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Improving Women Participation in the Lebanese Political System: Patriarchal Culture vs Women Quota.

**If we agree that patriarchal culture is one main factor of discrimination, is the
Women Quota Political system to reduce its effect?**

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Abstract

The patriarchal and androcentric system in Lebanon is one of the main root-causes for women backward situation and inequalities. Lebanon is currently discussing in the parliament the drafting of a long due electoral law. Giving the opportunity to women movements took to claim the addition of the Women quota system in the new electoral bill. If this quota is implemented, would reduce the effect of the patriarchal culture and its features in the country? Paving the way to address other women rights for reaching equality. Based on our theoretical frame-work taking some notions developed by De Beauvoir, Suad among others, we will back up the finding of our field research carried out with national and international actors. In parallel a description and analysis of the Lebanese legal-framework in relation of the implementation of the CEDAW convention and the Declaration of Beijing along with countries reservations will be done. Likewise, we will expose the different aspects of the Quota System, mechanism of implementation, critics and positions in favour and against. Finally, we will express the role women should undertake and embrace in the public sphere, taking responsibilities for their transcendental destiny to achieve equality and freedom.

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Chapter I.

Introduction.

The aim of this modest essay is to explore and analyze if the women quota system in the new Lebanese Electoral bill -if implemented- would reduce the effect of the patriarchal culture and its features, which from our perspective, is the main root-cause of discrimination and women's inequality.

More specifically, if and how the quota system address the main obstacles refraining Lebanese women from participating to politics in a significant way under the male-dominated structure.

In order to analyze these matter, we will focus our study in the particular case of the situation on political participation of women in Lebanon and patriarchy, supported by field research and theoretical background. We will study the relations and the current situation of the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women¹ (from now on CEDAW) in Lebanon and the Declaration of Beijing with the reservations made by the country and its domestic legal-framework.

In parallel, we will define the Quota System as a temporary special measure, its mechanism of implementation and implications, position in favour, against and critics. Likewise, the Lebanese electoral bills proposing women quota and foreseen alternatives to implementation and its challenges.

In fact, we will see on the paper, the evident difficulty for women to access to the public sphere, thus socio-politic space. Normally, women's issues are relegated to the private space, as their status is considered a “natural” fact. The political community is still predominantly composed by men, from which women are prevented under the influence in the private sphere, understood as the “women natural realm”.

“...The private is political...”, was the slogan of the feminists in the 1970s. But in Arab countries and even in Lebanon, it is a very difficult message to pass, because the first political tentative of a society in the Arab countries consisted in erecting a private sphere as opposed to political one. And this is very true in Lebanon for political and historical reasons were the public and private sphere intersect,

1 CEDAW, <http://www.ohchr.org/Documents/ProfessionalInterest/cedaw.pdf> (accessed 28 May 2017).

given the role in the public space recognized to the ethnical-religious communities.

Women are still seen primarily within the optics of the family, under the notion of complementarity, while men are seen as the decision-makers, the owner of the political, religion (public) realm and head of the families as well.

Women do not exist outside the family, under the pretext of their "natural vocation" for the family; women cannot even be imagined as able to manage several people (women and men) on an equal basis outside the house. Since, the family would be the complementary element to the outside (the society) and as such, complementary to the man. Under this lens, why giving rights to women in the public space, when they are already represented by their complement in the public sphere, which is the man?.

Therefore, the argument we consider is the most suitable, at the base for the analysis of this topic is the patriarchal hierarchical system with the androcentrism as main element supporting this dynamic of no-presence, no-participation and no-influence of women in the public space. We believe the male-domination system and the power embedded in the patriarchy, are the underlying root-cause obstructing the development of women rights, hence equal political participation.

However, confessions for us are not the primary causes hindering the development of women rights in Lebanon. Instead, it is the underneath androcentric and patriarchal system which support the religions (the three main monotheistic religions are structured by a patriarchal system which is cross-cutting to all of it) architecture and conservatory political framework the cause of inequalities.

The features of patriarchy could be found interacting at all structural levels in Lebanon, at the social-cultural, economic, legislative and political level; making women equality very hard to reach. Indeed, we will note the constant perpetuation of these patriarchal attitudes within the social-political institutions.

The essay will be structured in six chapters based on the different subjects and related sections. After having provided an introduction to this research in this first chapter, in the second we will treat the core issue of this paper, which is the definition of patriarchy and androcentrism as root-cause hindering the participation of women in politics and ultimately the development of women rights and equality. We will base our study borrowing some main conceptions from Simone de Beauvoir's

perspective, expressed in her treaty “The Second Sex”² published for the first time in 1948, about the history of women's oppression. But as well, we will mention other related notions such as the Alterity of G.W. Friedrich Hegel³ and the existentialist of Sartre, to explain why women are the primary responsible for their future and destiny as main actors of the redefinition of the gender role. As Simone de Beauvoir stated, “Women are not born, women become”. This is to provide a complementary orientation and argument to the topic. Furthermore, we will briefly describe the relation with the concept of Public and Private Sphere using Hannah Arendt's thinking expressed in her major theoretical work “The Human Condition”⁴. Which it is believed it could help us to understand what the future and potential roles and responsibilities women should undertake and develop to obtaining equality, and how the public sphere should be handle and owned by women to this end.

In the final part of this chapter, we will develop a study done by the American-lebanese anthropologist Suad Joseph about what she called: “Patriarchal Connectivity”⁵, notion which she applied to the Lebanese family-societal relations and gender roles.

In the third chapter we will analyze the CEDAW convention and its implementation in Lebanon with the restrictive reservations done by the country, mainly concerning the personal status law and the equal political participation of women. The Lebanese legal framework, the nonexistence of a civil code regulating the personal status and the traditional patriarchal features hindering gender equality. The challenges to fully implement the CEDAW and the Beijing Declaration Action Plan, toward the implementation in Lebanon.

