed, self-employed and unemployed women, suggesting that other factors influence employment decisions. Many women, including those with advanced degrees, chose to be housewives, reflecting culturally accepted norms that prioritise family and children over paid

⁶³¹ Statista, 'Mean Age of First Marriage of Women in the Gulf Cooperation Council Between 2010 and 2017, by Country' < <https://www.statista.com/statistics/1414602/gcc-mean-age-of-first-marriage-of-women-by-country/#:~:Text=As%20of%202017%2C%20the%20mean,Saudi%20Arabia%20was%2030%20years.> > accessed 7th October 2024.

⁶³² Alarabiyah News, 'Majority of Young Saudi Men Prefer Working Women for Brides: Survey' < <https://english.alarabiya.net/Perspective/Features/2014/06/22/Majority-Of-Young-Saudi-Men-Prefer-Working-Women-For-Brides-Survey#:~:Text=Marrying%20an%20employed%20woman%20is,Sunday%2C%20June%202022%2C%202014.> > accessed 5th October 2024.

employment.⁶³³ This was echoed in earlier chapters of the study, which explored societal views on motherhood and the constraints perceived in traditional gender roles, as discussed in Chapters Two and Three, and particularly under the women's Preference Theory. Notably, 1% of women with university degrees identified as housewives, a percentage expected in the sample due to the environment in which the questionnaire was distributed. Nonetheless, Self-employed women constituted 7% of the sample, which aligns with the expected percentage discussed in Chapter Three regarding women's access to financial resources and Chapter Two on the pursuit of independence. Finally, the study expected a higher number of employed participants than in other categories due to the specific location, population, and ethical considerations of the research.

7.1.2 Saudi Women's Awareness of Employment

The analysis of Saudi women's awareness regarding the importance of employment reveals some insightful trends. The descriptive analysis shows that a significant majority, 84.00% of participants, acknowledged that women in KSA are aware of the importance of access to employment. Only 13.00% felt that women were fairly aware, while a small fraction, 3%, believed they were unaware. This majority perspective did not vary significantly by gender; both groups largely agreed on women's awareness, with 'yes' and 'fairly' as the most common answers. Nonetheless, despite strong agreement on this awareness among them, males appeared to overestimate it based on their comments about the question. This might be due to their perspectives on women's empowerment in the country and the roles they have started to play in the workforce. This confirms the literature review in Chapter Two, which indicates that

⁶³³ E.g. Rshood Al-Khraif, Asharaf Abdul Salam and Mohd Fadzil Abdul Rashid, 'Family Demographic Transition in Saudi Arabia: Emerging Issues and Concerns' (2020) 10 *SAGE Open* 1.

Saudi women have garnered significant attention regarding employment over the past eight years.⁶³⁴

Age also played a role in the responses: all females aged 25-30 reported strong, consistent awareness, likely because they are young professionals who benefited from recent awareness campaigns and were presumed to be more exposed to such communications, suggesting the efficacy of these campaigns. In contrast, older female age groups, specifically those aged 31-40 and 41 and above, showed varying levels of awareness, possibly influenced by differing familial and career responsibilities or generational perspectives on how they perceive or prioritise employment. Alternatively, it may be due to their experiences of being less informed. Moreover, educational attainment correlated strongly with awareness levels. All participants with PhDs and diplomas acknowledged the significance of employment, emphasising how education influences perceptions. This may be due to their high institutional exposure, as recent focus in Vision 2030 on specific skills crucial for development requires exposure such as engineering and computer science—mainly promoted through diploma programmes tailored to employment—has increased their prominence, similarly to the vision’s focus on utilising nationals with higher education to fill the skill gap in the market, resulting in both groups having greater institutional exposure.⁶³⁵ Conversely, holders of bachelor's and master's degrees often provided more informed responses, suggesting they might have a more

⁶³⁴ E.g. Alnufaie and Beghum (n 131).

⁶³⁵ E.g. Marie Ryan, ‘Higher Education in Saudi Arabia: Challenges, Opportunities, and Future Directions’ 43 *Research in Higher Education Journal* <<https://files.eric.ed.gov/fulltext/EJ1382950.pdf>> accessed 15th July 2025; Khalid Mohiuddin, Osman A. Nasra, Mohamed Nadhmi Miladia, Huda Fatimab, Samreen Shahwara And Quadri Noorulhasan Naveedc, ‘Potentialities and Priorities for Higher Educational Development in Saudi Arabia for the Next Decade: Critical Reflections of the Vision 2030 Framework’ (2023) 9 *Heliyon* 5; Argaam, ‘Saudi Arabia’s Workforce Hits 16.8M by Q2-End’ (2024) <https://www.argaam.com/en/article/articledetail/Id/1765152?Utm_Source=Chatgpt.Com> accessed 15th July 2025.

nuanced understanding based on their lived experiences of barriers to employment and observed gaps in awareness. Marital status further influenced opinions. Single respondents tended to perceive a high level of awareness among women, likely prioritising career progression over family responsibilities. In contrast, divorced and widowed participants viewed awareness levels as moderate, which might reflect the challenges they face as primary caregivers or heads of their households, shaping their perceptions accordingly.

Finally, employment status also appeared to play a vital role in the responses; employed women perceived greater awareness among women, while those who are self-employed or housewives perceived only partial awareness, possibly due to the challenges they face as entrepreneurs. In conclusion, the data indicate that there is a strong belief among both genders that Saudi women are aware of the importance of their employment. The observed correlation shows that the opinions of female participants vary according to their educational level, employment status, and age. Younger, more educated, single, and employed respondents demonstrated greater awareness than older, self-employed women. This suggests that targeted interventions might be necessary for these specific groups to enhance their awareness and understanding of the benefits of women's access to employment and its advantages for both themselves and society.

Table. 7

Note. n = 100

Characteristic	<i>n</i>	<i>%</i>
Saudi women are aware of the significance of access to employment		
No	3	3.00
Yes	84	84.00
Fairly	13	13.00
Saudi women are aware of their legal rights at their work		
No	8	8.00
Yes	24	24.00
Fairly	68	68.00

Saudi Women's Awareness of Employment

The second question in Table. 7 concerns women's awareness of legal rights at work. It shows that 68.00% thought Saudi women were pretty aware of their legal rights at work, 24.00% thought they were aware, and 8.00% felt they were unaware of their legal rights at work. A closer examination of the demographic variables reveals notable differences. More women than men reported being unaware of their legal rights at work, with just 1% of men reporting the same, suggesting a significant gender gap in knowledge that warrants further investigation. Regarding the age factor, the 18-24 and 25-30 age groups indicated moderate awareness among women, while the 31-40 age group exhibited mixed responses. The last group of 41 or more had the highest number of dissenting responses, indicating the significance of experience in understanding legal rights.

Education level also had an impact; all PhD holders in the sample perceived women as having fair knowledge, possibly due to the complexity of legal rights and the diversity of information sources, assuming they were not expected to be highly knowledgeable in this area. Interestingly, married participants, especially men, tended to believe that women are more aware of their rights, possibly linking this to their desire for job stability or the need for protection from bias and unfair treatment in the workplace. Moreover, unemployed participants, notably those actively seeking work, showed a tendency to respond with 'No.' This highlights the need for improved information dissemination, given the correlation between unemployment and a lack of awareness of one's legal rights. Finally, most respondents who acknowledged the importance of women's employment generally assumed full or fair awareness of women's legal rights, suggesting that individuals who value jobs tend to be more knowledgeable about the legal rights associated with them.

The findings reveal that several factors contribute to women's lack of awareness of their legal rights at work. For example, being new to the employment sector, a lack of information exchange since childhood and insufficient communication from employers regarding rules and regulations. Indeed, this disconnection between actual awareness and perceived awareness could stem from various factors. Beginning with the issue of implementing legal reforms discussed earlier, such as in Chapter Four, and possibly combined with the absence of trade unions or precise grievance mechanisms⁶³⁶, might have affected their confidence. The women's apparent lack of awareness of such legal rights and policies contrasts with men's, who have been in employment for decades longer and assume that women understand and have access to these rights if they wish. They remain unaware of the mismatch between their perceptions and those of their female counterparts. Moreover, the longstanding guardianship system discussed in Chapter Four may have affected women's confidence in their rights, as some policies did not exist, while men might have assumed that the popularity of legal changes in employment meant women were aware of their rights. The overall public lack of awareness of legal employment rights necessitated the recent initiation of a monitoring programme by the Ministry of HRSD, the Labour Market Awareness Index⁶³⁷, for which this study highlights the low awareness among women of these rights.

In contrast, those who emphasised the importance of awareness argued that employment contracts, alongside ongoing media and educational campaigns by authorities, help employees become informed about their legal rights. One participant, R.M., a female

⁶³⁶ E.g. Al-Munajjed (n 54).

⁶³⁷ Ministry of Human Resources and Social Development, 'HRSD Launches Index Measuring Worker Awareness of their Rights and Duties in the Saudi Labor Market' (2021) <https://www.hrsd.gov.sa/en/media-center/news/844489?utm_source=Chatgpt.Com> accessed 16th July 2025.

employee, suggested that women must research and learn about their rights as employees. Participant no. 91, a female student aged between 25 and 30, noted that awareness is often limited to the legal rules relevant to the specific work they do. Overall, the data indicated that interventions to educate and raise awareness among women, particularly those who are unemployed or self-employed, are necessary, as they tend to be more likely to respond negatively to women's knowledge of their legal rights. Overall, the questions in Table. 7 examined women's access to employment as a basic right and an essential aspect of their lives. The literature review indicated that Saudi women are generally eager to enter the workforce, a sentiment supported by this primary data, showing that most participants recognised the value of employment.⁶³⁸ Nonetheless, given the negative responses, a gap in women's legal empowerment at work appears to exist. This may stem from a lack of sufficient information or communication about employment implications and workplace rights. To address this issue, future policies should prioritise increasing awareness of employment opportunities through targeted training courses, advocacy campaigns, and workplace initiatives. The findings also suggested a correlation between understanding the importance of employment and awareness of legal rights, revealing that many women still lack sufficient knowledge in this area. This underscores the need for targeted initiatives to enhance women's awareness and understanding of workplace rights.

Table. 8 *Note. n = 100*

Characteristic	<i>n</i>	<i>%</i>
Participants think Saudi women have agency when it comes to their employment/economic independence		
No, she can't decide freely whether or not she wants to work, when, where and what kind of work she wants.	4	4.00
Sometimes	39	39.00
Yes, she can freely decide whether or not she wants to work, when, where and what kind of work she wants.	57	57.00
Participants think that Saudi women demand their rights and express their opinions at work		

⁶³⁸ E.g. General Authority for Statistics, KSA (n 357).

No	4	4.00
Sometimes	28	28.00
Yes	68	68.00
Participants think that employment enhances Saudi women's agency and vice versa		
No	5	5.00
Sometimes	23	23.00
Yes	72	72.00

Saudi Women's Awareness of Employment

The second table under the 'Saudi women's awareness of employment' theme comprises three questions, shown above. The frequency distribution in this table indicates that most participants, 57%, believe Saudi women can freely decide on their employment choices, while 39% think it is sometimes the case, and only 4% disagree. The majority, 68%, also believe that women actively demand their rights and express their opinions at work. 28.00% think it is sometimes the case, and 4.00% believe they cannot. Furthermore, 72.00% believe that employment increases Saudi women's agency, and conversely; 23.00% think it sometimes does, and 5.00% dissent.

By analysing the first question, the results show that Saudi women are perceived to have agency; 24 out of 52 females and 25 out of 48 males affirmed this perspective. This aligns with the literature analysis, which suggests that Saudi women exercise agency to combat patriarchy through legal rights and reforms, rather than merely negotiating within it, as discussed in Chapter Two. Barriers to fully exercising this agency were also identified, particularly related to family and societal influences, aligning with Chapter Four, as some respondents noted that women's agency can vary based on circumstances. The minority group, predominantly male of various age groups, believed that Saudi women lack agency in achieving economic independence and employment. Women, on the other hand, acknowledged their agency over their jobs and economic independence, along with awareness of external

factors that influence their decisions. This perception of women's lack of agency, especially in finance, highlights the ongoing impact of patriarchal traditions in Saudi society, discussed in Chapters Two and Three. It depicts women as dependent on family or the state, with historically defined roles in private and economic life.

In contrast, women's assertion of agency, particularly since recent reforms, indicates a shift in their subjective self-perceptions, and their increasing participation in the economy demonstrates their active struggle against societal expectations and legal restrictions. This divergence in perceptions between Saudi men and women reveals a gender gap in understanding agency. Perhaps men see agency as either freedom or constraints, while women's understanding corresponds with Islamic feminism - i.e. Mahmood theory- that agency for Muslim women often encompasses not only resistance but also compliance with societal expectations and the structure provided by society.⁶³⁹ They express agency through strategic compliance rather than outright resistance. Notably, the results highlight women's awareness of the ongoing obstacles they face when entering the economy, particularly cultural norms and gender discrimination. Despite these challenges, they remain proactive in seeking education and engaging in economic activities.⁶⁴⁰ Therefore, their belief in their own agency seems based on a realistic assessment of both opportunities and limitations. These realities emphasise the importance of integrating women's agency into legal empowerment strategies by examining how it is perceived and how it aligns with their actual experiences. Overall, participants believe that society, family, and personal desire collectively influence the degree of freedom women have in employment decisions.

