

**COMPARATIVE LAW: BRAZIL, BELGIUM AND SAUDI ARABIA ON
WOMEN'S RIGHTS**

DIREITO COMPARADO: BRASIL, BÉLGICA E ARÁBIA SAUDITA FRENTE AOS DIREITOS DA MULHER

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RESUMO

O presente trabalho possui uma análise a respeito dos direitos da mulher, como garantias e direitos fundamentais constitucionais e presentes na maioria das constituições dos Estados, tais quais: Brasil, Bélgica e Arábia Saudita. Consequentemente, a investigação apresenta um estudo acerca do direito comparado, sendo possível analisar a formação jurídica dos Estados em tela. Foi realizada uma investigação bibliográfica e uso do direito comparado para a metodologia do estudo. A investigação conclui pela existência de ideais preconceituosos e discriminatórios em relação às mulheres nesses três países,

que vêm discriminando, ao longo dos tempos, essas pessoas em decorrência do gênero.

Palavras-Chave: Direitos da Mulher; Direito Internacional; Direitos Humanos.

ABSTRACT

This paper has an analysis of women's rights, such as guarantees and fundamental constitutional rights and present in most state constitutions, such as Brazil, Belgium and Saudi Arabia. Consequently, the research presents a study on comparative law, it is possible to analyze the legal formation of states on screen. A bibliographic investigation was carried out for the methodology of the study. The investigation concludes by the existence of prejudiced and discriminatory ideals in relation to women in these three countries, which has been discriminated, over time, these people as a result of gender.

KEYWORDS: Women rights; International law; Human rights.

INTRODUCTION

In order to conduct the study, possibilities will be observed for achieving the principles of equality and human dignity in the context of women's rights. On the other hand, one can trace discussions about the emergence of feminist movements resulting from the very need for women's struggles and claims (in search of a recognition of their rights within society, as well as for the legitimization of their history), bringing more encouraging perspectives in terms of the future.

It is assumed that the devaluation of women is a social phenomenon rooted in the culture of patriarchy (PROBST, 2003). Thus, to understand this phenomenon, a study of the historical context is required to identify the definition of gender and the relationship between men and women (CARDOSO; ZIMMERMANN, 2020, p.144), as well as the delimitation of certain concepts, such as: patriarchy or the sexist of imposing submission (VERBICARO SOARES, 2019, p.136), in which the first manifestations can be found in the organization of society, based on a relationship of power and domination, between women and men (BUSTOS, 2006, p. 2).

Therefore, if we look only at the consecration of human rights around the world, we must ask ourselves: the efficiency of the application of women's rights include sexual freedom, life, freedom of thought, privacy, and the benefit of

scientific progress (STATE GOVERNMENT, 2020), among others. It is true to say that the UN and other international organizations already carry out, to a certain extent, international interventions in countries, calling on them to act in accordance with global standards of humanity, in accordance with the Universal Declaration of Human Rights.

It is imperative to highlight that in the cases of Brazil and Belgium, these rights have already been consolidated – men and women are equal before the law, therefore they have equal rights – by treating genders in terms of the principle of equality, in their constitutions, such as the Brazilian Federal Constitution of 1988 in its article 5, item I (BRAZIL, 1990), and the Belgian Constitution in its article 10, second part (BELGIUM, 2019).

However, the issue is deeper because the application of this equality in the countries in question depends on the governmental action and the cultural aspect, which is not yet a reality experienced by women.

Therefore, it is possible to observe the difference between the countries, while Belgium has international influence formations. Saudi Arabia is an example of a country with less freedom for women, or even simple gender equality, it is possible to analyze that after international pressure and the country itself are now beginning to discuss women's rights.

For the purposes of legal and critical comparisons, it is necessary to use comparative law to analyze legislative developments and setbacks on the subject in question. Belgium, according to a study conducted by the British Broadcasting Corporation – BBC website, Belgium is one of the best countries in the world in terms of gender equality, with the best public policies and legislation on the protection and equality of women (BBC, 2019).