In the in the last two chapters of the essay, we will target the specific political right and the current situation of the political participation of women in Lebanon and the possible implementation of the quota system in the new electoral law. Finally, we will sum up the main findings and views from our field research from the Lebanese civil society, NGOs to the international community and government.

2 S. De Beauvoir, *The Second Sex*, London, Vintage Books Kindle Edition, 2014. Available from: E-Book Amazon Kindle, (accessed 28 May 2017).

3 J. Conill, 'La Alteridad Reciproca y la Experiencia del Reconocimiento', *Investigaciones Fenomenológicas, Cuerpo y alteridad*, vol monografico no. 2, 2010, p. 61-76. Available from http://www2.uned.es/dpto_fim/invfen/Inv_Fen_Extra_2/4_CONILL.pdf, (accessed 28 May 2017) Other, <https://en.wikipedia.org/wiki/Other> (accessed 28 May 2017)

4 S. Benhabib, 'Feminist Theory and Hannah Arendt's Concept of Public Space', *History of the Human Sciences*, 1993. Available from <http://hhs.sagepub.com/content/6/2/97> (accessed 28 May 2017)

5 S. Joseph, 'Connectivity and Patriarchy among Urban Working-Class Arab Families in Lebanon', *Ethos*, vol. 21. pp. 452-484, 1993. Wiley on behalf of the American Anthropological Association. Available from <http://www.jstor.org/stable/640580> (accessed 05 May 2017)

We will conclude our paper first, summarizing main positions on the situation of political participation of women in Lebanon and the implications of the patriarchal system. Lastly, we will try to understand if the quota system would be able to eventually reduce the patriarchal effects; then providing some insights about the roles women should undertake to reach equality.

I.a. Methodology: Actor-Network approach (ANT)⁶

The methodological approach will be based on actor-network approach methodology, which is basically. relate and describe the concepts-forces or elements in relation with different actors involved in the targeted social phenomena. This methodology is used by social sciences and the international relations just to mention.

The actor-network methodology will mainly be used to explore and see how different actors, and networks are made-up and therefore preserved to reach some particular goal. Using the following general definition of Actor-network: *"...putting all the factors involved in a social situation on the same level and doing away with the concept of social forces. Thus, objects, ideas, processes, and any other relevant factors are seen as just as important in creating social situations as humans. ANT holds that social forces do not exist in themselves, and therefore cannot be used to explain social phenomena. Instead, strictly empirical analysis should be undertaken to "describe" rather than "explain" social activity..."*

From our point of view, this methodology is suitable to describe our topic, since it is based on empirical data collection, primary research and the interrelations within the conceptual and theoretical notions.

I.b.Theoretical Frame-work:

The theoretical frame-work, used in this study is data collection from different types of scholars research papers, political and philosophical notions from different theories, publications from social-political magazines, reports from UN agencies and NGOs, including articles from women and gender studies magazines focused in the North Africa and Middle East region. As we mentioned earlier, the academic and theoretical sources will serve, them to contrast and back the primary research (field work), helping to describe and discuss reasons behind the situation of women political participation in

6. Actor-network theory (ANT) https://en.wikipedia.org/wiki/Actor%E2%80%93network_theory (accessed 28 May 2017)

Lebanon. directly related with the general situation of women rights in the country and in the MENA region as well.

I.c. Primary and Field Research.

The second and final part it is the primary research carried out through field research in Lebanon work during the period from March to June 2017. The format used were direct interviews, email questionnaires and focus-groups. This data collection process was divided into the following different groups or categories:

- **Government and Public Institutions:** Ministry of Women Affairs (Office of the Minister of State for Women's Affairs), National Commission for Lebanese Women (NCLW).
- **International Community:** European Union, UNDP (Electoral and Parliamentary Units), UNWomen, UNIFIL (Civil Affairs and Gender Sections), The Institute for Women's Studies in the Arab World (IWSAW), Embassy of Chile (former Minister of Chilean Women Affairs), International Foundation for Electoral System (IFES), United Nations Information Center (UNIC).
- **Lebanese Civil Society Organizations & NGO's.** ABAAD, KAFA, US-Lebanon Law, Women in Front (WIF), Maraya Lebanon, Lebanon Support, Young Women's Christian Association (YWCA), Women In Parliament (WIP), The Lebanese Council to Resist Violence Against Woman (LECORVAW- Tripoli)
- **Lebanese Political parties:** Lebanese Forces, Future Party, etc.

I.d. Limitations.

Basically, the constraints and limitations encountered during this field research were related to insufficient available time allocated for carry out interviews, focus groups, etc. in order to perform a deeper and integral inquiry. Many cases, actors (civil society organizations, NGOs, government, UN agencies) were not easily available and already scheduled interviews were canceled or postponed many times by them. In some cases the Arabic language, was as a restriction, mainly while doing focus groups in the field with women. Another constraint found was the limited access to close circles, contacts and networks, mainly from political parties and government institution. Finally, in few cases

actors did not show much interest in providing any type of information neither schedule interviews for data collection.

Chapter II

Patriarchy and Androcentrism as one of the root-causes hindering the development of Women Right and Equality.

In this chapter we will define and analyze the concepts of Patriarchy and Androcentrism, are the core notions for this paper, along side other complementarity notions, in order to understand and study the relation with the development of political participation of women in Lebanon in relation with the possibilities to achieve equality.

II.a. Patriarchy.

Patriarchy is a social organization in which men exercise power and domination (power relation in which an individual or a group of individuals is capable to impose their ideas, laws, their truths and belief to others) over the political, economic and religion domain, and/or holds the dominant role within the family, in relation to women.⁷

Interestingly to our study the notion also refers to the dignity which historically lures the function of patriarch and to the territory subject to the jurisdiction of a patriarch. The term “patriarchal” comes from the oriental Christians, related to the territorials subdivisions thus jurisdiction.⁸

Patriarchy then becomes a system of social structures and relations founded on the power of the father, considered as allegedly "natural": This mode of social organization leads to domination, even oppression, of women by men.