⁶³⁹ Such as Sabah Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject* (Princeton, NJ: Princeton University Press 2005).

⁶⁴⁰ Maryam Jamilah, Rika Isnarti, 'Pioneering Change: Women's Economic Empowerment under Saudi Vision 2030' (2024) 19 *Sawwa Studi Gender* 2.

In the second question, 37% of employed participants believed that women could assert their rights at work, while 2% disagreed. Since they ought to be expressing their experiences, a gap should be filled, presumably related to laws and policies and women's agency. Studies discussed in Chapter Two argued several demands of Saudi women regarding work, and the responses confirmed their ability to demand their rights and express opinions. They also suggested factors influencing this ability, such as the employer's mindset and personality, as well as opportunities for female employees to express their opinions and assert their rights without reservation. Overall, most responses contradict the literature; management and the work environment appear to play the most significant role in women's ability to demand their rights at work, rather than laws and regulations. One respondent, participant No. 35, male, employed, aged 31–40, stated that women can sometimes demand their rights at work if the manager is fair and has sufficient experience in managing individuals; others, such as participant No. 41, female and employed, aged 41+ years, indicated that competitive dynamics among women may lead some to remain silent. This is due to the weak implementation of legal reforms, particularly in the day-to-day work environment, in addition to the male-dominated leadership and the conservative or hierarchical management style adopted in institutions, coupled with cultural norms that discourage women from asserting their rights, as discussed in Chapters Two, Three, and Four, they prefer to leave the hostile work environment rather than retaliate or engage with legal channels if internal negotiation is not possible. To empower women, the need is to build trust in the legal system, emphasise the importance of active managerial support through training, support internal mechanisms, and shift cultural values such as social stigma around demanding legal rights.

The third question examines the reciprocal relationship between employment and agency, as explained in Chapter Five of Kabeer's theory and in the context of women's legal

empowerment. It also explores whether employment, as commonly believed, enhances women's ability to exercise their rights and make decisions.⁶⁴¹ The majority's responses align with this presumption. For example, participant No. 35 emphasised that employment aids decision-making, stating that decisions are either right or wrong and that work experience helps make the right ones. Another perspective from participant No. 100, a female and employed, aged 31- 40, highlighted that a woman's engagement with work and decision-making at work contributes to her confidence in making decisions in her everyday life. A contrasting view from participant No. 41 argued that employment is unnecessary for developing decision-making skills, as these skills can be learned in life without being employed. The last response from M.A., a female employee aged 41+, acknowledged that working women face situations that require decision-making in both their professional and personal lives, necessitating balanced decisions about work and family. Perhaps this view depends on the previous two questions: the individual's perceived agency and their ability to express opinions and demand rights, given the circumstances surrounding them.

Participants appear to understand the relationship between agency and employment as mutually reinforcing. Employed women participants exemplify the negotiation skills they develop as they enter the workforce; the financial independence provided by their jobs enables them to engage more actively in decision-making, both within their families and in public spheres. Under Kabeer's model of empowerment, educational and employment resources contribute to this agency. Furthermore, this agency serves as a precondition for employment, as it demonstrates their contextual agency, as outlined in Mahmood's theory, by showcasing the ability to navigate economic, cultural, and familial norms to attain education and secure employment. The results also align with outcomes observed in the CLEP and Namati projects

⁶⁴¹ Sen (n 74).

mentioned in the literature review, which aimed to empower women; increased agency has led to greater confidence, inclusion, and influence for women in their families and communities.

Overall, the primary data in Table. 8 indicated a correlation between the perceptions of the three questions. Respondents who believed that women have full agency over their work and economic dependence also felt that women were empowered to demand their rights at work and believed employment enhances their agency. Similarly, those who expressed partial confidence in women's agency at work shared doubts about demanding their rights and exercising their agency, or about being enhanced by employment. In conclusion, the positive associations across the three questions align with the development theories discussed in Chapter Five, which suggest that increased awareness and education for women lead to greater agency across economic activities, from job selection to financial and family decision-making.

7.1.3 Barriers to Saudi Women's Access to Work

Table. 9 below identifies several key barriers to Saudi women's access to employment. The most significant barrier, highlighted by 27.50%, was family decisions, followed by the unavailability of adequate jobs for women at 21.30%. Additionally, 20.60% pointed out the unavailability of jobs that matched women's qualifications, while societal perceptions accounted for 14.40%. Absence of regulations was considered a barrier by only 4.40%. Furthermore, 11.90% believed all of these factors were barriers to Saudi women's access to work. More than half of participants (54.00%) felt these barriers moderately affected women, and 77.00% believed such obstacles remain prevalent today. As a positive outlook, 79.00% of participants expressed confidence that Saudi women can overcome these barriers. To address the barriers, 20.00% emphasised the importance of education and training in strengthening

women's agency, while 11.00% advocated for the application of legal empowerment strategies. Most participants (69.00%) believed that a combination of both would be necessary for Saudi women to successfully navigate and overcome these barriers.

Table. 9

Note. ^a Reflects the number and percentage of participants answering “yes” to this question.

Characteristic	<i>n</i>	%
The main barriers to Saudi women's access to work		
Absence of regulations	7	4.40
Unavailability of adequate jobs for women	34	21.30
Unavailability of equivalent jobs to the qualifications	33	20.60
Family decisions	44	27.50
Society perception	23	14.40
All of the above	19	11.90
The effect strength of barriers on women		
Low	11	11.00
Moderate	54	54.00
High	35	35.00
The constraints are still present^a	77	77.00
Saudi women can overcome barriers^a	79	79.00
Participants opinions about Saudi women's need to overcome these barriers		
Strengthening women's agency through education and training	20	20.00
Women's Legal empowerment	11	11.00
All of the above	69	69.00

The Main Barriers to Saudi Women's Access to Work

As affirmed in the literature review and the thesis's hypothesis, family plays a significant role in influencing Saudi women's employment decisions.⁶⁴² The data confirmed this contention; family perceptions and decisions significantly impact women's access to the job market. Spouses, parents, and other family members often influence whether women pursue employment, as concerns about work's impact on child-rearing and the potential downsides, such as low wages, long commutes, or expensive transportation, can create barriers. These

⁶⁴² E.g. O'Hara (n 128).

family dynamics may arise from a desire to maintain relationships and adhere to shared values and ideologies. Moreover, the research findings indicate that family decisions are perceived as barriers to women's employment, with many respondents acknowledging a moderate to substantial impact. This viewpoint seems to be shifting slightly due to recent reforms that have relaxed the guardianship system and softened employment laws for women, elaborated in Chapter Four. While family decisions still present a tangible obstacle to women's economic participation in the participants' views, a significant portion of them believe that women can negotiate and overcome these challenges, affirming the thesis's analysis based on the feminist theory approach.⁶⁴³

The next significant barrier identified is the lack of sufficient job opportunities for women and the absence of positions matching their qualifications; the data on these factors remain consistent. Despite government initiatives outlined in Vision 2030 aimed at increasing women's access to the workforce, such as those discussed in Chapter Three, the evidence suggests that additional efforts are necessary to bridge these employment gaps. Most perceive these issues as having a moderate to high impact on women's employment. Perhaps the modes, hours, and types of jobs discussed in Chapter Three influence women's choices. Societal perceptions about women's work continue to shape which jobs are considered acceptable, reaffirming the analysis in Chapters Two and Three, which indicate that traditional views remain deeply ingrained in Saudi culture despite the legal annulment.⁶⁴⁴

The findings from the research align with existing literature regarding job equivalence concerning women's qualifications in KSA. The evidence suggests that, although many Saudi women are highly educated, they often face significant barriers in translating their

⁶⁴³ E.g. Kabeer and Luisa (n 12).

⁶⁴⁴ Article 149, KSA Labour Law (n 377).

qualifications into employment. Chapter Four highlights that many women graduate in fields where market demand is low, and the number of graduates exceeds available job opportunities, which impedes their employment prospects. Respondents acknowledged the persistence of these barriers but expressed optimism about overcoming them, particularly through policy changes and reforms. Some indicated that the lack of effective regulations and clearly defined, approved job descriptions represent a critical obstacle to women's employment. Thus, addressing legal implementation issues, ineffectiveness, and the uncertainty surrounding laws regarding women's employment should improve the situation. Additionally, several themes emerged from the respondents' comments. Barriers range from traditional family beliefs that often position men as the primary providers, discouraging women from seeking work. The absence of robust regulations and the imposition of challenging conditions by some employers also hinder women's employment opportunities. Lastly, the struggle to balance work and family responsibilities is a barrier for many women.

7.1.4. Barriers to Saudi Women's Legal Empowerment at Work

Table. 10 *Note.* N = 100.

Characteristic	<i>n</i>	%
The barriers to women's legal empowerment at work in KSA		
Economic constraints (e.g., lack of or limited access to appropriate training, inappropriate working conditions, low wage, etc.)	27	27.00
Social and cultural constraints (e.g., patriarchal culture, women's role in social and family functions, etc.)	26	26.00
All of the above	47	47.00

The Barriers to Women's Legal Empowerment at Work In KSA

The findings in the above table indicate that participants perceive various barriers to women's legal empowerment in the workforce in KSA. Specifically, 27% identified economic constraints as a barrier, while 26% pointed to social and cultural factors. A significant 47% of respondents felt that these obstacles were multidimensional, encompassing both economic and

social elements. The thesis had anticipated that social and legal constraints would impede women's legal empowerment, alongside the economic barriers discussed in Chapters Two and Four. The results support the thesis's proposition, as the majority of respondents emphasised the necessity of addressing multiple barriers simultaneously, noting further legal obstacles not included in the multiple-choice answers, such as those pertaining to work conditions, the work environment, and unsuitable, unfair, and low wages. Participant No. 41 commented, 'Unfair competition in the work environment, competition for senior positions and the entry of intermediaries are all things that hinder work'. Participants' comments highlight the complexity of the barriers and suggest that they need to be addressed simultaneously rather than individually to develop the most effective strategies for empowering women at work.

Interestingly, a subset of respondents claimed there were no obstacles to women's employment, implying that desire alone might overcome any barriers. This discrepancy could arise from a gap between their experiences and the survey options, or perhaps from observing improved conditions for women in the workforce, leading them to believe that obstacles either do not exist or can be easily overcome. However, as discussed earlier in Chapter Five, unless women recognise these barriers and see the need for legal empowerment, merely providing empowerment initiatives will be insufficient.⁶⁴⁵ To effectively promote women's legal empowerment in the economy, the strategies proposed in the thesis will need to raise awareness of economic, cultural, and legal challenges. Solutions must integrate economic opportunities, sociocultural attitudes, and legal reforms to create impactful interventions. Ultimately, a detailed exploration of the specific legal, economic, and cultural constraints will be essential in determining the necessary training and initiatives tailored to empower women in the workforce.

⁶⁴⁵ E.g. Cornwall (n 58); Rowlands (n 3).

7.1.5 Impacts of Regulations and Law Reforms on Women's Agency and Legal Empowerment

Table. 11 *Note.* N = 100.

Characteristic	<i>n</i>	%
Did regulations impact women's agency		
No	1	1.00
Yes	82	82.00
Fairly	17	17.00
Did law reforms legally empowered women		
No	1	1.00
Yes	70	70.00
Fairly	29	29.00

Regulations Impact on Women's Agency and on Legal Empowerment of Women

Table. 11 findings reveal a significant perception among participants regarding the impact of regulations on women's agency, particularly in decision-making and employment. A substantial majority, 82.00%, affirmed that these regulations encouraged women to enter the workforce, while 70.00% believed that legal reforms effectively empowered women. However, a small minority expressed scepticism about the beneficial effects of these regulations, potentially stemming from their own workplace experiences or perceived shortcomings in the implementation of legal protections. These individuals, primarily employed and over 41 years of age, might have encountered gaps in legal enforcement or gender discrimination, which could undermine women's agency and empowerment.

The connection between regulatory impacts and women's agency is reinforced by participants' belief that effective legal frameworks enhance women's willingness to act on their decisions. Many respondents who acknowledged the fairly positive influence of regulations on

women's agency also recognised the fairly empowering nature of legal reforms. Their views seem to be influenced by other factors such as societal norms, patriarchal values, and a lack of awareness of legal rights that could hinder women's ability to utilise the legal tools designed to enhance their agency. Family dynamics, which may prioritise domestic responsibilities over professional ambitions, can also play a significant role. Overall, the majority of participants appreciate the importance of regulations and legal reforms in strengthening women's agency and empowerment in KSA. Among those linking rules to the agency, 45 of 82 participants were female, underscoring how legal frameworks can motivate women to enter the workforce, knowing that the law is in their favour. Laws and regulations led to an increase in the number of women in the workforce, in line with the statistics presented in the literature review.⁶⁴⁶ The findings also correspond with the GGGR Index classification of KSA, highlighting the strong effect of employment regulations on women's decisions to work.⁶⁴⁷

The two questions were linked because the correlation between agency, discussed in Chapter Five as part of Kabeer's theory, and legal empowerment was significant. By application, most participants believed that effective regulations and law reforms would improve women's agency, and with agency, women would be more likely to be empowered. Therefore, the results align with existing literature, which indicates that legal reforms can lead to increased women's legal empowerment. In summary, the analysis shows that the sample views regulations and reforms as complementary factors in promoting women's empowerment in KSA, with the majority recognising their positive impact. A small minority believed that rules and legal reforms brought no positive changes. They may have suggested that collective strategies should work towards women's legal empowerment, collectively, with laws and

⁶⁴⁶ E.g. General Authority for Statistics, KSA, Labour Market Statistics Q2 2024 <https://www.stats.gov.sa/sites/default/files/LMS%20Q2_2024_PR_EN_0.Pdf> accessed 14th October 2024.