On the other hand, Saudi Arabia is, a priori, the most troubled country for a woman to live in, as it does not bring any conditions of equality, where the woman can only exercise rights, even those fundamental ones, after authorization from her husband (NETO, 2015). Therefore, it is understood that the UN is currently the main channel for the promotion of human rights internationally. Thus, the interests related to women's rights are one of the important parts of the role of this international organization:

Principais Documentos Internacionais para a Promoção dos Direitos das Mulheres e da Igualdade de Gênero Carta das Nações Unidas (1945); Declaração Universal dos Direitos Humanos (1948); Convenção Interamericana Sobre a Concessão dos Direitos Civis à Mulher (1948);

Convenção sobre os Direitos Políticos da Mulher (1953); Convenções da OIT números 100, 103, 111, 156, 171; Convenção sobre a Eliminação de Todas as Formas de Discriminação Racial – CERD (1966); Convenção Americana de Direitos Humanos, São José (1969); I Conferência Mundial sobre a Mulher (Cidade do México, 1975); Convenção Para Eliminar Todas as Formas de Discriminação Contra a Mulher – CEDAW de 1979 (OBSERVATÓRIO DE GÊNERO, 2020).

In the context of the European Union, where Belgium is located, instruments have also been adopted to combat violence and discrimination against women in other countries. And at this juncture it regularly seeks to address the issue of women's rights and discriminatory laws and practices against them in its contacts with other countries (NETO, 2015). In contrast, Saudi Arabia recently allowed, in a Saudi government decision on August 2nd, 2019, adult women to travel without a guardian's permission and granted them more control over family affairs, restricting the powers of the so called male guardianship system (FOLHA DE SÃO PAULO, 2019).

It is important to note that with the use of comparative law one can notice the legal differences when, for example, in the changes made by the Government of Saudi Arabia that correspond to modifications in the civil status and travel document systems, recognizing that a woman can be a head of household and allowing her to apply for a passport without the consent of her guardian, as was in force.

For this work, a multidisciplinary research was planned, with emphasis on the social sciences in the search for explanations about the theme.

For the work, a multidisciplinary research was planned, with emphasis on the social sciences in the search for explanations about the theme. The article was divided into an introduction and three main parts, highlighting the reality of each country analyzed: Brazil, Belgium and Saudi Arabia, respectively, followed by the final considerations and references. The investigation concludes that there have been prejudiced and discriminatory ideals towards women in these three countries, which are under analysis in this study, over the course of time, these people as a result of their gender.

1 IN THE CONTEXT OF BRAZIL: THE FEDERAL CONSTITUTION OF 1988

It is important to mention that the concept of gender was elaborated in the mid-1970s. Being used initially in the work of sociologist Ann Oakley, due to the tensions caused by the emergence of the feminist political movement (MACHADO, 2016), which denounced and reflected on sexual oppression, the struggle between the sexes and sexual classes, which allowed the reconstruction of the very concept of feminine (POSSAS, 2004).

Although the Federal Constitution of 1988 has emphasized in its articles 5 and inc. I, art. 7 and art. 226, paragraph 5, the prohibition of any form of discrimination between men and women, the patriarchal ideology continues to subsist in the social sphere. In spite of this, the aforementioned constitutional norms represented a great advance for women's rights in Brazil (BRAZIL, 1990):

Art. 5º Todos são iguais perante a lei, sem distinção de qualquer natureza, garantindo-se aos brasileiros e aos estrangeiros residentes no País a inviolabilidade do direito à vida, à liberdade, à igualdade, à segurança e à propriedade, nos termos seguintes:

I - homens e mulheres são iguais em direitos e obrigações, nos termos desta Constituição;

According to the report from the Brazilian Institute of Geography and Statistics - IBGE (2018), equality between men and women in Brazil is still not absolute. The study reveals that the gender issue is not homogeneous in the country, as there is intense inequality between the percentages of men and women who work outside their homes, who hold public positions. Such inequality is the result of a historical disadvantageous structure in relation to women (IBGE, 2018).

Contextualizing the data from the IBGE Informative (2018) percentage women are in managerial positions: 36%; State ministerial positions: 7.1%; Military Police: 13.4%; Political positions: 10.5%; High school education: 57.3%; Time devoted to housework, housewives and women who have jobs outside the home are included in the calculation: 18% (and Men have 10% of their time allocated to housework); Women who are employed have a difference of almost 10% more than men and earn on average R\$ 542,00 less than men.

Regarding the Brazilian Great Letter, especially in its article 7 about the protection of women:

Art. 7º São direitos dos trabalhadores urbanos e rurais, além de outros que visem à melhoria de sua condição social:

XX – proteção do mercado de trabalho da mulher, mediante incentivos específicos, nos termos da lei;

XXX – proibição de diferença de salários, de exercício de funções e de critério de admissão por motivo de sexo, idade, cor ou estado civil (BRASIL, 2015).