We could find different ways in which the patriarchal system was implemented:

a) Private Patriarchy; b) Public Patriarchy. The first one concerns the individual appropriation of women within the family and therefore their exclusion from the public space. Instead, the second one refers to the collective appropriation of women through segregation.⁹

7 This definition it is based on the following five works: E. Morin, *Le Paradigme perdu: la nature humaine*, Paris, 1973: E. Badinter, *L'un est l'autre*, Paris, 1986: S. Walby, *Theorizing Patriarchy*, Oxford, 1990: M. Tremblay, *Tendance de la science politique au Quebec*, n.23, 1993: H. Atlan, *L'uterus artificiel*, Paris 2005.

8 V. Teitelbaum & C. Lafon. 'Glossaire du feminisme d'alterite a violences. Petit lexique a l'usage de toutes et tous, Patriarcat, p.19-22. Le Bord de L'Eau, Collection La Mulette, 2014.

9 Ibid.

This segregation of women it is noticed in the public sphere, by different attitudes such as, discriminatory jobs, pay gap, glass ceiling, and the subordination of women from the public space.

The patriarchal system clearly remains the main obstacle to women's equality.

The sociologist Sylvia Walby¹⁰, describe six manifestations of the patriarchy:

- i. Work.
- ii. Domestic worker
- iii. Culture
- iv. Sexuality
- v. Violence
- vi. State.

These features are everywhere in the world and expressing themselves through the political and economic hegemony by men; women are always strongly underrepresented within the decision-making organs of the main societies.

As a simple example, in the judicial sphere, women/mother is excluded from the process of child recognition and identification of the new born, since it is the father's name the one given to the child, showing the paternal image ingrained in the child, this paternal nomination of the child, it is the entrance ID card to the social, thus political space in which the child will be mingle, identified and recognized as a member of a particular community and specific human group.¹¹

One of the main points concerning the patriarchy domination is that the natural female privilege of filiation was taken over by a social, juridic and religious male domination. The asymmetry between the certitude of maternity and the permanent uncertainty about paternity has strongly contributed to the establishment of this system of social organization and the discovery of the masculine role in the procreation has reinforced it.¹²

In this regard, the gestation and the birth of the patriarch's children, as well as the gestation and the birth of The children of other male members of the patrilineage. Since, paternity allows the male to exercise control over his children legitimated socially and through the system of kinship. That is why

10 S. Walby, *Theorizing Patriarchy*, Oxford, 1990.

11 J. Lacan, Concept of "paternal imago" (the name of the father) from the seminar of *The Psychoses* (1955–1956) to cover the role of the father in the *Symbolic Order*.

12 V. Teitelbaum & C. Lafon. 'Glossaire du feminisme d'alterite a violences. Petit lexique a l'usage de toutes et tous, Patriarcat, p.19-22. Le Bord de L'Eau, Collection La Mulette, 2014.

monogamy also reinforces the exercise of this control, both on the children and on the wife¹³.

Patriarchy from its inception works by men dominating over women and over other men who are not "patriarchs", but are subject to the "patriarch." Females are part of the economic and productive forces used by males, since the latter appropriate the labor force of women and of these younger males. Women produce and reproduce for the patriarch and for the patrilineage, that is, they contribute their labor force and perform the reproductive tasks. Patriarchs and patrilineages also exercise almost exclusive property rights over land and other means of production.¹⁴

The concept of patriarchy, used to mean also, heterosexuality and marriage. The family is articulated in the society by the organization of marriage, the kinship relations and the regulation of sexuality: most of which are linked by the law of exogamy, to the opening to other families and related societies. By deciding on the distribution of women and by regulating their desire. The sexual division of labor and patterns of postnuptial residence (patrilocality) also contribute to the subjection of women. All these features of the patriarchy system prevent any challenge to male domination.¹⁵

II.b. Male Domination & Androcentrism.

*"...the exercise of the natural rights of woman are only limited by the perpetual tyranny men impose upon her."*¹⁶ By Olympe De Gouges.

The patriarchal system is characterized by male domination or androcentrism, which basically consist in spaces or areas of activity in which men have most of the power and influence¹⁷.

Androcentrism could be defined; *"when man, masculine or masculinity are considered the measure of all things; when individual actions reflect male perspectives, interests or values; when man, masculine and masculinity are considered as the sole or primordial source of wisdom and authority, or when masculine experiences are preeminent, normative, imitative, desirable, and so on. It is also necessary to underline the reinforcement that other factors offer to androcentrism: representations*

13 Ibid.

14 A. Gonzalez Vazquez, Los conceptos de patriarcado y androcentrismo en el estudio sociológico y antropológico de las sociedades de mayoría musulmana, Collège de France/EHESS. p.489-504, Papers 2013, 98/3.

15 Ibid

16 O. de Gouges, Declaration des Droits de la Femme et de la Citoyenne, 1791.

17 Definition of "Male-domination", <https://www.collinsdictionary.com/dictionary/english/male-dominated> (accessed 05 June 2017).

and stereotypes, misogyny, sexism, machismo, marginalization, repression, physical and symbolic violence, etc.”¹⁸

Androcentrism also functions as a predominant system of legitimizing the authority of the "patriarch", in fact, it is one of the core values which patriarchy is characterized. Actually, patriarchy would be only possible within an androcentric ideological system, in which this authority is founded on the principle of the supremacy of the masculine over the feminine.

There are two main pillars of male domination we could notice, from one side the social control of women's fertility and from the other side the gendered division of roles and responsibilities. From this, result that women have also been alienated by men into their “natural and immutable” sexual roles. Within these structures, women's and women's activities becomes invisible, and this invisibility is seen in women's lack participation in the public sphere and in all orders of human existence. Moreover, this position places men as the only ones in which the facts of humanity, the process of creation, the society and the culture are identified.