⁶⁴⁷ World Economic Forum (n 46).

regulations. The following section provides further content analysis of the qualitative data obtained on the previous themes.

7.2 Qualitative Content Analysis

7.2.1 Factors Enhancing Saudi Women's Access to Employment

A significant number of respondents, 40.20%, believed that collective factors enhance Saudi women's chances of employment and access to it. These include employment regulations, job availability, the suitability of jobs for women's nature, school education, university education, training courses, and societal support. 3.70% highlighted job suitability to women's nature as a primary enhancer, while 2.80% considered university education, employment regulations, and laws supporting women to be the main enhancers of women's employment. The respondents identified multiple categories, suggesting a related view of these elements influencing women's access to employment opportunities, which can be categorised into three themes. Education emerged as a crucial factor, with respondents emphasising the importance of both school and university education. Legal and regulatory support, particularly employment laws and regulations that protect women, was seen as vital in shaping employment opportunities. Finally, job availability and suitability for women's nature were frequently emphasised.

The data validate the thesis's approach to uncovering multiple dimensions that affect women's access to empowerment and employment in KSA. Respondents noticeably cited education as the most critical factor, reflecting KSA's long-standing investment in women's education. Nonetheless, while education is vital, it is not the sole factor enhancing women's access to work, nor does it always lead to employment, as discussed in the literature review

and the literature gap in Chapter One.⁶⁴⁸ Overall, society appeared to recognise the significance of education for women's empowerment. Nonetheless, the respondents did not mention women's issues in education in KSA, possibly indicating a knowledge gap. The second major factor was legal and regulatory support, suggesting that laws and regulations can influence societal views. Chapter Four discussed how legal reforms could drive substantial changes, as the results show, particularly when combined with other strategies. The third theme, concerning job availability and suitability for women, aligns with KSA's social context and cultural perceptions of work deemed appropriate for women. A combination of education, legal support, and job-related factors is considered the most effective strategy for enhancing women's employment opportunities in KSA.

Additionally, personal and family responsibilities emerged as a common concern, with respondents suggesting that women should seek employment to support themselves and their families. Some perspectives reflected the belief that work is a means for women, not an end, highlighting a deeply held view among female respondents that employment is secondary unless they are heads of households. Female participants also emphasised that a positive working environment, characterised by mutual respect, significantly influences their desire to work. This view surely traces back to the values, ideologies and beliefs families and society follow. Lastly, a male respondent, participant No. 36 employed age 31-40 emphasised the importance of justice in job allocation, arguing that 'We currently rely mostly on employing women by taking advantage of the systems and laws that support them, rather than on their academic preparation and qualification and qualifying them to required capabilities', indeed positions should be assigned based on qualifications and experience, rather than simply fulfilling quotas or initiatives to employ women. This viewpoint highlights the importance of

⁶⁴⁸ E.g. Alhawsawi & Jawhar (n 391).

adequate preparation for women to ensure they are well equipped for their roles, with a focus on employment that serves meaningful purposes beyond merely meeting statistical targets.

7.2.2 Saudi's Sources of Information on Employment Legal Rights

The most frequently mentioned source of information that Saudi women use to learn about their employment legal rights was senior colleagues at work, mentioned by 23 participants (21.50%). The Ministry of HRSD was the second most common single source, mentioned by 17 participants (15.90%). The majority, 29.00%, relied on a combination of sources, with free lawyer groups in WhatsApp and Telegram being a common additional source. The combination of Free Lawyers' groups on WhatsApp and Telegram, Senior colleagues at work, Paid Lawyers, and Legal Consultants is mentioned by 6.50% of participants.

Respondents tend to seek information using the most straightforward methods, often starting with their senior colleagues, who are assumed to be experienced. This highlights the importance of co-workers and human resources employees as sources of information on employers' legal rights. This reliance on internal networks underscores their significant role. However, issues can arise from this source, including inaccurate, incomplete, or biased information. Moreover, the data emphasised the importance of official governmental sources for legal information, particularly those from the Ministry of HRSD. The channels it offers, including a complaints portal, a call centre, and social media, are preferred because online communication is easier than visiting the premises in person. This form of communication, while accurate, may not provide sufficient depth to fully understand legal rights; face-to-face interactions may offer more comprehensive information tailored to the employee's specific case.

Similarly, the use of social media applications, where individuals can learn from others' experiences, as well as online lawyer groups, appeared to be popular and easy to access. Nonetheless, such sources may disseminate incorrect or misleading legal information, potentially leading to misunderstandings of employment legal rights. Lastly, only 3.70% of participants mentioned paid lawyers and legal consultants, indicating that they are typically consulted only in serious matters because of their expertise. Most respondents do not favour paid legal services unless necessary, suggesting that direct legal consultation is not the primary means for understanding employment legal rights. Overall, respondents reported challenges communicating with external parties for legal information, suggesting difficulties accessing specific sources, and one participant called for periodic manuals with legal updates distributed in workplaces. Finally, this theme emphasises the importance of easy access to information. It may be beneficial to offer reliable online resources and applications that enable direct engagement with beneficiaries, and to integrate periodic legal campaigns into legal empowerment strategies.

7.2.3 Participants' Views on Women's Legal Empowerment in the Economy

Figure. 2

Theme	• Responses
Positive Feedback	<ul style="list-style-type: none"> • Excellent, Awesome, Very good, Wonderful, were frequently used to express approval of the concept
Support for Women's Rights	<ul style="list-style-type: none"> • Emphasis on the importance of women' legal rights and duties at work.
Call for Education and Awareness	<ul style="list-style-type: none"> • Suggestions to increasing awareness and provide training opportunities.
Concerns about Implementation	<ul style="list-style-type: none"> • Expressions on the need for careful implementation, with considerations for cultural and social aspects.
Desire for Further Development	<ul style="list-style-type: none"> • Statements on the need for further research, development, or continuous improvement on legal empowerment.
Economic Empowerment	<ul style="list-style-type: none"> • Creation of high economic roles and reducing women's unemployment.
Limited Negative Feedback	<ul style="list-style-type: none"> • Minimal negative feedback or scepticism about the concept.

Participants' Views on Women's Legal Empowerment in the Labour Sector

Participants generally had positive views of women's legal empowerment in the labour sector. Content analysis of their responses revealed a predominantly positive sentiment towards the idea, highlighting key issues that need to be addressed. Figure. 2 above outlines the main themes and sentiments extracted from the responses. The data indicate their almost unanimous recognition of the importance of women's legal empowerment in the labour sector, as they generally accept the thesis's proposal and affirm its necessity for protecting women's rights in the labour market. Many respondents called for education and awareness programs to ensure that women are informed about their legal rights and obligations. To succeed, they suggested

that women's empowerment should be rationalised and balanced, and that societal values respected. Notably, there was recognition of the gap in the legal empowerment of women in the country, highlighting a need for further research and development. While the economic benefits of women's participation in the labour market were acknowledged, concerns were raised about the concept's effectiveness in the context of KSA. Some respondents feared that unfair job allocation could result from focusing on women's legal empowerment, as men who are qualified and experienced should not be deprived of leading roles based on fulfilling quotas and reaching set targets for women's representation within institutions. Such concerns were noted in discussions on the feminisation of labour and the Saudisation context in earlier chapters. This negative feedback suggests that the benefits of legal empowerment might be overstated in KSA, and that counterarguments should be considered. Overall, while there appears to be support for legal empowerment as a means enabling women to participate in the workforce voluntarily, some resistance from traditional societal values and norms may be encountered, although it is expected to be minimal; balance is always necessary.

7.2.4 Participants' Opinions on Legal Reforms in KSA

The respondents' views about the country's legal reforms regarding employment and their impact on Saudi women's lives were generally positive. The primary data indicated that these reforms had a significant impact on women's lives. However, some concerns were raised about potential negative effects on family roles and women's independence. For instance, participant No.37, female, employed, age 41+ noted, 'The life of Saudi woman has been approved by our *Sharia* and her rights are clear, and for whoever is ignorant of it or has not searched knowledge of it should not wait for whoever gives it to them on a golden platter.' suggesting a recognition of reform's benefits while expressing concern over its implications. A

majority highlighted that the reforms played a role in empowering women and supporting their roles in society. Participant No. 63, female, employed age 25-30 stated 'yes, personally my life has changed', participant No.65, male, self-employed, age 41+ stated ' Yes, it opened a good path to her to demonstrate her abilities and presence in all forums' Other responses acknowledged the positive effects but expressed concerns, such as participant No. 66, male, unemployed 41+ stating '... it will affect her role in building her family and neglecting her responsibilities' and participant No.23, male, employed age 41+ stating '... it has other effects such as making a working woman think that she is independent, strong and can live her life independently and get separated from her husband and children'.

The above sentiments are echoed by the concerns mentioned in the literature review, such as in Chapter Two on the *Saudisation* of the labour market initiatives and in Chapter Three under the women's double burden section. The legal empowerment of women within the economy is advocated in the thesis as a complementary approach, enabling them to maintain their traditional roles while also contributing financially to their families. To support women's employment without disrupting family dynamics, legal reforms must be implemented. Policies concerning maternity leave, flexible working hours, childcare, and part-time job opportunities are essential in encouraging women to participate in the workforce and improve their lives, as discussed in Chapter Three. The thesis proposes family-friendly policies tailored to the needs of Saudi women, aiming to alleviate concerns about the potential negative impacts of women's employment on family life. These legal reforms, part of broader legal empowerment strategies, are intended to enhance women's agency both at home and in the workplace. This approach enables women to make informed decisions about balancing home and work without feeling pressured. By enhancing their independence and confidence, alongside financial stability and respect for their identities and valued roles, women can find a harmonious balance in their

lives. Moreover, legal reforms should be sensitive to cultural values, promoting economic stability and enhancing family income without challenging societal beliefs and ideologies. The discussed concerns also underscore the importance of a legal awareness strategy, as proposed in the thesis. Initiatives aimed at increasing legal awareness should address misconceptions and fears surrounding women's employment, highlighting the benefits of reform for both women and society. Emphasising women's economic independence and its positive impact on the future of families and children is vital to promoting a more inclusive society.

7.2.4.1 Opinions on the Role of Legal Reforms in Women's Lives

The content analysis examined participants' opinions on how legal reforms have affected the public and private lives of Saudi women, revealing a range of perspectives. Respondents expressing affirmative views, such as participant No. 3, female, employed, aged 41+; participant No. 4, female, employed, aged 25–30; and participant No. 8, male, employed, aged 41+, believed that legal reforms significantly boost women's confidence, self-reliance, and ability to confront challenges. They also noted these reforms empower women, increase their awareness of their rights, support them, and give them the freedom to make independent decisions. Participants also referred to the historical context, emphasising how legal empowerment has improved women's lives. Participant No. 80, female, unemployed, aged 18–24, stated, 'in the past, women were often fearful and scared; they might have faced oppression and injustice. However, with the introduction of laws aimed at improving their lives from various perspectives, the situation has changed significantly, even among other groups. This is largely due to their fear of the law, which has begun to grant women several rights. Whoever is oppressed by society, the law stands with them' as she expressed. Furthermore, the responses suggested that a legal reform strategy is more effective when combined with other strategies,

as the thesis proposes, such as raising awareness. For instance, participant No. 20, male, employed, aged 41+, explained, 'she needs to be aware of her rights or lack of rights'. However, some participants provided mixed perspectives, recognising the importance of legal reforms but also highlighting potential adverse effects, such as their influence on family dynamics, societal values, family unity, and the allocation of responsibilities. For example, participant No. 66, male, unemployed, aged 41+, stated, 'It must be taken into account that she is a Female, and no wise is the male like the female.' He also added, 'it will affect her role in building her family and neglecting her responsibilities'.

Based on the majority's perceptions above, it could be said that perhaps the legal reforms had an impact in KSA because of the way they were presented; they were widely circulated in the media and attracted most of the world's attention. Perhaps the significant leap they presented had an impact on Saudi women's agency or even encouraged it. Such a result is promising for other women's legal empowerment strategies. Nevertheless, despite the improvements brought about by the reforms, their disadvantages should be addressed, perhaps by employing other strategies such as raising awareness, effective implementation, and the policies discussed in Chapter Three that acknowledge women's double burden, to ensure a balanced outcome. Results indicate similar thoughts; for instance, participant No.3, female, employed, aged 41+, stated: 'Personally, I believe that the rights of Saudi women have been preserved and still are, and the issue may lie in how the mechanisms are implemented or in the efforts of parties or individuals who have not enforced the laws as they are or should be.' Referring to the double burden, participant No.34, male, employed, aged 41+, said, 'Legal reforms do not solely depend on women's work without considering the rest of their affairs'. In summary, most respondents believed that legal reforms had a positive impact on women's public and private lives. The themes of empowerment, independence, and increased awareness

were prominent in the analysis. While some recognise potential challenges, the overall sentiment remains favourable towards the role of legal reforms in shaping women's lives.