At this juncture, the Brazilian Constitution also provides for the protection of women in the recognition of equality within the conjugal society: "Art. 226. The family, the basis of society, has special protection from the State. § Paragraph 5º The rights and duties related to the conjugal society are exercised equally by man and woman" (BRAZIL, 2015).

To corroborate this idea about the importance of the family context, Berenice Dias (2010, p. 1) believes that the new family formations are linked to female emancipation:

[...] longo calvário a que foram submetidas as mulheres até conseguirem alcançar, ao menos no plano constitucional, a tão esperada igualdade. [...] Hoje, [...] em face de sua independência pessoal e profissional, passou a exercer funções relevantes não só no âmbito da família, mas na própria sociedade (DIAS, 2010, p. 1).

The emancipation of women is an issue that directly impacts the lives of many women and allows them to conquer more and more space in the labor market, expanding their role in society, previously restricted only to the private (domestic) sphere. Unfortunately, in the national conjuncture, many of these women end up being overloaded in the performance of a double workday: inside and outside the home, because they are responsible for the accumulation of tasks in the private and public family sphere in the performance of labor tasks in the external labor market.

1.1 Specific Legislation of the women's rights in Brazil

With the influences of the modern world given by international treaties, conventions, and agreements, and also by internal manifestations of feminist movements, Brazil currently has several laws that aim to give equal treatment to Brazilian women, in addition to enforcing the Constitution and its principles, such as human dignity, freedom, equality, among others.

To demonstrate some taxatively relevant legal frameworks for women's rights, Athena Bastos (2019) has made a Brazilian legislative overview of the main specific norms of Brazilian women's rights through their national milestones:

Law 9.504/1997: Establishes rules for the elections (BRAZIL, 1997);

Law 11.340/2006: The Maria da Penha Law creates mechanisms to curb domestic and family violence against women (BRAZIL, 2006);

Law no. 13.104/2015: Amends art. 121 of the Penal Code, to provide for femicide as a qualifying circumstance of the crime of homicide, and art. 1 of the Hedonado Crimes Law, to include femicide in the list of heinous crimes (BRAZIL, 2015);

Law 13,718 of 2018 amended the Penal Code to typify the crimes of sexual importuning, which allowed for the punishment of men who masturbate or ejaculate on women in public places (BRAZIL, 2018).

With regard to women's achievements in accessing rights and protection against prejudice and discrimination, it was in the 1970s in Brazil, with the feminist movement, that the struggle for women's rights began, culminating decades later in the creation of Law 11.340/2006 (BRAZIL, 2006), better known as the Maria da Penha Law, which had a great social repercussion and was considered one of the most democratic norms we have had since the promulgation of the 1988 Federal Constitution. In effect, the Law altered the preventive-general mechanisms already existing in art. 129, §9 of the Penal Code, increasing the penalty.

And yet, even with the creation of the Maria da Penha Law, we can see from the news that violence against women in Brazil continues to victimize thousands of Brazilians, being something rooted, cultural, coming from a sexist and patriarchal society, which continues to be practiced on a large scale.

In general terms, femicide – article 121, § 2, VI, Penal Code, included by Law No. 13,104 of 2015 (BRAZIL, 2015), is the crime of homicide committed against women because they are women. In the words of Montenegro, femicide is the result of the behavior of contempt for the condition of the female gender, materialized by commissive or omissive conducts that vulnerable or eliminate life (MONTENEGRO, 2015, p. 90).

With the creation of the neologism femicide, the concept of femicide is considered broader, as it includes both intentionally caused deaths to women and facts that derive from clandestine abortions, from illnesses that are not

adequately treated by the health system (GUIMARÃES, MOREIRA, 2017 apud LAGARDE, p. 129).

Among other measures adopted by Brazil, the mentioned legal norms have revolutionized the conditions of equality and dignity for Brazilian women. Such mechanisms aim to inhibit, prevent, and punish the occurrence of acts that disregard human rights concerning women and also other people in vulnerable situations (VERBICARO SOARES, 2018, p.55). To this end, it is worth highlighting some norms and understandings of Belgium and Saudi Arabia to have a parameter of comparison.

2 THE INTERNATIONAL LAW APPLIED IN BRAZIL

Within the international context, various organizations aim to promote assistance to countries around the world in order to bring fundamental rights to all human beings. To this end, they have drawn up instruments of international law, such as, for example, human rights treaties and agreements between countries. In Brazil, it is no different, and when a country signs and subsequently enacts any of these instruments into its legal system, it is responsible for complying with the terms agreed upon. In the reality of women's rights, there is provision for some of the main international documents that are in force in Brazil (BASTOS, 2019).