Particularly in Muslim societies, including Lebanon, the power of men comes from the ownership of the land and from the control of the domestic sphere. Therefore, female subordination and their relative autonomy are highly instrumental by men. Clearly, as seen, the distinction between the public and the private space also has a great implication on women, on kinship and on religion.

II.c. The Second Sex. Main General Notions by S. De Beauvoir.

The main conception in which this author based her work are around the idea that woman has been held by men in a relationship of long-standing oppression, since they were relegated to being the “Other”, (based on the Hegelian idea of Other)¹⁹ and in relation with the existentialistic philosophical theory of J. P. Sartre²⁰. In which the self need otherness to define itself as a subject, meaning that for constitute the identity of the “self” invariable there is another self which makes part of it. In principle, this relationship should be reciprocal, a two-ways relations. But, under Beauvoir views, women are

18 A. Gonzalez Vazquez, Los conceptos de patriarcado y androcentrismo en el estudio sociológico y antropológico de las sociedades de mayoría musulmana, Collège de France/EHESS. p.489-504, Papers 2013, 98/3.

19 Other: wikipedia / <https://en.wikipedia.org/wiki/Other> (accessed 05 May 2017).

20 Existencialism, <https://www.cliffsnotes.com/literature/n/no-exit/critical-essays/sartrean-existentialism-specific-principles> (accessed 05 June 2017).

objectified by men and placed it and defined as the Other, and man takes the role of the subject the role of the Self. (see Annex Abaad interview)²¹

S. De Beauvoir says: *"is the incidental, the inessential, as opposed to the essential. He is the Subject, he is the Absolute-she is the Other."*²² Moreover, women are *"the negative to such a point that any determination is imputed to her as limitations"*²³.

*"...Humanity is male and man defines woman not in relation to herself but as relative to him; she is not regarded as an autonomous being. Men are the default setting and women are considered a recessive gender. As for man there is no need to define what is to be a man, there is no reason because they identified themselves as the superior part. Man represents both "the positive and the neutral, which doesn't need to be explained or defined, and it is self-explanatory..."*²⁴

The issue of the human existence in Beauvoir it is established by the different meaning of life in relation with the transcendence, which is to go beyond itself, towards the future, and immanence, as destined to maintain the species, the natural role and care for the home. This transcendence of the men makes them project their lives and meaning in the entire world, public sphere, (see Annex Abaad interview)²⁵ placing him in a privileged position of freedom in which men could express their humanity through the outside world, by conquering lands, projects, creativity and innovation/imagination; instead women were refrained to transcendence in order to be locked in the place of repetitive, uncreative and natural functions (maternity), and the passive acceptance of roles by society.²⁶ From this primary relation between men and women in which men alienated themselves (self / other) from being part of the entire humanity within women, to be the main subject the male domination relation emerged. Unequal relation in which men exercise power over women, taking advantage from his physical superiority confining women to a restrict controlled context. These social power structures are maintain to these days (see interview with Abaad, Kafa, M. Helou)²⁷

n her work Beauvoir, explains how biology and history, and women phenomenon external and unknown and somehow mystic contribute to a mark a difference in women's situation This unknown

21 See Annex Interviews: ABAAD Interview with Roula Abbas. p.1

22 S. De Beauvoir, *The Second Sex*, London, Vintage Books Kindle Edition, 2014. Available from: E-Book Amazon Kindle, (accessed 28 May 2017).

23 Ibid, Loc. 451.

24 Ibid, Loc. 342.

25 See Annex ABAAD Interview with Roula Abbas. P.1- 4

26 Annex Interviews: Abaas p.1- 4, M. Helou p.12-13, Chilean Former Minister of Women Affairs, p.21-22.

27 Annex Interviews: Abaas p.14, Kafa p.6-7, M. Helou p.12-13.

part of women (pregnancy) was a natural threat to men, in the same way the external world, meaning natural forces were unknown and threat men. This partially explain why men needed to conquer, control and dominate them, both nature and women (see Annex Interview: LECORVAW)²⁸

The development of the dual and very complex concept of the Eternal Feminine as a myth, it is very relevant wrap, trap and specifically define women's space and women's roles in the world. Which in the present could be traduced as a Gender roles stereotypes, the mother, the virgin, the motherland, nature which particularly in the Arab world have a definitive importance (see Annex interviews Abaad, FL, Lecorvaw)²⁹. This “women enclosure” denies women individuality thus her transcendence as a human being, encapsulating women in a unique and only physical / biological reproductive function.

Under this lens of myths women are seen and taken by men as sacred and ”diabolic”, for the very same reasons.

The human contradiction in which man knows that is born (from a women) and will die, which is something men cannot control provoke a feeling of love and hate against women, (mothers) as they unfairly are the ones to blame for both (the human birth and death).

“...This doubled and contradictory operation appears in all feminine myths, thus forcing women to unfairly take the burden and blame for existence...”³⁰ Somehow is still happening today in different ways in the society, in the divisions of roles, even in the deep root causes of male violence against women.

"One is not born, but rather becomes, a woman." this famous phrase describe Beauvoir position with the existentialism theory, rejecting the essentialism which claims that women are born “feminine” defined by determined culture and time. She consider that women are responsible for their future own and destiny (see Annex Interviews: Lebanese Forces, Maraya)³¹ Women should build and construct their women identity. Still women are free, this transcendent freedom still remains in women, it only need to be acknowledge and developed, it is a reversible process.

28 Annex Interviews: LECORVAW p.10-12.

29 Annex Interview: Abaad p.1-4, Lebanese Forces p.17-18, LECORVAW p.10-11.

30 S. Mussett , Simone De Beauvoir (1908-1986), *Internet Encyclopedia of Philosophy*, Utah Valley University, Available from: <http://www.iep.utm.edu/beauvoir/> (accessed 16 June 2017).