7.2.4.2 Opinions on Regulations of Women's Employment

This content analysis provided insights into respondents' opinions on public and private regulations aimed at encouraging women's employment. A significant share of respondents (35.50%) expressed positive views, affirming that regulations support women's employment. They stressed specific measures, such as providing on-site childcare, offering part-time jobs, and allowing remote work arrangements, to encourage women's participation in the workforce. Notably, there was a call for employers to provide affordable on-site nurseries, particularly for breastfeeding mothers. E.g. participant No. 41 stated: 'Women need a nursery at the workplace for their children, especially those who are breastfeeding - working remotely eased work for many women as it considers their family matters'. Participant No. 82, female, employed, 31-40 agreed, stating, 'Many issues are overlooked and not mentioned in the regulations despite their importance to work, such as being subjected to hard or full-time work, the lack of facilities for children because she does not have a female domestic worker, or the nature of the work not being suitable her.' These demands for the introduction of various job and childcare facilities stem from both genders, particularly among employed and married individuals, highlighting the obstacles families face when the mother desires to or becomes employed. The findings resonate with the discussions in Chapter Three, emphasising the necessity to address women's needs in the workplace.

Providing high-quality childcare facilities at work enhances productivity and job satisfaction among employees.⁶⁴⁹ Participant No. 72, female, employed, age 31-40 stated in support, if there is comfort provided to her, her effectiveness at work would increase’ Participant No.97, female, employed, age 31- 40 agreed, ‘Yes, it will help women to be creative at work’, participant No. 35 further agreed that: ‘Yes, it encourages women and will lead to increased productivity’. Employers also benefit from attracting and retaining talented women in gaining governmental incentives associated with hiring women, discussed in *Nitaqat* scheme in Chapter Two, while aligning with Vision 2030 objectives too. Similarly, the demand for varied job modes highlights the importance of work-life balance for women, enabling them to effectively balance their personal desires, cultural expectations, and professional responsibilities. Opinions were in line, for example, participant No. 92, female, student, age 25-30 stated, ‘Yes, it is a need/woman's nature to care and ensure the safety of her children; having them around in the work environment helps’, participant No. 89, female, student, age 25-30, added ‘good, they might encourage her to get employed; and participant No. 84, female, employed, age 41+, stated ‘Yes, to reduce the reasons of some women's reluctance to work’. Lastly, Participant No. 48, male, employed, age 25-30, explained in agreement but pointing to an important disadvantage of such modes of work, ‘Yes, it is possible, and it will be easier for her if the matter is handled remotely, with facilities for the children provided, which will always encourage her. I see that the part-time salary may be low’.

The anticipated drawback of these new job models is low wages, which women already experience in full-time, on-site jobs. This is a significant issue to address in such policies, as recommended by this analysis. Moreover, respondents mentioned the need for greater

⁶⁴⁹ Ahmed M. Asfahani, Abdullah Eskandarany, Dina Abdullah Dahlan, Zia Ullah, Hina Khan and Rehana Naheed, ‘Empowering Women in Saudi Workforce: HR, Job Satisfaction, and Policies for Work–Life Balance’ (2024) 16 Sustainability 20.

awareness and support for women in the workforce, along with updates and effective implementation of existing regulations. Participant No. 93, female, employed age 31-40 affirmed that women are 'In need of awareness and increased support' and Participant No. 15, female, employed, age 31-40 asserted, 'They need updates and the responsible institutions should make sure of the implementations' further supported by participant No.68, Male, employed, age 41+ that these new odes are 'Excellent if implemented and made effective'. This underscores the importance of legislative enforcement, potentially through investigative procedures or feedback mechanisms from workplaces to ensure compliance, as suggested in Chapter Four.

Overall, the responses were characterised by positive, supportive language, with terms such as 'encouraging', 'motivating', and 'excellent' reflecting a favourable attitude towards the new regulations. Vision 2030's strategic framework was emphasised as a catalyst for positive changes in women's employment. Nonetheless, several respondents emphasised the importance of subjective empowerment, agreeing with the thesis's suggestion in Chapter Five. They pointed out that existing regulations and demanding them are insufficient if women are not personally empowered. For example, participant No. 73, male, employed, age 41+, affirmed, 'What is mentioned is available in most sectors, but the woman needs to manage her time and understand the distribution of tasks. She should choose what suits her family circumstances so that she does not lose her family or family members, ensuring that her job does not take precedence over her family.' Otherwise, she could face a bigger problem. Participant No. 20, male, employed, age 41+ added, 'Yes, it helps certain women to some extent, but some of them do not have commitments; therefore, going out to work is a psychological break for them'. The respondents saw regulations as a means to reduce the reasons for women's reluctance to work. This highlights the importance of the language used

in policies and the methods by which awareness and knowledge of such regulations are disseminated; however, efforts are also needed from women to grasp such opportunities. Overall, many respondents believe the proposed regulations would increase productivity and creativity among women in the workforce.

7.2.4.3 Participants' Views: Did Reforms Legally Empower Women?

The discussion surrounding the legal empowerment of women following recent reforms reveals a spectrum of opinions. On the one hand, some comments suggested positive outcomes, such as women being employed in new fields, including the legal profession, and the significant role it has played in allowing women to drive. These suggest that such reforms have enhanced women's and families' lives and are being accepted by society, implying an optimistic outlook for further improvement. Participant No. 14, female, employed, age 41+ stated: 'Praise be to God, the woman has begun to rely on herself with the right behaviour'. Other comments, on the other hand, highlighted challenges and negative consequences of legal reforms affecting women, including potential misuse and adverse effects on families. The comments implied reluctance to accept reforms that might destroy society's values if not used appropriately. Participant No.66, a male, unemployed, and aged 41+, explained, 'There were some (reforms) that empowered (women) and some badly affected her, causing family dysfunction and disintegration. Reforms that led to the loss of children and the activation of other measures in society (security, economic, and psychological); he also pointed to reform outcomes that 'negatively affected manners and children's behaviour and other social issues'. In agreement, participant No. 41 added: 'Some benefited from it, and others misused it to destroy values and principles of society'.

From the above comments, there appears to be a holistic view of the reforms, possibly linking women-related issues to their children, families, and society. Perhaps the belief is that whatever affects women also affects their families. The views were significant, as discussed in Chapter Five, which presents development theory. Investing in women often affects their families, and, according to respondents' comments, the converse should also be considered. i.e. losing norms and values related to women leads to adverse effects on their family, possibly in terms of children's behaviour and upbringing. Therefore, while focusing on women's agency, empowerment, and development, great consideration should also be given to the societal context. If women are diverted from family responsibilities and with the existence of certain males allocated roles towards families, the children might become the victims. Participant No. 35 commented, referring to values that 'We hope that *Sharia* is taken into account' in these reforms. These comments inferred the advantages and disadvantages of legal reforms in the eyes of society, suggesting the need for a balanced approach to all women's legal empowerment in employment strategies.

Finally, Participant No. 73, female, employed, 41+, indicated, 'Reforms begin with the individual so that they can have a greater impact on the workplace — sometimes she is aware of the laws and regulations but chooses silence out of fear and ignorance, which is where the problem arises'. Participant No. 80, female, unemployed, age 18-24, commented, 'There is still ignorance in some families, but there has also been a significant improvement over the past five years regarding the importance of employing women, as well as in the almost impossible conditions imposed by employers.' These mixed comments addressed the current situation of women in relation to legal empowerment initiatives, with a focus on women taking charge of their roles and behaviours; most agreed that legal reforms have generally empowered women.

They expressed a sense of legal empowerment for women, with diverse opinions and considerations about the actual impact of reforms on women's roles and societal dynamics.

Conclusion

The study presented evidence from the KSA context regarding women in the economy. It used primary data to identify the factors influencing Saudi women's participation in the economy and the employment barriers they face. The questionnaire's key findings indicated that awareness of the importance of women's work is high in KSA; however, it varies across individuals based on their social and educational backgrounds, highlighting the need for further awareness initiatives. Saudi women appear capable of making decisions about their employment; nonetheless, family and societal influences significantly affect their choices. This underscores the importance of enhancing women's agency, knowledge, and awareness through various methods, empowering them to make more informed decisions. The data identified the most prominent and persistent barriers to women's access to work, including family decisions, the unavailability of suitable jobs for women, and a lack of roles matching their qualifications. The primary data underlined the importance of understanding these barriers' nature and causes, as well as exploring potential solutions to overcome or reduce their impact. Moreover, the findings emphasised the need to strengthen women's agency, which could be achieved through education and training, followed by legal empowerment strategies. Perspectives on regulations and legal reforms varied among participants, illustrating their influence on women. Positive, negative, and sceptical comments were analysed, leading to the conclusion that these factors significantly encourage women's economic participation. Overall, the questionnaire aimed to gather insights from economic, social, and cultural perspectives to propose legal empowerment strategies suited to the context of KSA, as outlined in the upcoming discussion chapter.

Chapter Eight

Discussion

The previous chapter analysed the collected primary data; this chapter presents the key findings in response to the study's key questions, connecting them to the previous literature, empirical studies, and the theoretical framework. The thesis examined the most effective legal empowerment strategies for empowering Saudi women in the employment sector by distributing a survey questionnaire. It aimed to ascertain that legal empowerment is the most effective way to enable Saudi women to participate in the economy, based on literature and the results and analysis of the survey questionnaires. This chapter begins with a summary of the study's findings and discusses them in response to the thesis's key questions. The questions aimed to identify the initiatives undertaken in KSA to encourage women's participation in the workforce and to evaluate their effectiveness. They involved identifying the primary barriers to women's economic participation and the challenges they face in employment and exploring and analysing how women's legal empowerment strategies can be applied to foster their economic participation. Additionally, they sought to examine the effectiveness of these strategies in improving women's circumstances in the country and to identify the roles Saudi women play in empowering themselves. Lastly, the chapter concludes by highlighting the research's contribution to knowledge through integrating the findings into the conceptual framework and demonstrating the need for legal empowerment strategies in women's employment within the country.

8.1 Discussion and Implications

This research is unique in examining Saudi societal perspectives from both male and female viewpoints on women's legal empowerment. It applies theories that have not been previously investigated in the KSA context, predicts their outcomes, and provides context-specific insights into Saudi women's participation in the economy. The study's significance lies in its proposed strategies that can lead to tangible changes in KSA. Considering its unique cultural and social context, which has not been deeply explored, a theoretical framework is developed by adapting existing empowerment models from international organisations, feminist scholars, and development experts to fit the KSA context. Its theoretical innovation is found in the new insights it offers into their applicability, both individually and in combination, within the KSA setting. Integrating these theories both in theory and practice to develop the most appropriate strategies for Saudi women's legal empowerment is a unique and original contribution of this research. The study fills a research gap by examining the application of the new legal empowerment approach to enable women to participate in the economy in KSA through both quantitative and qualitative methods. It highlights barriers to women's legal empowerment and participation from the viewpoints of feminism, Islamic feminism, and development theories; it adapts strategies previously used by the CLEP to fit the country's specific circumstances and context. In this section, the key findings and implications of the research are discussed in relation to existing literature, linking them to the objectives of the thesis, along with suggestions for policy and practice. They are as follows:

8.1.1 Challenges and Progress of Women's Employment in KSA

The study examined the factors that encourage and discourage Saudi women from participating in the economy. The results showed that family has the most significant influence

on women's employment decisions, especially regarding paternalistic male duties towards women, where fathers or brothers influence employment choices. Additionally, family considerations also involve a husband and children, with women bearing the primary responsibility for them. Across the survey's comments and responses, there was widespread agreement that family decisions are a major deterrent to women's employment choices. Cultural influence has also been linked to family influence, particularly in the attribution of primary gender roles and obligations to women within the family and society. Overall, family, social, and cultural influences all play a crucial role in either encouraging or discouraging women's participation in the economy. Their effect is evident in Saudi women's public and private lives; consequently, employment decisions rooted in paternal or fraternal perspectives are framed within patriarchal practices that impact women's agency, as discussed in the thesis.

Based on the above discussion, the family is also the primary supporter of women's employment. The lack of such support results from several factors, including job unsuitability in terms of location, wages, environment, and facilities for women and children, as well as the inadequacy of available jobs to women's qualifications and the incompatibility of work with women's nature, which was the most emphasised. These factors act as barriers to women's employment, hindering their ability to pursue job opportunities. Family decisions based on these factors may sometimes be valid; nonetheless, the legal empowerment suggested in this study entails that women see their choices as agents, unaffected by familial and societal influences, and act to eliminate or reduce the effects of those factors. The findings seem to affirm the persistence of patriarchal practices despite ongoing efforts to promote women's employment. Recommendations advocate for adopting legal empowerment strategies, including societal awareness, training, and advocacy for legal reforms, which clarify and distinguish between legal requirements and cultural norms, along with raising awareness of the

impact of institutionalised patriarchy on families and society, and vice versa, as discussed in Chapters Two, Three, Four, and Five.