To corroborate this argument one can explain: The Inter-American Convention on the Granting of Civil Rights to Women (1948); Inter-American Convention to Prevent, Punish and Eradicate Violence Against Women – Convention of Belém do Pará (1994); IV World Conference on Women (Beijing, 1995) (VERBICARO SOARES, 2012, p. 36–7); ILO Convention and Recommendation on Decent Work for Women Workers and Domestic Workers – no. 189 and the Recommendation on Decent Work for Domestic Workers (No. 201), of the International Labor Organization (LOWER HOUSE, 2017), and also the Yogyakarta Principles (2007), which deal with human rights issues related to matters of sexual and gender diversity.

As previously mentioned, the Maria da Penha Law arose from a request made to the Inter-American Commission on Human Rights by Maria da Penha, who became a quadriplegic as a result of the aggression she suffered from her then-husband, but who was unable to obtain support from the Brazilian legal system. Therefore, the very creation of the Law that combats domestic violence arose

within an international context, under pressure from international law through the international treaties enacted by Brazil.

In the context of international law, Brazil has been a signatory of the American Convention on Human Rights (1969) since 1992, which was promulgated in the country on November 6th of that year, through Decree No. 678. Brazil also recognized the contentious competence of the Inter-American Court of Human Rights in 1998, through Legislative Decree No. 89 (BRAZIL, 1992).

In 1994, the General Assembly of the Organization of American States – OAS approved the Inter-American Convention to Prevent, Punish and Eradicate Violence Against Women, known as the Convention of Belém do Pará, and was promulgated in Brazil by Decree No. 1,973, dated August 1st, 1996. This instrument was ratified in Brazil on November 27th, 1995 (BRAZIL, 1996).

As a result, recommendations were issued to the Brazilian State for special attention to cases involving violence against women. Thus, strengthening the sense of continuing and also intensifying the reform process that avoids state tolerance and discriminatory treatment with respect to gender-based violence against women in Brazil. The recommendations direct the State to promote training and sensitization measures for specialized judicial and police officials, so that they understand the importance of not tolerating gender violence against women.

2.1 Belgium and its Constitution

On April 18th, 1951, six European countries, including Belgium, signed the Treaty of Paris that created the European Coal and Steel Community (ECSC), and from this came a process of cooperation and integration between these six European countries. On March 25th, 1957, these countries signed in Rome the Treaties establishing the European Economic Community (EEC) and the European Atomic Energy Community (Euratom), known as the Treaties of Rome, thus forming the European Union – EU (MACEDO; SANTOS, 2009).

However, Belgium has its own Magna Carta that deals with fundamental rights. Article 10 of the Belgian Constitution states that men and women are equal before the law, that is, all rights and duties apply to everyone without any gender distinctions. It is not certain that women have real freedom and acceptance; there are still cases of gender-based violence and labor difficulties, but legally the country is well protected.

As most rights runs from the actions of the European Union, in short, the decisions of the European Court of Justice (ECJ) demonstrate the interest of member countries to promote gender equality, such as Turkey's entry into the EU in 2002, which was conditional on legislative reforms in the country, such as the enactment of a law promoting gender equality (MACEDO; SANTOS, 2009).

2.1.1 Belgian legislation specifying women's rights

Being a country with a certain legal structure of protection, Belgium is considered a country of refuge, being a great host for women fleeing their countries of origin, which do not give them minimum conditions of existence (BBC, 2019). The issue of women's rights has received increasing attention in recent decades, especially after the organization of the Fourth World Conference on Women in Beijing in 1995. The promotion and protection of women's rights is a priority for Belgium and the European Union.

A primer produced by the European Commission (2012) brought out some fundamental rights that treat men and women equally, but it demonstrates an interesting detail that is shown several times in the article: that the laws are made for men and women, except when talking about specific rights for women, such as maternity leave benefits, which offer women a sum of money while they spend the post-partum period safeguarding time with their child. It is emphasized in this case that there are previous legal determinations of contributions to enjoy the benefit, the estimated postpartum time for the woman corresponds to 15 or 17 weeks when multiple birth, that is, birth of twins. (EUROPEAN COMMISSION, 2012).

An interesting action was that Belgium started offering courses to explain to all asylum seekers that they should behave, respectfully, towards women, as announced by the State Secretary for Asylum and Immigration, following reports of sexual assaults in Germany at certain commemorative festivals (BICA; MACEDO; MARQUES et al, 2016).