31 Annex Interview: Lebanese Forces p.17-18, Maraya.p.4-5.

Women are forced through their entire life to relinquish their demands to transcendence and authentic subjectivity by an increasingly tight acceptance of the "passive" and "alienated" role to man's "active" and "subjective" demands.³² (see Annex interviews: NCLW, Abaad)³³ This passive acceptance of the immanent natural role, forces women into a mere reproductive and basic existence, instead of transcending through work and creativity, such as mothers, household chores, cares, etc.

Interestingly, Beauvoir express that women are not innocent in this process of alienation and immanence, therefore objectification. Indeed, many women living in a patriarchal culture are guilty of the same action and thus are in some ways complicit in their own subjugation because of the seeming benefits it can bring as well as the respite from responsibility it promises.³⁴ (see Annex Interview FL, Amaya, Kafa, M. Helou, Lecorvaw and YWCA)³⁵ This statement could be clearly be reflected, as many others from S. Beauvoir, in the replication of patriarchal attitudes and conceptions by Lebanese women, since they perpetuate the same path and roles within the families and in the political arena as well.

Placing women as the Other in front of men, justifies women's oppression, therefore men used this as an alibi, for not supporting not understanding women and women's needs, creating a stereotype. This forms were always done in societies by the group higher in the hierarchy to lower group. Similar dynamics happened in other categories of identity, like class, race, religion, during history. However, women and gender were the most visible cases in which men stereotyped women and used it as a pretext for creating patriarchal societies.

The final ideas for the development and “emancipation” of women from men, and to transcend, could be summarize as follows: Women needs to build up themselves through their own free projects, to fight and take all the risks, uncertainty and danger that this action entails. Basically, transit the same process as men did once upon a time to reach the manhood and transcendence³⁶. Women can choose to

32 S. Mussett, Simone De Beauvoir (1908-1986), *Internet Encyclopedia of Philosophy*, Utah Valley University, Available from: <http://www.iep.utm.edu/beauvoir/> (accessed 16 June 2017).

33 Annex Interview: NCLW p.16, Abaad p.1-4.

34 S. Mussett, Simone De Beauvoir (1908-1986), *Internet Encyclopedia of Philosophy*, Utah Valley University, Available from: <http://www.iep.utm.edu/beauvoir/> (accessed 16 June 2017).

35 See Annex Interviews: Lebanese Forces p.17-18, Amaya p. 4-5, Kafa p.6-7, M. Helou p.12-13, Lecorvaw p.10-11, YWCA p.9.

36 A. Thuma, 'Hannah Arendt, Agency, and the Public Space'. *IWM Junior Visiting Fellows' Conferences*, Vol. XXIX, 2011. Available from: <http://www.iwm.at/publications/5-junior-visiting-fellows-conferences/vol-xxix/andrea-thuma-2/> (accessed 04 June 2017).

raise themselves, moving beyond the 'immanence', woman would be pride instead of feeling weak, vulnerable or incapable of doing “traditional men activities”, women should be pride and will start thinking, taking action, working, creating, on the same terms as men, declaring women as equal as men. In order to ensure woman's equality, Beauvoir advocates such changes in social structures that should be provided by the rules of law and the state.³⁷(see Annex Interview: Chilean Former Minister of Woman Affairs)

In addition to this, Beauvoir consider that maybe one of the most important achievement for women would be woman's economic freedom and independence from man (see Annex Interview Amaya)³⁸

Beauvoir's also similar to H. Arendt that women should have access to the same realms and same sort of activities that men. For the same reason, she think as H. Arendt that women should be treated as equal as men, in Arendt everyone participating and interacting into the public sphere is equal, also due to the justice principle. This equality should be reflected in laws, customs and education must be amended to enforce this equality.

Nonetheless, women are reportable for their future, and should be encouraged to define herself, taking individual responsibility and countability for their life, hence that is how freedom is achieved. This requires not just focusing on universal institutions, but on the situated individual existent, in the end,” *...One is not born, but rather becomes, a woman...*”³⁹

II.d. The Concept of Alterity – The Other by G. W. Frederik Hegel.

We decided to introduce the complex concept of Alterity / The Other based on the Hegelian thinking, just to briefly explain and relate the position in which men and the patriarchal system, have placed women. We will see later on in this chapter the links in S. De Beauvoir's treaty on the history of women oppression, and how she uses the notion of Other by Hegel to express the social dynamics and the oppression. It is not part of our essay to go deeper in the philosophical notions of Alterity, the paper just will strictly stick to define the concept of Other which will help us to understand the

37 Annex Interview: Chilean Former Minister of Woman Affairs. p 22-23.

38 Annex Interview with Maraya C. Cherfone p.4-5

39 S. De Beauvoir, *'The Second Sex'*, London, Vintage Books Kindle Edition, 2014. Loc. 342, Available from: E-Book Amazon Kindle, (accessed 28 May 2017).

alienation of women by men; and within the different theories we are using.

When Hegel refers in his essay on *The Phenomenology of Spirit* (1807) to the notion of the *Other* he does is in reference and to define the *Self* and the *Self-consciousness*, which is complementarity to the proposition to Self-awareness which is the capacity to introspection.⁴⁰

The Other, is clearly irremovable at the heart of “the self” and in a multiplicity of ways. That is why the Other could be also express whether in terms of the interpersonal “other” that defines and exceeds moral experience; the political “other” that defines and exceeds cross-cultural experience; the divine “other” that defines and exceeds religious experience; or the non-sensical “other” that defines and exceeds all sense as such. Women could be positioned as Other by men, in some of these categories such as, the political and the divine Other.⁴¹

Indeed, the self is precisely defined by and in relation to its exposures: exposure to desire, exposure to nature, exposure to others, exposure to the Other.