Not only was the family's lack of support for women's employment a factor, but also the availability of jobs that matched qualifications and were suitable for women's nature was widely recognised by both genders as influencing employment. These barriers can be tackled by advocating for legal reforms and monitoring their implementation, especially by paying close attention to reported mischievous acts and policies. For example, employers should be required to ensure a balanced distribution of job opportunities for both genders, preventing their organisations from appearing male-dominated. This approach mirrors the quota requirements introduced in the *Saudisation* and *Nitaqat* policies. Employers must also follow specific job description guidelines that help women assess job suitability based on their skills and qualifications. These guidelines should remove any unreasonable or unrealistic conditions that could lead to indirect discrimination against women. Additionally, they should help prevent mismatches between the required qualifications, the advertised job, and its salary and benefits. All efforts should be supported by legal empowerment strategies calling for reforms, legislative acts, and the enforcement of laws and policies that prohibit job discrimination against women. These strategies should also promote equality in access to opportunities and pay, as recommended. Moreover, raising women's awareness of their labour rights and wage entitlements is important. Public and worksite awareness of legal obligations and employment protections should be increased through campaigns or educational programmes run by the government or relevant stakeholders. Such measures aim to eliminate the barriers women face in the workplace.

In women's employment, the primary data emphasise the importance of updating workplace policies to meet women's needs, such as maternity leave, childcare facilities, affordable nurseries, and breastfeeding hours. Additionally, part-time jobs and roles with flexible working hours should be offered due to their high demand and their role in encouraging Saudi women to participate in the economy and resolve many family-work balance debates. Such regulations are the most effective way to address these demands and reduce the double burden on women. Formalising and regulating these demands are forms of women's empowerment in the employment sector, as they influence women's decisions to seek employment, improve their quality of life, better manage their obligations, and enhance their circumstances. Moreover, respondents did not regard marriage or having children as employment barriers; instead, they emphasised facilities that help in planning and caring for the family as essential, which supports the literature discussed. This highlights the need to provide more incentives and assurances to women concerning their family responsibilities and work, including working hours, modes of employment, childcare facilities, benefits, and leaves.

The study recommends that maternity and paternity leaves be extended in line with the ILO's recommendations, and that part-time, remote work, and flexible hours systems be promoted as options. A key policy priority should be to plan the most tolerable flexible arrangements organisations can offer for women to assist them in finding the perfect working arrangement. This includes eliminating gender-specific and status-specific costs for employers, combined with promoting institutions in opening childcare facilities and introducing schemes that assist employers in payment of maternity and paternity leaves, fundamentals to be considered by policymakers. The legal empowerment strategy for access to legal support assists women in obtaining legal aid to resolve issues and advocate for their needs. It guarantees that

policies promoting women's participation in the workforce are prioritised, and that those lacking support are revised or removed if discriminatory.

The main theoretical implication of this study indicates that most Saudi women aim to balance paid employment with family life. Meanwhile, only a small group was purely family-centred, based on the Preference-driven Theory. This supports the idea that Saudi women are willing to enter the workforce if suitable conditions are provided. Recognising this classification is vital for respecting women's choices and boosting their agency. The findings have important implications for understanding how to reduce the double burden faced by Saudi women through legal reforms, training, awareness campaigns, and strengthening workplace inspection systems as strategies for legal empowerment. Primarily, it is vital to eliminate practices that discriminate against married women, pregnant women, and mothers at any employment stage, and to hold employers accountable for legal breaches. Additionally, there is a need to advocate for new laws or reforms on the duration and financial benefits of maternity and paternity leave in the country. Thirdly, addressing issues around childcare facilities—particularly their availability at workplaces and nearby locations, as well as their cost—and simplifying the legal conditions for their provision is essential. Lastly, expanding and promoting diverse work arrangements, including flexible working options, is imperative. Policymakers and stakeholders should consider these strategies, alongside efforts by empowerment and development organisations, to raise awareness and ensure women's voices are heard.

The legal reform strategy is important for empowering Saudi women; the specific reforms discussed in Chapter Four have notably increased women's agency and been highly effective in promoting their participation in the workforce. However, insights from this study

reveal a societal hesitation towards this strategy, mainly due to its social effects on women's lives. Most views see reforms as a double-edged sword, with the potential to either empower women or undermine societal values by disrupting families and affecting children's security, well-being, and behaviour. The data show that legal reforms are most effective when combined with other strategies, such as education, training, and awareness campaigns. These findings support the thesis's suggestion in Chapter Four. Raising awareness and self-consciousness initiatives should accompany legal reforms to address concerns about beliefs, values, and family security. Only 1% of respondents see legal reforms as effective on their own, indicating a public need for clearer legal interpretation and advocacy. Legal empowerment strategies, such as providing legal support and advice services, along with training and educational campaigns, should be implemented. This approach will help Saudi women better understand how and when to use the law to their benefit, possibly enabling them to utilise legal rights according to their needs without compromising other aspects of their lives. Addressing the concerns of the majority could speed up the positive impact of these reforms.

The thesis offers a thorough analysis of women's employment in KSA, highlighting its dual nature as both a personal and societal issue. Family influence significantly shapes employment choices, reflecting societal attitudes towards the types of jobs women should pursue. A key finding of the research is recognising women's agency, which many believe enhances their economic participation. Employment is regarded as a catalyst that strengthens this agency, underlining its significance in feminist theories and women's legal empowerment at work. Feminists acknowledge how different circumstances affect women's choices and their exercise of agency. The study indicates that Saudi women make decisions based on their individual situations, leading to the conclusion that initiatives aimed at bolstering their agency are likely to yield positive outcomes. In fact, this study confirms that education and training

are vital tools for assisting women in overcoming employment barriers, alongside family support, societal acceptance, and clear, supportive regulations. Furthermore, the findings align with development theories discussed earlier in Chapter Five, showing that women in KSA are aware of the various factors affecting their agency. However, some participants remain sceptical about a direct link between agency and employment, viewing it as a skill to be learned and developed through life experiences rather than being solely gained through work. Despite this, many recognise that employment can enhance women's confidence and decision-making abilities, aligning with development theories that argue jobs can improve women's self-awareness and collective action. Overall, these results suggest that the WAD approach to development theories, explained in Chapter Five, which integrates public and private spheres in understanding women's circumstances within their families, social stereotypes, and personal aspirations for employment, should be adopted in KSA.

Moreover, Inglehart's Modernisation theory served as a foundational framework for analysing the results, which determined that economic development plays a significant role in promoting women's employment. The primary data confirms the application of the theory to women's cases in KSA; nonetheless, it also reveals the impact of social, religious, and cultural views on women's decisions to participate in the workforce. The primary data indicate that Saudi women's agency is closely tied to *Sharia* compliance and is essential in shaping their participation in the workforce; such compliance is affirmed as necessary in all the suggested legal empowerment strategies, particularly the legal reforms. Hence, Inglehart's Modernisation theory appears to be of limited relevance for KSA; the primary data support the thesis's analysis of its application to the KSA context in Chapter Five. Firstly, the results confirm that KSA remains in the initial phase of Industrialisation and has not yet progressed to the post-Modernisation phase outlined in the theory. Even during this phase of industrialisation, the

population's value system remains largely unaffected by economic development. That is, while patriarchy has indeed been weakened by developmental approaches, there still appears to be widespread acceptance among Saudi women of the idea of a fluid and interconnected self, based on the primary data. Their identities are shaped and closely tied to family, cultural context, communities, social roles, and relationships rather than individual attributes. Although this attribute enables a deeper understanding of how to navigate the complex social landscape, it also limits their sense of individualism and self-expression. Additionally, the primary data supports the thesis's analysis by indicating that oil-based development in KSA has not significantly advanced women's employment; it has not even been mentioned as impacting women's employment at present. Instead, the main concerns of the respondents have been the economic situation of the family, women's agency, and economic opportunities as primary drivers for employment.

Lastly, the study enhances existing knowledge of Saudi women's employment landscape by featuring the perspective of Islamic feminists, who assert that agency and empowerment should be rooted in religious principles, a view consistently upheld throughout the investigation. The findings generally reflect respect for Islamic principles and modesty in shaping women's agency, decision-making, and strategies for legal empowerment. For instance, both male and female respondents often see conflicts with family responsibilities and women's inherent nature as detrimental to legal empowerment efforts. These trends are consistent with the Islamic feminist approach to empowerment and agency, both of which are seen as bound by religious doctrines. Aligning with Islamic feminism, female participants also view agency as an expression of societal norms. One participant remarked that 'the society's culture is changed in terms of their view of a working woman,' highlighting how greater societal acceptance has alleviated the pressure to fight for employment. Acknowledging this,

economic barriers are regarded as more pressing obstacles. When navigating employment, 24% of female participants identified societal perceptions as a barrier, while 15% considered it the primary obstacle, reflecting the significant influence of societal views on women.

By integrating accepted customs and religious beliefs into legal empowerment initiatives, progress in Saudi women's participation in the labour sector has been notable. The data suggests that changing societal attitudes could open up further opportunities for women and boost economic engagement. Additionally, the principle of Islamic feminism—that women exercise agency as a modality of action after understanding societal norms, expressing themselves confidently, and maintaining societal standards—applies in KSA, albeit with certain reservations. This is relevant because the findings offer important insights into how Saudi women view themselves and their actions. Most male participants believed women could freely voice their opinions and demand their rights at work, but most women disagreed. Since men are voicing their perceptions of women's agency while women are the actual actors, it appears that this form of agency, advocated by Islamic feminists, exists in KSA; societal reserves remain crucial. These insights are highly valuable for policymakers, especially in designing training, educational initiatives, and legal reforms.

8.1.2 Pathways to Women's Legal Empowerment in KSA

The study aimed to develop the most effective strategies for women's legal empowerment in KSA, achieved through exploring the legal, economic, and theoretical aspects of women's empowerment. Three main challenges to women's empowerment were identified: cultural and societal attitudes, economic limitations, and legal obstacles. The primary data confirms these challenges and also shows their magnitude. Economic limitations were considered the most

significant challenge, followed by cultural and then legal barriers. This view can be explained by respondents' perception that economic difficulties are unmanageable and out of their control, whereas social and legal challenges—placed lower on the scale—are seen as more susceptible to change and influence.

Regarding the economic challenge, the legal empowerment of women has emerged as a progressive and welcomed change in the study. For example, the primary data indicate a growing acceptance of women in leadership roles, challenging longstanding norms that have confined them to secondary positions. This shift not only improves gender equality but also enhances women's decision-making and innovation, thereby positioning the economy for greater success and growth. Additionally, as seen in other MENA countries, the responses show that the financial independence that employment offers motivates women in KSA. Respondent No. 41 emphasised the issue of women's jobs that do not match their qualifications: '[T]he goal is not only work, but productivity, financial benefit, and community service', so employment is not only seen as fulfilling basic requirements. Respondent No. 75, female, employed, age 41+, noted in support that women's jobs have become a 'financial necessity' and further stressed that '...the financial obstacle is one of the biggest obstacles', referring to the challenge of the minimal wages women receive. In this context, legal empowerment emerges as a highly sought-after solution to these economic challenges, as it gives women greater autonomy over their financial and career decisions.

In addressing the legal and cultural barriers to women's empowerment in KSA, a central theme emerged: the respondents' intricate intertwining of the two challenges. While many assert that women's employment rights are protected and that the law fulfils all women's legal needs, they also advocate for legal empowerment to further safeguard and enhance women's

rights. For instance, although Article 149 of the Labour Law, concerning the nature of women and employment, has been repealed, aligning available employment opportunities with women's natures remains one of the most emphasised topics among the respondents. They appeared to overlook the aforementioned legal provision, indicating a significant disconnect between the legal requirement and society's perceptions of women and employment. Three distinct viewpoints illustrate the discrepancy regarding women's roles and needs in the workforce. Firstly, the diverse roles women fulfil as wives, mothers, and educators bring multifaceted responsibilities that extend beyond the workplace. Therefore, they require recognition, accommodations, and flexibility from employers, unlike their male counterparts. In such a case, women exercise their agency by opting out of jobs that negatively impact their quality of life.

Moreover, Saudi women's reliance on their guardians, who have responsibilities to protect them, can limit their pursuit of challenging jobs. This dependency can reduce the pressure to take on difficult roles and discourage the desire for a more independent career path. In this context, guardians' influence on women's employment choices can act as a barrier to their empowerment. Finally, women's physical considerations are a factor, as specific job requirements may not align with women's physiology, particularly in roles that demand significant strength and endurance. This mismatch can lead women to refuse such positions. Collectively, these viewpoints highlight the need for a nuanced understanding of women's social roles and legal rights in the workforce, emphasising the importance of addressing these disparities through legal empowerment and societal change.