As Belgium firmed voting rights for women in 1948, the political situation is stable, but the amount of women in political office is less than that of men. Another Belgian legislative rule dictates that everyone who harasses someone on the streets of Belgium can be sentenced to almost a year in prison or pay a fine ranging from 50 to 1000 euros. A new law was passed in Belgium in 2010 (BICA; MACEDO; MARQUES et al2016), which prohibits the wearing of the full Islamic veil

in public spaces is in accordance with the European Convention on Human Rights which was much questioned by other mainly for the ideal of religious freedom.

2.2.2 International treaties in force in Belgium

As the country is part of the European Union, which even having economic focus, has several influences in decisions on equality between men and women and the signing of international agreements and treaties. So Belgium is active internationally in combating violence against women, labor inequalities besides forming solid principles of human dignity, freedom and gender equality (MACEDO; SANTOS, 2009).

In 1979, the United Nations (UN) Convention on the Elimination of All Forms of Discrimination against Women was adopted, ratified by Belgium in 1985. This instrument insists on non-discrimination in education, employment, economic and social activities, as well as equal rights and responsibilities of women and men in relation to parenthood. It also attaches great importance to women's reproductive rights, as well as access to family planning and social services to reconcile motherhood and fatherhood with professional life (UNIVERSITY OF MINNESOTA, s.n).

States are also encouraged to combat traditional practices and stereotypes that have a negative impact on women's rights, including through education. They are also encouraged to adopt positive discrimination measures against women and to abolish the trafficking and exploitation of prostitution. The UN General Assembly also adopted in 1993 a Declaration on the Elimination of Violence against Women (MACEDO; SANTOS, 2009).

Belgium is part of several international treaties and agreements that deal with women's rights, in short, the main international documents that have also been signed by Brazil and mentioned above. It is very likely that because of the conditions in which Belgium is legally protected, it is a target country for female immigrants who are running away from difficult situations in their countries, as is the case of Arab women.

3 THE REALITY OF SAUDI ARABIA

The restrictions present in Saudi Arabia's legal system on women are internationally recognized, in particular restrictions based on religion. The

country's official religion is Islam, which is based on the Koran, a book that tells the story of Muhammad, which talks about the god Allah and is similar to the sayings of the Evangelical Bible. With this, the Sharia or Sharia was formed, which is the Arab legal system, which proposes different interpretations today according to social spheres (SOUZA, 2015). According to Neto (2016), in the light of Brazilian legislation and international pacts, several rights are violated as the dignity of the human person, free manifestation of conscience and belief, right to come and go, exercise of family power, sexual freedom, right to inheritance, contract marriage, prohibiting and punishing corruption of minors, death penalty, bodily injury, etc.

No contexto do estudo deste artigo, mesmo que no alcorão não haja versículos que estabeleçam desigualdades entre homens e mulheres, é possível notar que a mulher tem uma imagem a “zelar” e o dever de ser submissa. Para exemplificar, há uma passagem no alcorão que traz a normativa que a mulher deve se vestir com pudor, por esse motivo as mulheres árabes usam burca – vestimenta que cobre todas as partes do corpo feminino deixando apenas os olhos à mostra (SOUZA, 2015, s.p).

In the context of the study of this article, even though there are no verses in the Koran that establish inequalities between men and women, it is possible to note that women have an image to "look after" and the duty to be submissive. To exemplificate, there is a passage in the Koran that brings the normative that women must dress with modesty, for this reason Arab women wear burqa – a garment that covers all parts of the female body leaving only the eyes on display (SOUZA, 2015, s.p).

3.1 New laws passed in the Saudi context

Over the years, some internal and external pressures the country began to make new legislative formulations, among them the population of Saudi Arabia witnessed in the month of August 2015 an unprecedented achievement: the process of registering women to run for political office in local elections, which took place in December of that same year. Additionally, women achieved the desired suffrage and were able to cast their votes to elect their municipal leaders.

In education, women are totally dependent on the approval of a male head to be in Saudi Arabia or in another country. In July 2017, schools for girls began to have physical education according to Sharia law, in addition, the country already

has several universities for women. In the same vein, Prince Mohamed Bin Salman, in June 2017, came up with a plan called "Vision 2030", which has the prospect of increasing the employment rate of women from 22% to 30% in a decade, in the country's economic context. (STATE OF MINES, 2019).