Understanding that the Self as a finite entity but in which finite things don't determine themselves, because, as "finite" things, their essential character is determined by their boundaries, over against other finite things. So, in order to become "real", they must go beyond their finitude ("finitude is only as a transcending of itself."⁴²

Finally, the term Othering describes the reductive action of labeling a person as someone who belongs to a subordinate social category defined as the Other. The practice of Othering is the exclusion of persons who do not fit the norm of the social group, which is a collective version of the Self. The characteristic of being the Other, is the state of being different from and alien to the social identity of a person (self)⁴³

II.e. Existentialism by J.P Sartre.

We consider appropriate to our topic to briefly describe the concept of existence thus the theory of Existentialism by Sartre since is related to the S. De Beauvoir position about what a women must do

40 Other: wikipedia / <https://en.wikipedia.org/wiki/Other> (accessed 05 May 2017).

41 J. Russon, Self and Other in Hegel's *Phenomenology of Spirit*. *Journal of Indian Council of Philosophical Research*, Vol. XVIII, No.4, p.1-18.2011.

42 The Other, https://en.wikipedia.org/wiki/Georg_Wilhelm_Friedrich_Hegel (accessed 05 June 2017).

43 Ibid.

and how women should act, taking responsibility from themselves and for their destiny in order to achieve equality, the act of political participation enters into this sphere of ownership. Since becoming a woman is a process, not a position nor a fixed status. It is actively decide and act to construct a women identity.

The idea of existentialism, places existence before essence. That is mean, Man exists (is born) before he can “be” anything, before he can become anything; therefore, his existence precedes his essence. His state of existence precedes his state of becoming. An individual is responsible for making himself into an essence, of lifting himself beyond the level of mere existence.

This is where choice and action come in, thus, there is no human nature. Man is simply, not only in the way by which he conceives himself, but as he wishes himself to be, and since he conceives himself after existence, man is nothing other than what he makes of himself.

Sartre distinguishes between "to be" and "to exist." One must exist before one can have essence, but objects and animals simply are. In this notion the concept of responsibility play a mayor role in defining the essence of a man through actions, commitments and engagement with the society. Man has a responsibility before other citizens for his actions. By acting, he creates a certain essence for society ("by choosing for oneself, man chooses for all men"); any action which one takes affects the rest of humanity. From the moment when man makes a choice, he is committed. Under this discourse, as we will see later, S. de Beauvoir places women as an individual which needs take responsibility and action in the political arena which is the public space, to create and shape her women essence and destiny.⁴⁴

II.f. Public Sphere and the relation with Women Agency in politics by Hannah Arendt.⁴⁴

Following to the idea of the self responsibility and agency in the public; thus political sphere; to for women to build up a new women identity; we would like to use the concept of public space by Hannah Arendt in *The Human Condition* (1958) to relate it with the role and positions we consider women should undertake as main actors in their liberation for reaching equality, knowing that this

44 <https://www.cliffsnotes.com/literature/n/no-exist/critical-essays/sartrean-existentialism-specific-principles> (accessed 05 June 2017).

44 A. Thuma. 'Hannah Arendt, Agency, and the Public Space'. *IWM Junior Visiting Fellows' Conferences*, Vol. XXIX, 2011. Available from: <http://www.iwm.at/publications/5-junior-visiting-fellows-conferences/vol-xxix/andrea-thuma-2/> (accessed 04 June 2017).

could only be achieved actively participating in the political space. These considerations will be replicated in the next chapter and retaken in the final conclusions of our paper as well.

For Arendt the public space is the political sphere, it is a shared space in the mutual action sphere. It is where the human condition of pluralism is exercised under the equality of actors. This public space, it is the only area where human can realize their fully existence and freedom.

This freedom is achieved by agency which is the individual's capacity to act, or in other words, by actively experiencing the worldly and public nature. Therefore, the public space is not a natural consequence of human coexistence. It is artificial: created by a human "web of relations". These interactions requires that plurality of human beings communicate with each other about the terms of their coexistence. Plurality is thus both a basic existential fact of human existence which requires interaction, communication/speech, cooperation and actions, so that a shared life with others becomes possible. Plurality is located within public spaces – only within their borders are action and speech possible.

Freedom from Arendt is the capacity for initiative; not simply liberty from outside forces or from the private necessities (private sphere), but a freedom enabled by the capacity to make beginnings, expressed in actions. It is the human freedom to act, to speak, and to create shared spaces through interaction with others.⁴⁵ This action (agency notion) in the public space is essential to a fulfilled human existence, it is the existential priority. Since, experience freedom is existentially more worthy than what can be experienced in a private existence alone. Only in this public sphere complete human realization could be earned, not in the private realm.

The full human realization cannot be done in the private sphere, due the need of appearance and the subject's visibility in the public area. And that is why is important to understand why women should take action and get involved into the public/political sphere and exposing themselves to others, a part of the women self-discovery. Only within the borders of the public space it is possible for her to appear before others. Therefore, public spaces, provide this kind of reality and durability to human life and to the world that is created between individuals through their actions, exposing themselves to

45 Freedom concept in Arendt also lies in her capacity to change the situation and, ultimately, the decision to act. It is a freedom to choose action or non-action, to act this way or another. Thus it is not the lack of independence but the lack of initiative or of opportunity to initiate action that renders humans unfree. Even these acts, as long as they occur within a space of possibilities and as long as the agent retains the capacity to initiate action within this space, may indeed be real actions and expressions of agency. A. Thuma. 'Hannah Arendt, Agency, and the Public Space'. *IWM Junior Visiting Fellows' Conferences*, Vol. XXIX, 2011. Available from: <http://www.iwm.at/publications/5-junior-visiting-fellows-conferences/vol-xxix/andrea-thuma-2/> (accessed 04 June 2017).

others; affirming in this way, the reality of the individual's identity through a public-self.