Similarly, the mandate for adherence to *Sharia* in Article 4 of the Labour Law, which applies to both employers and workers, is described in the literature as needing clarification

and guidance on its principles. Despite some ambiguity, a majority agree on the importance of such adherence, reflecting the interconnectedness between societal beliefs and legal frameworks in shaping women's roles in the workplace. This emphasises the need for a holistic approach to women's legal empowerment, as laws and societal norms mutually influence each other in the eyes of the majority. A key barrier identified in the primary data is the blurred boundary between legal and cultural factors; nonetheless, the outcome remains the same. For instance, based on the Preference theory, Saudi women exercise their choices in response to social or legal policies in the region.⁶⁵⁰ They pursue their careers; if they are unable to secure one for any reason, they explore alternatives, such as becoming mothers or benefiting from the education provided in the country. The best description of their demands aligns with Hakim's theory of a 'modern division of labour,' in which women do not favour a career-centred lifestyle, and existing institutional policies do not apply to them equally to men.⁶⁵¹ Instead, they require policies that accommodate their lifestyles as home-centred or adaptive women, with secondary work and homemaking responsibilities balanced. The legal empowerment needs identified by the respondents were further understood through the lens of feminist theories, particularly Kabeer's resource, agency, and achievement approach.⁶⁵² Key resources identified include employment regulations and inspection systems, laws supporting women, job opportunities that meet women's needs, education and training programmes, legal awareness initiatives, and access to legal support. Most respondents agreed on these resources, emphasising education, a supportive environment, and personality development as the most effective ways to enhance women's agency to seek employment, demonstrating how women in KSA pursue human and social resources. Regarding agency, respondents believe Saudi women have agency through

⁶⁵⁰ Hakim (n 390).

⁶⁵¹ Ibid

⁶⁵² Kabeer (n 31).

their economic independence. However, this is often shaped by familial, religious, and cultural responsibilities.

The results offer deeper insights into the concept of agency as (Power Within). The participants highlighted several points; for example, participant No.6, female, employed, aged 31-40, stated, 'Decision-making skill depends on the individual's personality...', while participant No.41 added, '...it is in [women's] best interest to acquire a number of skills so [they] can adapt at work,' indicating that emotional factors may influence women's internal empowerment and decision-making abilities. Furthermore, there has been a focus on women developing their skills independently to stay current with the latest developments. This self-development is considered more vital than relying solely on employment laws and regulations. This underscores the need for broader initiatives to equip women with the capabilities, skills, knowledge, and self-esteem—perhaps by raising awareness and offering training programmes. Regarding agency (power to), the results show that Saudi women have the capacity to make decisions in the economic domain; however, this agency is gained through life experiences and the work environment, which necessitate training initiatives. Overall, the responses suggest that Power over, Power with, and Power for are interconnected and rooted in or enhanced by Power Within. The final element of the theory is achievement, which pertains to the realisation of women's legal empowerment goals. The results generally indicate that Saudi women have achieved many of these goals by entering the labour market, as statistics show. The ability to participate in the labour market appears to be realised, with numbers increasing and further growth anticipated through the implementation of legal empowerment strategies. Overall, the findings suggest that empowerment, as described in Kabeer's approach, is occurring within the country; they also point out that the development of Saudi women's agency is influenced by

adherence to norms, laws, and religion—thus confirming the literature of Islamic feminism, such as Mahmood’s views on agency explained in Chapter Five.

8.1.3 Legal and Economic Dimensions of Women’s Empowerment in KSA

The thesis identifies legal reforms and literacy as key strategies for women’s legal empowerment. Responses recognise the positive impact of legal reforms on women’s employment but also emphasise the need for improved women’s legal literacy, alongside the importance of legal training in the workplace, which are seen as the most effective and accurate ways of acquiring legal knowledge. Additionally, education -from general schooling to university- is highlighted as the most effective method for driving change at both individual and community levels. Indeed, a deeper societal understanding of the reasons behind empowerment and change would accelerate the realisation of the thesis objectives. Essentially, respondents demonstrated a general awareness of the country’s economic vision, which is promising for the acceptance of the proposed strategies for women’s legal empowerment within the economy. The situation in KSA reflects a phase of women's empowerment that incorporates elements of legal empowerment. This indicates that most components of professional interventions aimed at encouraging women to participate in the economy and accommodate their needs are being employed. Nonetheless, the study advocates for such interventions to be implemented through a bottom-up approach to address concerns raised in the responses, such as training, educational programmes, and awareness initiatives.

Furthermore, the data collected indicates that the participants understand most elements of legal empowerment. There is a consensus that it is a process mainly occurring within the community, where active participation is necessary to raise awareness and understanding of

the concept, leading to access to resources and involvement in decision-making. This illustrates how change can occur at both individual and collective levels. Responses also show respect for the Islamic perspective on women's empowerment as sisters, daughters, mothers and wives, emphasising that they should not be forced to work and should be provided for. These views highlight the importance of designing legal empowerment strategies that align with such beliefs and practices, presenting them as a way to enhance women's status rather than as a liberation effort. Finally, the thesis posed the question, 'What matters more to Saudi women regarding participation in the economy?' and most emphasis was on providing support through education, support in the public and private spheres, legal training, facilities at work, and access to legal assistance to promote participation in law and decision-making. These points indeed align with CLEP's approach, which recognises the importance of both legal and non-legal means for women's legal empowerment in employment.

Arguably, most of the requested initiatives can be classified as contributing to objective legal empowerment provided by both organisations and the government. Equally important for aligning with objective legal empowerment is the subjective aspect that several participants have emphasised. The need is for women not only to be aware that legal solutions are available but also to feel confident enough to decide to use and seek them, emphasising the importance of the previously discussed Bandura's theory of 'self-efficacy' in chapter Five. Therefore, to determine if women are truly empowered, they must be able to envision themselves as capable and able to utilise legal means to resolve their problems. Furthermore, the data analysis reveals a nuanced perspective on women's legal empowerment in the KSA economy. It demonstrates that respondents do not perceive women as disempowered, challenging the global notion that economic empowerment requires disempowerment as a prerequisite. Instead, empowerment

initiatives are regarded as the enhancement and codification of women's privileges rather than as genuine liberation.

Additionally, the findings emphasise that women are often seen as integral parts of the community rather than as autonomous individuals. Their choices are primarily influenced by their household and the broader community, underscoring the importance of community benefits in the proposed legal empowerment strategies. For example, to empower women to access banks and financial resources, even though women themselves are the primary beneficiaries of this goal, it is crucial to frame these initiatives as beneficial not only to women but also to their families and society at large. This applies regardless of the strategies adopted, whether legal reforms, education, or financial training. Encouraging women to own homes and assets can be more effective if the focus is on how this ownership will positively impact their children and improve the family's future economic stability. In summary, efforts to empower women should consider the broader family and community context, as these factors significantly influence women's decisions. Lastly, although there is a general acceptance and application of the global understanding of the relationship between empowerment and development in KSA, the feminist perspective linking economic empowerment to women's agency is acknowledged but often limited by prevailing norms and beliefs. Overall, the study predicts a positive outlook for the effectiveness of the proposed strategies in practice and outcomes. Its theoretical and practical contribution to women's legal empowerment for greater participation in the KSA economy is outlined below.

8.2 Contribution to Knowledge

8.2.1 Practical Contributions

This study emphasises the vital role of legal empowerment in increasing Saudi women's participation in the economy. Through a comprehensive investigation at the individual, community, policy, and theoretical levels, the findings make a significant contribution to the current literature. From a practical standpoint, adopting a bottom-up approach to implementing legal empowerment strategies in KSA shows promise. The study developed a quantitative and qualitative framework to identify obstacles to women's employment, including societal and cultural perceptions—especially regarding suitable jobs for women, job availability, and work environments. Additionally, legal barriers exist, including provisions that require reforms, clarifications, and enforcement to support women in the workplace. Economic factors also influence this issue, including the country's oil-based economy, the number and types of jobs allocated to women, and the facilities available to encourage economic participation. These barriers pose challenges to legal empowerment strategies, but they are surmountable. The thesis outlines actionable legal empowerment strategies in the following paragraphs.

Primarily, legal reforms and advocacy for policies that promote women's equality at all stages of employment are essential. This includes repealing discriminatory legal provisions, clarifying laws that are prone to biased interpretation, and enacting and enforcing laws and policies that prohibit discrimination against women in recruitment, pay, leave entitlements, job positions, and workplace rights. Legal reforms have been significant in differentiating between law and norms, which often overlap in policy and practice among the majority. These reforms also empower women to exercise their agency and participate in the labour market, laying a foundation for their rights and choices. Statistics indicate a substantial increase in the number

of Saudi women in employment following the reforms, demonstrating their positive impact on women's economic participation. A key contribution of this study is the assertion that legal reforms and advocacy should be integrated with other strategies to achieve optimal results. This is especially important in a bottom-up approach, as knowledge, education, awareness of rights, policies and regulations, a strong sense of self-awareness, and personal agency all contribute to advocating for necessary reforms that can improve women's employment conditions. Furthermore, legal reforms help codify areas that were previously unregulated, and, according to the study's findings, they play a crucial role in gradually shifting societal attitudes and norms, fostering greater acceptance of women's work. Ultimately, this progress supports the effective implementation of other legal empowerment strategies.

Additionally, the study supports the strategy of increasing legal awareness initiatives for women and society, especially to tackle cultural norms that influence women's employment. These norms often originate from patriarchal practices that affect women's agency both directly and indirectly. Women should be educated about their rights and ability to exercise agency and make employment choices. They need to be aware of their legal rights and responsibilities at work and be prepared to advocate for themselves. Moreover, they should recognise the challenges they face in employment, such as the double burden of responsibilities, wage disparities compared to men, working hours, and workplace duties, and understand the importance of addressing these issues. They should also know their entitlement to facilities such as childcare, particularly when mandated by law, as per Article 159 of the Labour Law discussed in Chapter Three.⁶⁵³ In addition, they should be aware of their legal protections against unfair dismissal, pay raises and promotions entitlement. Such efforts would translate formal reforms into real empowerment. In fact, the above contribution on the

⁶⁵³ KSA Labour Law (n 156).

emphasis of reforms and inclusive development -one of the lessons learned from the CLEP- leads not only to building institutions that protect women's rights but also to integrating their voices into the present and future of the country.

This study is the first to comprehensively apply and evaluate the CLEP approach alongside Kabeer's theory of agency and Islamic feminism, with the aim of legally empowering women in the KSA's employment sector. It deepens understanding of women's agency, emphasising its significance, its various aspects, and how it should be meaningfully exercised by women without hidden pressure. It also highlights how agency can be strengthened through training and education—resources that should be genuinely accessible —alongside other resources for women without barriers. The primary data indicate that most respondents believe women have agency in employment; however, the reality emphasises an urgent need for efforts to empower women to act as agents within their workplaces and employment environments. Overall, the implementation of the three approaches mentioned above is sensitive to culture and religion, which can be negotiated within existing values, social norms, and policies. Recognising this need for empowerment is crucial and can be achieved through awareness training and initiatives aimed at women's legal empowerment.

Awareness of women's needs and legal rights is essential for meaningful change. For instance, issues such as nursing break hours and the challenges they pose, along with the country's inadequate maternity leave duration—currently shorter than the ILO-recommended minimum of eighteen weeks—must be addressed. This study advocates for an extension based on both existing literature and primary data that confirm the need for such an adjustment. Notably, during this study, maternity leave in KSA was increased from ten weeks to twelve

weeks.⁶⁵⁴ The provision was subject to public consultation by the Ministry of HRSD to strengthen employment rights and align the country with international standards.⁶⁵⁵ Despite this improvement, it is important to recognise that the current duration still falls below the ILO's minimum recommendation, and public awareness of international standards was not significantly reflected during the referendum. Nevertheless, this enhancement offers promising opportunities to advance women's empowerment initiatives and underscores the importance of raising awareness through national and international campaigns focused on employment rights.

An additional strategy involves education and training on legal rights in employment, aimed at helping women gain knowledge from genuine sources about their rights and responsibilities, as well as informing them of available support. This initiative boosts their empowerment in dealing with recruitment and workplace issues. Primary data shows that many women rely on informal sources for information, which can lead to misinformation and restrict their access to job opportunities. This approach can also target employers and the public, spreading information about legal obligations, employment protections, and current legal provisions. A key contribution of the research, discussed in Chapter Three, is the focus on women's financial literacy. Educational programmes help them manage financial resources and enhance financial well-being, addressing the significant number of women in the country who, as statistics indicate, lack financial literacy.

⁶⁵⁴ Article 151, KSA Labour Law (n 156) Issued by Royal Decree No. M/44 Dated 12/8/2024, approving amendments to Some Articles of the Labor Law, to be Effective from 19/2/2025.

⁶⁵⁵ Lockton, 'Saudi Arabia to Implement Employment Law Reform' (2024) <<https://Global.Lockton.Com/Us/En/News-Insights/Saudi-Arabia-To-Implement-Employment-Law-Reform>> accessed 22nd Nov 2024; Alyaum, 'Labor System Amendments: Maternity Leave 12 Weeks and Probation Period 180 Days/Urgent' <<https://Www.Alyaum.Com/Articles/6544828/>> الأخبار/المملكة-اليوم/تعديلات-نظام-العمل-إجازة-الوضع-12-أسبوعا-وقترية-التجريبية-180-يوما-عاجل > accessed 26th May 2025 [Arabic Version].

