Gender, Law, and Property Rights in the Middle East
Towards A Gendered Perspective of Property Rights in the Middle East

Randi Deguilhem
CNRS, TELEMME UMR 7303-MMSH / Aix-Marseille University, Aix-en-Provence
randi.deguilhem@univ-amu.fr

Fatiha Talahite
CNRS, CRESSPA UMR 7217 GTM, University of Paris 8 and Paris-Nanterre
fatiha.talahite@cnrs.fr

Gendered access to rights of property ownership and its exploitation are linked to explicit and implicit priorities and proclivities of a given society. Considering the situation from an intersectorial perspective and one which takes into account a non-linear long-term historical approach which necessarily includes changes over time which are firmly anchored within historical movements,¹ the question of gender-specific prerogatives or lack of them regarding rights of property ownership and its use reveals points of convergence where this type of activity is possible for both women and men. Likewise, this transhistorical approach points to sectors where institutionalized and customary law prohibited, permitted, or favored gender-specific real-estate ownership and its exploitation. Hence, the development of various gendered strategies devised and deployed by women and men in order to gain, retain, or prohibit control over rights of property ownership and exploitation.

¹ For example, Abdelhamid Hénia, Propriété et Stratégies Sociales à Tunis (XVIe–XIXe siècles), (University of Tunis Press, 1999), Faculty of Social Sciences and Humanities, who studied long-term patterns of different types of property ownership and the associated legal infrastructures over a period of several centuries in the city of Tunis from the sixteenth to the nineteenth centuries. Although a gendered analysis was not a specific focus of the study, it nonetheless became clear in the author's research that a gendered perspective of the relevant data was fundamental to understanding the intertwined dynamics of strategy, law, and property ownership.
These questions constitute the basis for the research published in this issue of *HAWWA* where authors explore nodes of interconnectivity between gender and rights on different types of property ownership and its use within specific contexts in the Middle East from the sixteenth century to the present. The empirically-grounded articles presented here as well as research on this topic published in multi-authored volumes, some of which have already appeared\(^2\) or which are forthcoming,\(^3\) make it abundantly clear that a gendered analysis of the rights of property ownership and its exploitation are mainstream questions central to understanding infrastructural dynamics of society. In other words, this issue focuses on questions of empowerment enabled by property ownership and its use with particular regard to ways that are contingent to given situations and which define the range of influence of women and men within their immediate and larger environment.

This issue of *HAWWA* should be read as a companion volume to *Cahiers du Genre* n° 62 published in spring 2017\(^4\) since both resulted from shared initiatives. However, whereas *Cahiers du Genre* n° 62 focuses on women and their rights (or lack thereof) in terms of property ownership and use on a global level, albeit with a concentration on Europe and Africa, this *HAWWA* issue presents research on gender and property rights specifically in the Middle East and Islamic worlds with the exception of a contribution which offers a comparative perspective for contemporary France.

With this in mind, the articles presented in this *HAWWA* issue represent work which partly results from the conjunction of three projects whose objectives overlap in several ways and all of which embody a multiplicity of disciplin ary and critical approaches to gender, law, and property rights in the Middle East. Two of the projects were organized around the study of the institution of

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4 Fatiha Talahite and Randi Deguilhem (dir.), *Cahiers du Genre: Femmes et droits de propriété*, n° 62, (Paris: L’Harmattan, CNRS / CRESSPA / Centre national du livre, 2017). For a theoretical framework which analyzes gendered rights of property from a political economic viewpoint, taking into account several legal codes and legislative systems, see the article published *infra* by Fatiha Talahite, « Pour une économie politique genrée des droits de propriété », *Cahiers du genre* n° 62, 19–42.