Personal / private spheres: It is the realm of necessity, of the obligatory, where all humans basic needs are satisfied. Including work, so it is the realm of labor as well. This space cannot be shared with others, which means it is out of politics. Arendt, consider the public/politic and the personal/private should not be mix it and thus clearly delimited. As the domain of necessity should not appear in the domain of freedom. Therefore no space in which identities may remain hidden or underperformed, which is characterized by inequalities in interaction, or which does not allow everyone to develop and demonstrate a "*public self*" in order to effectively and successfully interact and communicate can be a public space.⁴⁷

Being a women is not a political issue, it is a social one. But in order to be a "*political*" actor, women need to feel the need of "*worldly attachment*" of action, the appropriation of the public space. Since the meaning of political is the realization of freedom through interaction with others in public spaces.

⁴⁸

Basically, a human existence worth living must be rooted in the public as well as in the private realm. The public space thus offers the individual the second, "mundane" home which allows her to interact and to communicate with others and to transcend and fully acquired freedom, equality and reach humanization.

II.g. Patriarchal Connectivity Case of Lebanon by Suad Joseph. ⁴⁹

We are introducing to our analysis of the patriarchal system in Lebanon in relation with our topic of political/public participation of women the study done by the well-known american-lebanese anthropologist Suad Joseph, in which some of her studies were focused on the patriarchal system in the Arab world and particularly in Lebanon. Her conception of Connectivity Patriarchy, will allow us

47A. Thuma. 'Hannah Arendt, Agency, and the Public Space'. *IWM Junior Visiting Fellows' Conferences*, Vol. XXIX, 2011. Available from: <http://www.iwm.at/publications/5-junior-visiting-fellows-conferences/vol-xxix/andrea-thuma-2/> (accessed 04 June 2017).

48 Ibid.

49 S. JA. Thuma. 'Hannah Arendt, Agency, and the Public Space'. *IWM Junior Visiting Fellows' Conferences*, Vol. XXIX, 2011. Available from: <http://www.iwm.at/publications/5-junior-visiting-fellows-conferences/vol-xxix/andrea-thuma-2/> (accessed 04 June 2017). Joseph, Connectivity and Patriarchy among Urban Working-Class Arab Families in Lebanon. Wiley on behalf of the American Anthropological Association, *Ethos*, Vol. 21, No. 4, 1993, p. 452-484. Available from <http://www.jstor.org/stable/640580> (accessed 05 May 2017).

to understand the specificities and complexities of the Lebanese society and shed a light in the main obstacles refraining access and equal participation of women in politics, therefore gender equality.

Suad fiest defines the “patriarchal system”, patriarchal as we have seen before, meaning “...*privileging males and seniors and the mobilization of kinship structures, morality, and idioms to legitimate and institutionalize gendered and aged domination. It entails cultural constructs and structural relations that privilege the initiative of males and the submission of women and younger males...*”⁵⁰

Indeed, in Arab patriarchal societies, the principles of hierarchy are also based on age and gender, thus inequality is normalized. As Suad clearly express in her study “...*The patriarch sees his wife (wives), sisters and women (should serve and regard male kin as their protectors, as men are the protectors of women), junior siblings, and children as extensions of himself. He speaks for them, makes decisions for them, reads and expects to be read by them. The patriarch conflates his will with the will of the family. As he sees others as extensions of himself...*”⁵¹

From the other side, the notion of connectivity “...*to social relationships in which a person's boundaries are relativity fluid so that persons feel part of significant others...*”⁵²(Others: as extensions of themselves and themselves as extensions of others.) It is often a mutual and two-ways relationship, involving persons in large and close/ intimate networks with the formation of the self identity (self-shaping).

Males and elders are the only allowed to trespass the limits and intervene into the space of the self of others, close and extended family, mould its personal forms, and direct its relationships. Relations are built up domination schemes and submission cycles. As the power and leadership are gendered (masculinized) and aged (seniors / but not sexed), this mean that when males grows up they became dominant; shifting the life dynamics. Similar happens with older women who reach power in Arab patriarchal structures, due they elderly characteristic, using the system which normally oppress them

50 Idid

51 S. Joseph, Connectivity and Patriarchy among Urban Working-Class Arab Families in Lebanon. *Wiley on behalf of the American Anthropological Association*, Ethos, Vol. 21, No. 4, 1993, p. 455.
Available from <http://www.jstor.org/stable/640580> (accessed 05 May 2017).

52 Ibid, p. 456.

to move forward in their positions.

In patriarchal societies, then, connectivity can reinforce patriarchal power as an instrument of domination and reproduction, by designing males and elders equipped to conduct and control the lives of females and juniors, from one side and from the other side it creates women and juniors which are shaped and indoctrinated under a permeable structure, to follow and obey the leadership of males and seniors.

Under Suad's views, *patriarchal connectivity* results in “...the production of selves with fluid boundaries organized for gendered and aged domination in a culture valorizing kin structures, morality and idioms...”⁵⁴

Interesting to see, it is also that men in patriarchal connective systems usually are also reared in disperse and porous limits, reacting to and demanding the involvement of others. Men need the others for a feeling of full realization.

Since individuals reach fulfillment only in the context of family or community, and in which the economic, political and social survival depends upon the level of integration into family or community. Indeed, this close social loop it is person's primary source of security (protection, the satisfaction of basic needs, business, etc). In which there is a powerful identification with honor codes of hierarchical families, social groups, communities and admire elders. “...Families prioritized family solidarity and encouraged the subordination of members' needs to collective needs; they all supported cultural beliefs and family...”⁵⁵

It is essential to understand that in this sort of social networks the concept of enmeshment or entanglement clearly describe a process by which individual/selves are “crafted with diffuse boundaries”. It grant benefit to relationships and environment rather than inner selves/individuals. Under this context it is the evident how the patriarchal connectivity is key in relationships and way of

54 S Joseph, Connectivity and Patriarchy among Urban Working-Class Arab Families in Lebanon. *Wiley on behalf of the American Anthropological Association*, Ethos, Vol. 21, No. 4, 1993, p. 457-459

Available from <http://www.jstor.org/stable/640580> (accessed 05 May 2017).