Furthermore, the study recommends providing access to legal support, especially in workplaces, to assist with employment disputes, address discriminatory practices, and meet women's needs regarding facilities and the work environment. This support is vital for offering legal information. Respondents noted that they often consult colleagues and utilise free legal advice groups on social media for guidance. In critical cases, they seek paid legal assistance, highlighting the absence of dedicated information hubs and direct legal services for the public. The study proposes establishing reliable channels that engage beneficiaries through phone lines, online live chat, or face-to-face consultations for those who prefer personal contact. Additionally, access to legal support can foster Saudi women's entrepreneurship, enabling them to secure loans, negotiate contracts, and register their businesses, as detailed in Chapter Three. Based on the data analysed, it is recommended that reliable legal support entities that are easily accessible and offer both formal and informal legal consultations for women be made available. These services should be provided free of charge through online resources, which have proven popular among Saudi women.

Enhancing the labour inspection system by stressing the enforcement of laws on discrimination and inequality in employment, including those concerning recruitment, wages, unfair dismissal, promotions, leave, and facilities, is advised. Effective legal enforcement has historically been a key factor in women's low workforce participation. Chapter Four highlighted issues with the implementation of certain legal provisions, such as those related to hiring women, fulfilling quota requirements under the Nitaqat policies, and addressing discrimination and harassment. The primary data from this study confirmed the necessity of focusing on enforcement, as most respondents emphasised the importance of workplace inspections. Consequently, while regulations are designed to encourage women's entry into the labour market, failure to enforce these laws often produces the opposite effect. Promoting legal

enforcement aligns with earlier strategies. Without women being aware of their legal rights and recognising how certain practices hinder their empowerment and opportunities, they are unlikely to demand enforcement. It is also crucial to increase awareness about complaint procedures and enforcement demands through education, training campaigns, and initiatives. Overall, these outputs offer practical contributions relevant to the context of Saudi women. They address the issue of women and employment in KSA, aiding the realisation of women's legal empowerment by directing educational, legal, and financial support towards them. This supports economic development by empowering women to advocate for legal reforms, insist on the enforcement of existing laws, influence societal perceptions, strengthen their sense of identity and agency, and ultimately demand change and its implementation. These strategies can be adopted by government institutions, the private sector, non-governmental organisations focused on development and women's empowerment, and educational institutions. Involving women in these initiatives would amplify their voices, bridge research gaps related to the absence of Saudi women's perspectives on these issues, and ensure that the implementation of strategies adopts a bottom-up approach that addresses challenges identified by women as beneficiaries of the legal empowerment initiatives.

8.2.2 Theoretical Contribution

On the theoretical side, the study affirms the use of feminist and Islamic feminist theories to empower women. It examines the relevance of certain development theories, such as Modernisation theory, to the context of KSA, while supporting the CLEP framework of legal empowerment of the poor in this setting. The study presents the first comprehensive assessment and application of Kabeer's feminist theory and the CLEP approach to women's legal empowerment in KSA, making a significant contribution because both have been discussed

and applied only in countries with distinct histories, societal structures, beliefs, locations, and economic conditions. Consequently, this study's application of these theories addresses a gap in the literature and introduces new frameworks to improve women's situation. This is especially valuable for understanding women's agency in KSA, exploring how to enhance it, refer to it, and incorporate it into legal empowerment strategies. The study confirms that a bottom-up approach to empowerment, as proposed by CLEP, which integrates both legal and non-legal factors into its framework, directs resources and support toward women and focuses on giving them a voice and identity. This approach promises to improve women's understanding of, involvement in, and advocacy for the law in KSA. Moreover, the study explores the complex interplay between subjective and objective beliefs among women in KSA, identifying similarities and differences with other cultures, such as those in the Gulf and MENA regions, through the application of feminist and Islamic feminist theories of agency, alongside development theories focusing on history and society. The study concludes with practical legal empowerment strategies to overcome barriers to women's participation in the workforce in KSA. These insights offer valuable insight into the different levels of influence on women's empowerment at work, particularly regarding their agency, needs, and aspirations regarding available jobs and facilities. It employs a bottom-up approach to engage authorities, encouraging them to incorporate these insights into their programme strategies for women who are legally empowered.

One of the study's notable contributions is documenting barriers to women's employment and their needs, as expressed by Saudi women. Their voices enrich the knowledge base within socio-legal studies concerning legal empowerment and the transformation of their roles in the labour market. The study presented, defined, and explored their expectations in workplaces that encourage their employment. Efforts in the labour market to feminise work

have given Saudi women a degree of agency and independence, allowing them to articulate their needs and desires. Together with legal empowerment strategies, these efforts could dismantle many obstacles women face at the familial, social, and workplace levels. This study has provided insights into the experiences of employed and unemployed Saudi women, examining the variations in the challenges they encounter in the workforce, the impact these hurdles have, and women's confidence in their ability to overcome them through empowerment. Overall, the study establishes a theoretical framework where legal empowerment acts as a solution to the specific challenges Saudi women face as they pursue employment. It adds to existing empirical evidence on the obstacles confronting Saudi women in the workplace, while providing a comprehensive understanding of their circumstances related to family, culture, responsibilities, and independence, all of which influence their employment decisions. These factors affect women in different ways but can be gradually managed effectively if they are addressed and implemented through legal empowerment initiatives.

From a research perspective, the study demonstrates how the findings address the research problem outlined in the introductory chapter. It suggests that measures implemented to advance women's legal empowerment in the economic sector are not always recognised as such; however, they are vital to achieving this empowerment. Since this study emphasises the need for legal empowerment mainly, which will then lead to economic, political and other forms of empowerment, ongoing initiatives require more concise, clear, and integrated tools and frameworks to be regarded as legal empowerment measures. For this to be effective, it is essential to adopt an approach or framework in which women are understood both subjectively, through the feminist theory of Kabeer and Islamic feminists, and objectively, through development theories that focus on the external structures within which society is studied and

targeted, to support women's legal empowerment in the economy. The outcome is the proposed strategies that address the barriers women face in the economy, starting from themselves, their families and communities, their workplace, and institutions, to become active participants in the country's economy ultimately.

The study addressed its sub-questions by identifying barriers to women's economic participation and tailoring legal empowerment strategies to overcome these challenges. It emphasises the importance of recognising Saudi women's agency through various theories, highlighting the key qualities needed to protect and secure their rights at work. The research confirms that a women's legal empowerment approach is suitable for the KSA context, and it predicts its effectiveness based on both theoretical frameworks and practical evidence. The literature review and primary data collected in the study suggest that this mechanism can significantly improve women's situations in the country from multiple perspectives. Legal empowerment is identified as the most effective approach, as this study finds, because it surpasses the rule-of-law orthodoxy in empowering women. As a process, legal empowerment equips women with essential life skills and fosters necessary change within the economic sector. Government ministries, institutions, legal education and training organisations, as well as governmental and non-governmental entities focused on economic development and women's empowerment, can adopt and implement these strategies. By directing resources towards enhancing women's voices and identities, they can enable women to use the law effectively. The study asserts that the laws in KSA regarding women, along with legal reforms aimed at their empowerment, have played a significant role in the ongoing transformation of women's status in the country. However, it also highlights that Saudi women's proactive efforts to seek empowerment, utilise available resources, and advocate for legal reforms require additional support and targeted initiatives, all of which are addressed by the proposed legal

empowerment strategies. The final chapter presents the overall conclusion and recommendations of this thesis.

Chapter Nine

Conclusion and Recommendations for Future Research

This thesis set out to examine Saudi women's legal empowerment in employment by analysing the interaction between legal reforms, cultural norms, and women's agency within the Saudi socio-legal context. Drawing on both primary data and existing literature, the study demonstrates that barriers to women's participation in the workforce are neither purely legal nor purely cultural; rather, they are deeply intertwined and experienced by women as a blurred and inseparable set of constraints. Legal barriers identified include the absence of clear regulatory distinctions between law, custom, and *Sharia*, inconsistencies in implementation, limited availability of jobs aligned with women's qualifications, and insufficient institutional support, such as childcare, transportation, and fair wages. Social and cultural barriers, meanwhile, encompass prevailing norms regarding women's domestic responsibilities, perceptions of women's nature, and expectations surrounding gender segregation in the workplace. Importantly, the findings show that many women struggle to distinguish between legally mandated requirements and culturally embedded practices, such as guardianship approval or workplace segregation, even when these practices have been legally abolished or are no longer formally required. Women's responses to these barriers reveal complex forms of agency. While many participants acknowledge that certain norms restrict their employment opportunities, they often simultaneously accept, negotiate, or even demand these norms, particularly in relation to gender segregation and family-centred roles. This highlights that women's agency in the Saudi context is not necessarily expressed through resistance or the rejection of norms, but through strategic adaptation within existing institutional and cultural frameworks.

This thesis contributes to socio-legal and feminist scholarship by critically engaging with Hakim's Preference Theory to explain Saudi women's employment patterns and choices. Preference Theory is useful in accounting for women's differentiated aspirations—work-centred, family-centred, or adaptive—and for explaining why many Saudi women seek employment arrangements that align with existing cultural expectations rather than radically challenging them.⁶⁵⁶ The findings support the theory's claim that many women prioritise well-paid, professional employment compatible with their qualifications and family responsibilities, rather than a career-centred model based on equal institutional treatment with men. However, this study advances the literature by demonstrating the limitations of Preference Theory when applied without sufficient attention to cultural and societal constraints. Women's preferences do not develop in isolation; they are shaped, limited, and facilitated by legal ambiguity, social norms, institutional practices, and gendered expectations placed on both women and men. The assumption that work-centred women do not require family or social policies comparable to those demanded by family-centred women is therefore problematised. The findings suggest that even women who pursue full-time professional careers require supportive legal and social policies, particularly in contexts where gendered expectations around care and domestic responsibilities persist. A demand that can be pointed to as an elevated 'modern division of labour'⁶⁵⁷. By situating Preference Theory within a Saudi socio-legal framework, this thesis demonstrates the need to integrate cultural analysis into theories of women's employment choices. In doing so, it contributes a more context-sensitive understanding of women's agency that recognises adaptation, negotiation, and selective acceptance of norms as meaningful forms of empowerment.

⁶⁵⁶ As stressed in studies such as Alfarran, Pyke and Stanton (n 375) and Al-Munajjed (n 54).

⁶⁵⁷ Hakim (n 390).

The study demonstrates that legal reform is a necessary but insufficient condition for women's economic empowerment in KSA. While recent reforms represent a significant step forward, their impact is limited by unclear regulations, uneven implementation, and the persistence of deeply embedded cultural norms. Legal empowerment strategies must therefore go beyond formal legal change to include institutional and policy clarity, enforcement mechanisms, and complementary employment initiatives. Programmes such as *Nitaqat* demonstrate this complexity. Although based on assumptions that view women's employment as secondary to their domestic roles, the programme has nonetheless increased women's access to the labour market and contributed to changing aspirations and expectations⁶⁵⁸. This suggests that even imperfect or norm-conforming policies can generate gradual cultural change by increasing women's visibility and participation in economic life. Based on the findings, effective legal empowerment strategies should include clearer distinctions between law, custom, and religious interpretation; employment policies that accommodate diverse working patterns such as part-time and flexible hours; and institutional support mechanisms, including childcare facilities, safe transportation, and equitable pay structures. Such measures acknowledge Saudi women's lived realities while gradually expanding their opportunities and agency within the workforce. Overall, this thesis introduced a women's legal empowerment approach integrated with several theories and practices to accommodate the socio-cultural context of KSA and develop effective strategies to enable Saudi women to participate in the economy. With its recognised contribution, there is always scope for further expansion and investigation in future research. The following lines offer recommendations for future studies in this area.

⁶⁵⁸ In a agreement with Alfarran, Pyke and Stanton (n 375).

Future research in this area could further demonstrate the implications of this study's results, they could expand the thesis' scope to include a wider range of demographics and reach a broader audience for data collection, thereby increasing generalisability. Future studies may also focus on specific strategies for women's legal empowerment, examining their various dimensions and limitations. Furthermore, this thesis can serve as a catalyst for future academic research on women's legal empowerment in KSA by conducting a comparative analysis of Saudi women's status before and after the implementation of these measures. It can also provide a basis for comparing women's legal empowerment in KSA with that in neighbouring countries, particularly the Gulf states. Additionally, the study could be replicated in other national contexts. Applying the same framework to nearby countries, such as the Gulf states, would be beneficial because, despite their similarities, there are notable differences in their specific contexts; these differences could significantly enrich socio-legal studies. Moreover, this empirical research has explored the complex issue of women's legal empowerment in the economy; further studies could investigate legal empowerment in other sectors, such as health. Finally, a key contribution of this thesis is giving voice to Saudi women through both open-ended and closed-ended survey questions. Future research should aim to further amplify this voice, possibly through case studies and in-depth interviews.