In August 2019, women were allowed to have passports without prior agreement from the male guardian, remembering that in 2018 women were allowed to drive for the first time in the country's history. Even with the advancement, there is no talk of a new political freedoms initiative. According to the digital newspaper "Estado de Minas" (Minas' State) (2019) some activists "[...] of which some of whom had fought for years for the right to drive, were detained and tried, mainly for speaking with foreign journalists." This approach allows an analysis showing that even after new conceptions of the Saudi legal system and there are still great cultural difficulties of acceptance of women's equality (SOUZA, 2015, s.p).

In the family sense, the woman is subject to the guardian's permission to marry and also arranged marriages, and the husband can divorce without the wife's permission. Then the Ministry of Justice (2018) gave suggestion that the courts give notice to women to file to inform them of the divorce, this by text message. Also in 2018, for the first time they were allowed to be at sporting events with the rule that they must be in separate stands, and reduced the powers of the religious police who reprimanded women who use their fingernails sparkling or not sufficiently covered (ESTADO DE MINAS, 2019).

Finally, under the new amendments, but women over the age of 21 have the same rights as men under the law regarding travel (FOLHA DE SÃO PAULO, 2019). For the first time, the amendments grant women the right to register births, marriage, divorce, and issue official family documents (NETO, 2015, s.p).

The Saudi Human Rights Commission is an institution established in order to address issues involving human rights, consequently women's rights, which was established in 2008, it was supposed to ensure women's rights, and they were also supposed to investigate cases of women's rights violations, however the investigations have not been taken seriously (IQBAL, 2017 apud FREEDOM HOUSE, 2017, p. 75).

In a way, the recent legislative changes show a delay in the process of seeking gender equality, but Saudi Arabia has that committed, among them the right of women to actively participate in political life, as provided by the 1976 International Covenant on Civil and Political Rights, which should have this right

so that they are able to express themselves politically in the face of the advances and problems of their societies (SOUZA, 2015, s.n).

According to the law, physical and sexual violence can be punished by a minimum of one month to one year in prison and a fine of \$13,300. Repeat offenders can have their sentences doubled. There is a Department of Abuse Prevention, which is expected to have training in how to deal with the issue of domestic abuse, although this crime is not the focus of the department. To this end, victims of abuse are entitled to psychological and medical treatment, and family reconciliation, but to have access to these services requires the approval of the guardian.

And furthermore, the department, does not receive reports after 10 pm (IQBAL, 2017 apud EUROPEAN PARLIAMENT, 2014, p. 75).

With all the internal pressure through the demonstrations and the international external pressure, the Saudi Arabian government has been trying to adjust to the issue of equality between men and women, as well as to the new laws and interpretations of Sharia law, requiring international intervention and the importance of international law in these debates.

To sediment the legal-religious formation of Saudi Arabia, Riffat Rêgolqbal (2017), provides:

No senso comum e na mídia, a religião é frequentemente apontada como a causadora da desigualdade de gênero. No entanto, não podemos colocar a religião como proxy da cultura [...] É necessário discernir a religião em si dos seus fies conservadores, bem como das tradições que ultrapassam os séculos. Muitos aspectos culturais da região são anteriores até mesmo ao surgimento do islã, alguns deles foram mencionados no capítulo

3. Este trabalho procurou mostrar que a religião pode ser usada de diferentes maneiras para alcançar um fim. O feminismo islâmico ainda é considerado uma novidade no campo de estudo, não havendo ainda muitas pesquisas sobre o assunto, principalmente no ocidente (IQBAL, 2017, p. 88-9).

According to Riffat Rêgolqbal(2017, p.88-9), the country's rulers are increasingly open to the standardization of women's fundamental rights, moving closer to Western cultural ideologies. Thus, the application of these new rights and new ideologies favorable to women's dignity promotes gender equality, but it is desafiadora in view of the Arab culture founded on Islam, a religion that

disseminates love and does not promote inequalities, but which, through a social construction, is interpreted in a way that is harmful to Arab women.

FINAL CONSIDERATIONS

The legal situation of the countries under study, in relation to women's rights, shows that comparative law is an interesting tool for analyzing the rights considered fundamental to women in each country and how Brazil adapts to external influences and internal feminist acts.

To this end, the study identified several legislative formations, as well as evidenced that even though there are laws in the country aimed at restraining, preventing, and punishing acts that affront the dignity of women, there are still large numbers of violence against women labor inequalities, different positions according to gender that can have an effect on the economy, the law, family formations, labor conditions, etc. Finally, the cultural difference of each country is noticeable, and how each in its own time has started to change its ideologies. It is certain that the feminist movements are very influential in the legal system of the country in which they occur; on the other hand, international pressures force a protectionist advance that benefits women as subjects of rights.

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