This study responds to calls for more micro-level research on women in KSA, especially regarding their economic empowerment. Previous studies have focused on the patriarchal, historical, and educational influences on Saudi women's participation in the workforce. This created a gap in understanding the sources of power and the scope of empowerment available to women in KSA, particularly the legal empowerment options available to them. Filling this gap is crucial because it should not be assumed that patriarchal practices and societal norms that relegated women's work to a subordinate level of importance

necessarily oppress them. Instead, a thorough understanding of the beliefs, context, and gender power relations behind these practices in KSA has been necessary, as focusing solely on one aspect—such as history, patriarchy, or education—has been insufficient. This study contributes by presenting legal empowerment strategies grounded in a comprehensive understanding of the factors affecting women's work lives, as experienced by the participants. It is expected to expand knowledge in socio-legal studies, especially since women in KSA have not been easily reached or studied to understand their behaviours and ways of living, highlighting ways to overcome barriers to women's empowerment in employment. Given the critical importance of women's legal empowerment in the economic sector during this transformative phase KSA is going through, this research identified innovative approaches within the complex societal context that have the potential to increase the number of women in the workforce.

In conclusion, this thesis shows that women's economic empowerment in KSA is influenced by a complex interplay of law, culture, institutional practices, and individual agency. Legal reforms have established an essential foundation, but their transformative potential depends on parallel efforts to clarify regulations, challenge cultural norms, and create employment policies that respond to women's real experiences. By highlighting Saudi women's voices and placing their choices within a nuanced socio-legal context, this study goes beyond simple explanations of oppression or preference. Instead, it provides a well-grounded understanding of empowerment as a slow, negotiated process, with important implications for policy, theory, and future research during a critical period of change in the Kingdom.

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Appendix

Consent Form (Survey Participants)



Consent Form (Survey's Participants)

Title of the Project: [Women's legal empowerment in employment in Saudi Arabia]

1. I confirm that I have read and understand the Information Sheet dated 10 March 2023 for the above study.
2. I understand that my participation is voluntary and that I am free to withdraw from the project at any time without giving any reason and without penalty.
3. I understand that the identifiable data provided will be securely stored and accessible only to the researcher and her supervisors, and that confidentiality will be maintained.
4. I understand that my fully anonymised data will be used for this PhD thesis
5. I give permission for the anonymised data I provide to be deposited in researcher's USB/ hard disk so that they will be available for future research by the researcher
6. I understand that all the paper forms will be securely locked together in a file cabinet handled only by the researcher. Electronic data will be stored in a USB/ Hard disk and protected by a password and in case of data transfer, secure methods of file transfer will be used.
7. I agree to take part in the above study.



Please tick the box to consent and start the survey.

Researcher Name	Date	Researcher Signature
Rehab Barnawi	10 March 2023	<i>Rehab Barnawi</i>



Survey Participants' Information Sheet

Title of the Project: [Women's legal empowerment in employment in Saudi Arabia]

1. My name is Rehab Barnawi, I am a PhD student at the university of Essex, School of law in the UK. My thesis aims to explore Saudi women's barriers to employment and Saudi women's legal empowerment in terms of understanding and application. This data collection process is a part of completion my thesis and obtaining a degree of a PhD.
2. Taking part in this research is going to be by answering several survey questions about yourself as a Saudi woman to assess the overall need of women's legal empowerment in the country.
3. The aim of this survey is to assist in finding out women's barriers to employment and women's legal empowerment in KSA. This data collection process is a part of completing my thesis and obtaining a degree of PhD.
4. You are invited to take part of this study because you are a Saudi woman who is willing to contribute to knowledge.
5. Taking part of this research is completely voluntary, you have the right to withdraw at any time without consequences. All the answers provided are confidential and anonymous and will only be used for research purposes.
6. All the information are confidential and anonymous and will only be used for research purposes, no name or organisations names are not going to be mentioned in the study, the type of the organisation would only be mentioned. The result of the study will be submitted as part of the PhD dissertation.
7. All the paper forms, notes, and transcripts will be securely locked together in a file cabinet handled only by the researcher. Consent forms are not going to be printed or copied or used in the thesis to secure signatures or handwriting of the participants. Electronic data will be stored in a USB and protected by a password, in case of data transfer, secure methods of file transfer will be used. All the data provided by you will be securely stored and accessible only to the researcher and supervisors directly involved in the project, confidentiality will be maintained. All the data are fully anonymised and will be used for research purpose only.

THANK YOU.

Researcher Name: Rehab Barnawi
E-mail: Rb20452@essex.ac.uk

Kingdom of Saudi Arabia
Ministry of Health
IRB
GDRS



المملكة العربية السعودية
وزارة الصحة
اللجنة المحلية لأخلاقيات البحوث
الإدارة العامة للبحوث والدراسات

National Registration Number with NCBE-KACST, KSA: (H-01-R-009)

Approval Letter

Date: 4\4\2023

Category of Approval: **Expedited**

IRB log No: 23-35 E

Dear Rehab Barnawi

The IRB pleased to inform you that your study mentioned below has been reviewed and approved. This letter gives you an ethical clearance to implement your study according to the approved documents and you still need to obtain administrative approval from the site/s where the study will be conducted.

Protocol Title	Women's Legal Empowerment in Employment in Saudi Arabia		
PI name	Rehab Barnawi	PI ID	1071131385
PI affiliation	University of Essex	PI E-mail	s.maranlou@essex.ac.uk
IRB approved	<input checked="" type="checkbox"/> IRB application form	<input checked="" type="checkbox"/> Consent form	
Documents (attached)	<input checked="" type="checkbox"/> Data Collection tool	<input checked="" type="checkbox"/> Others, CVs & ethics certificates	

Approval Conditions:

- Approval is valid for **Four year** from the date of this letter.
- If the research is not completed within the validation period, PI will be required to apply for an extension from the IRB, one month before the expiry of the approval.
- Abide by the rules and regulations of the Government of Saudi Arabia, NCBE, MOH and the IHC-GCP guidelines.
- The research team should follow the IRB approved study documents, unless amendment(s) are requested and approved by the IRB.
- All researchers are required to have valid research ethics certificate on Protecting Human Research Participants.
- The research team are not allowed to disclose personally identifiable data to any other party.
- The PI is required to keep the study data securely for at least five years after completion of the study.
- The collected data should only be used for this research.
- It is required to collect three copies of informed consent forms (unless waived) as follow:
 - one copy to be kept with the PI.
 - one copy to be kept with the study participant.
 - one copy for the IRB committee.
- The PI is required to submit a progress report **every six months**.
- The PI must ensure adequate close-out of the study.

IRB- MOH (H-01-R-009)

Email: GDRS-IRB@moh.gov.sa

Kingdom of Saudi Arabia

Ministry of Health

IRB

GDRS



المملكة العربية السعودية

وزارة الصحة

اللجنة المحلية لأخلاقيات البحوث

الإدارة العامة للبحوث والدراسات

National Registration Number with NCBE-KACST, KSA: (H-01-R-009)

12. Publication by any means is not allowed except after getting an approval letter from the IRB and MOH research department.

Protocol Title	Women's Legal Empowerment in Employment in Saudi Arabia		
PI name	Rehab Barnawi	PI ID	1071131385

Sincerely,

Dr. Dalal S. Al-Deghaier – PhD

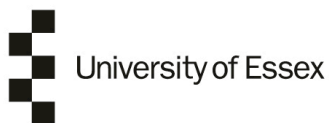
Chairman of IRB, MOH, KSA



IRB- MOH (H-01-R-009)

Email: GDRS-IRB@moh.gov.sa

Essex University Ethical Approval



13/03/2023

Miss Rehab Barnawi

Law

University of Essex

Dear Rehab,

Ethics Committee Decision

Application: ETH2223-0081

I am pleased to inform you that the research proposal entitled "Women's Legal Empowerment in Employment in Saudi Arabia" has been reviewed on behalf of the Ethics Sub Committee 3, and, based on the information provided, it has been awarded a favourable opinion.

The application was awarded a favourable opinion subject to the following **conditions**:

Extensions and Amendments:

If you propose to introduce an amendment to the research after approval or extend the duration of the study, an amendment should be submitted in ERAMS for further approval in advance of the expiry date listed in the ethics application form. Please note that it is not possible to make any amendments, including extending the duration of the study, once the expiry date has passed.

Covid-19:

Please note that the current Government guidelines in relation to Covid-19 must be adhered to and are subject to change and it is your responsibility to keep yourself informed and bear in mind the possibility of change when planning your research. You will be kept informed if there are any changes in the University guidelines.

I am sure that the research will now proceed to a successful outcome and wish you every success with your PhD.

Yours sincerely,

Maurice Sunkin

Questionnaire

1. Age

- a) 18 - 24
- b) 25 - 30
- c) 31 - 40
- d) 41 years and over.

2. Education level

- a) High school
- b) Diploma
- c) Bachelor
- d) Masters
- e) PhD

3. Gender

- a) Male
- b) Female

4. Marital status

- a) Single.
- b) Engaged
- c) Married
- d) Divorced
- e) Widower

5. Status of Employment

- a) Employed
- b) Unemployed (actively seeking employment)
- c) Housewife (no intention to work and not actively seeking employment)
- d) Student
- e) Self-employed

6. If employed, please state type/ site of employment.

.....

7. Are Saudi women aware of the significance of access to employment?

- a) Yes
- b) No
- c) Fairly

A space to comment on your answer:

.....

8. What are the factors that enhance Saudi women’s chances and access to employment?

- a) School education
- b) University education
- c) Training courses
- d) The society
- e) Employment regulations and laws supporting women.

- f) Jobs availability
- g) Suitability of the jobs to women's' nature
- h) All of the above

Others/ A space to comment on your answers:

.....

9. Are Saudi women aware of their legal rights at their work?

- 1. Yes
- 2. No
- 3. Fairly

A space to comment on your answer:

.....

10. What are the most effective sources of information Saudi women use to know their employment legal rights?

- a. Free Lawyers groups in WhatsApp and Telegram
- b. Senior colleagues at work
- c. Paid Lawyers and Legal consultants
- d. The ministry of human resources and social development (complaints and reports portal, call centre, twitter)
- e. Board of Grievances
- f. Other (please specify ...)

A space to comment on your answer:

.....

11. Do you think Saudi woman have agency when it comes to their employment/economic independence?

- a. Yes, she can freely decide whether or not she wants to work, when, where and what kind of work she wants.
- b. No, she can't decide freely whether or not she wants to work, when, where and what kind of work she wants.
- c. Sometimes

A space to comment on your answer:

.....

12. At work, can Saudi women demand their rights and express their opinion?

- a. Yes
- b. No
- c. Sometimes

A space to comment on your answer:

.....

13. Do you think employment enhances Saudi women's' agency and vice versa?

- a. Yes
- b. No
- c. Sometimes

A space to comment on your answer:

.....

14. What are main barriers to Saudi women’s access to work?

- a. Society perception
- b. Family decisions
- c. Absence of regulations
- d. Unavailability of adequate jobs to women
- e. Unavailability of equivalent jobs to the qualifications
- f. All of the above

Others/A space to comment on your answer:

.....

(A) How strong is their effect on women?

- a. High
- b. Moderate
- c. Low

(B) Are these constraints still present?

- a. Yes
- b. No

(C) Can Saudi women overcome them?

- a. Yes
- b. No

(D) In your opinion what Saudi women need to overcome these barriers?

- a. Women’s Legal empowerment
- b. Strengthening women’s agency through education and training
- c. All of the above.

Others/ A space to comment on your answer:

.....

15. What do you think of the concept of women’s legal empowerment in the labour sector?

.....

(A) Do Saudi women need legal empowerment to participate in the economy? (Explain if possible)

.....

(B) Would legal empowerment strategies enhance Saudi women’s agency and thus they would participate more in the economy? (e.g., legal reforms, raising awareness, training and legal literacy) (Explain if possible)

.....

(C) Are these strategies feasible in your opinion? (Explain if possible)

- a. Yes
- b. No
- c. Somehow

A space to comment on your answer:

.....

(D) what is the most effective strategy in your opinion?

.....

16. What are the barriers to women’s legal empowerment at work in KSA?

- a. Economic constraints (e.g., lack of or limited access to appropriate training, inappropriate working conditions, low wages)
- b. Social and cultural constraints (e.g., patriarchal culture, women’s role in social and family functions, confining women’s role in reproduction and family care)
- c. All of the above.

Others/ A space to comment on your answer:

.....

17. Do you think the legal reforms in the country play a major role in changing Saudi women’s life? Do they assist in changing their positions, the perceived thoughts and believes about them and their roles in the society? (Explain if possible)

.....

18. Do you think the legal reforms in regard to Saudi women’s work play a major role in women’s public and private life? do they influence women’s ability to make decisions and act upon them? (Explain if possible)

.....

19. What is your view regarding women employment in KSA in regard to both public and private regulations? Do you think certain demanded regulations such as childcare facilities at work, part time jobs, remote jobs would encourage women to participate in the market? (Explain if possible)

.....

20. Do you think such regulations impact women’s agency in terms decision making and willingness to act upon these decisions? do they encourage them to get employed? (Explain if possible)

.....

21. Finally, Do you think these reforms legally empowered women?

- a. Yes
- b. No
- c. Fairly

A space to comment on your answer:

.....

Thank you very much for your participation. Do you have a desire to be contacted by email for an interview.