55 Ibid, p. 460-461.

beings.

As Suad express: "...Given Arab patriarchy, connectivity meant the production of selves willing and capable of entering into hierarchical gendered and aged relations in which persons subordinated their needs and desires to those of male kin and elders. Connectivity helped produce patterns that locally signaled, healthy, responsible, and mature individuals.."⁵⁶

In Lebanon, patriarchal connectivity was supported by a political economy that rewarded and required beliefs and behaviors associated with sociability and primordial affiliation.

After the outbreak of the civil war in the 70s, since the impossibility to rely on the state for the minimal services, people have to relate only in their primary social network, personal connections to negotiate everything and reach higher authorities and family for getting some type of support for survival, like most basic services, law enforcement and social-cultural activities and protection. This situation it only reinforced social and family linkage to a point in which loyalty and obedience to the honor of hierarchical families was never doubted.⁵⁷

These intertwined family-social ties continued after the war, considering an extremely unstable state, unable to provide any kind of services, with rising levels of poverty and unemployment, it was only within the family context in which basic needs and some comfort were found. Moreover, the state organization was indeed very fragile and fragmented, fortifying in this way the diffusion and filtration at all levels of these informal forces and types of kinship in a pervasive manner. These out-of-state powers were centrifugal forces pulling stronger than centripetal until today.

This particular fusion and deep integration into family led to neglect of the individual, the society and ultimately the creation of an autonomous and strong state⁵⁸.

As mentioned before, in this context family values are over and above the person, identity is defined in familiar terms, connectivity relationships are not only functional but necessary for successful social existence.⁵⁹

Summarizing, all the cultural, religious and socia-political factors mentioned earlier in conjugation to

⁵⁶ Ibid.

⁵⁷ Ibid, p.476-479.

⁵⁸ H. Barakat, 1985.

⁵⁹ S. Joseph, Connectivity and Patriarchy among Urban Working-Class Arab Families in Lebanon. *Wiley on behalf of the American Anthropological Association*, Ethos, Vol. 21, No. 4, 1993, p. 476-480. Available from <http://www.jstor.org/stable/640580> (accessed 05 May 2017).

the patriarchal system and the connectivity social dynamics contributed to produce controllable and controlling selves⁶⁰

Therefore the features described here are consistent showing the reasons behind the particular low participation of women in politics; moreover the very rigid and limited positions of women in the public space and in taking over new social and economic functions as well. If we consider that the predominant value in the Lebanese societal-culture is the family and the structural social ties which are fundamental to the stability, functioning and ultimately the survival of the country's identity. Thus it will be not only be very challenging to alter that order, but also the transformation and “transgression” of these roles could be seen as a threat to the traditional social identities. Structures which very monolithic in the inner circle buy fragmented as a whole, without uniformity nor integration between each other, reason why roles dynamics should not be broken in order to allow some peaceful coexistence, these dynamics plays a major role against reaching women equality.

⁶⁰ Ibid.

Chapter III

International Instruments of Women Rights and the implementation in Lebanon. CEDAW Convention and the Declaration of Beijing.

III.a. The Convention of Elimination of All Forms of Discrimination against Women (CEDAW).

In this chapter we will define and describe in a general way the CEDAW convention, its main and most relevant articles related to our topic, along with other international instruments such the Beijing Declaration; to show the international legal framework which protects and guarantee the equality among women. Moreover with these bases we will proceed analyzing and exposing the position of Lebanon, the country's reservations and how the domestic law should be modified in order to acknowledged and fully implement the CEDAW. We will also identify patriarchal common features reflected and condemned by the CEDAW and the Beijing Declaration obstructing women's equality and which could be found in some parts of the Lebanese domestic framework.

Convention of Elimination of All Forms of Discrimination against Women (Dec. 1979).

This convention is the culmination point of several international treaties concerning women rights, including the Bill of Rights for Women (1968), UN Commission on the States of Women (1946),

Convention on Political Rights of Women (1952), Convention on the Nationality of Married Women (Statehood of Women, 1957), International Covenants of Human rights and the Universal Declaration of Human Rights (1948) among other instruments.

The **CEDAW** in its **Article 1**, defines the discrimination against women as: “...*any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field...*”⁶¹

Articles 2 and 3 express that states parties should..”To take all appropriate measure, including legislation to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women...in particular in the political, social, economic and cultural fields to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men

Article 4.

Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present convention, but shall in no way entail as consequence the maintenance of unequal or separate standards, these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

Article 5, 10 and 13:

To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.

Including the elimination of any stereotyped concept of the roles at all levels and in all forms of education.

Article 7 and 8: Are the main bases to encourage and empower women in political participation at all

61 Convention on Elimination of All Forms of Discrimination Against Women. Part I, art. 1, p. 2.
<http://www.ohchr.org/Documents/ProfessionalInterest/cedaw.pdf> (accessed 28 May 2017).

levels. Using all suitable measures, including temporary mechanisms like positive discrimination, which is the case of the implementation of a quota system in the electoral law to guarantee the equal participation of women in politics.

States parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women on equal terms with men the right to:

- vote in all elections and to be eligible for elections to all publicly elected bodies,
- to participate in the formulation of government policy and to hold public office, perform all public functions at all levels of government
- to participate in non-governmental organizations and association concerned with the public and political life of the country, and to represent their governments at the international level and to participate on the work of international organizations;

Article 9

States parties shall grant women equal rights with men to acquire, change or retain their nationality.

They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband, during marriage shall automatically change the nationality of the wife, render her stateless or force upon the nationality of the husband.

States parties shall grant women equal rights with men with respect to the nationality of their children.

Article 15:

States parties shall accord to women equality with men before law;

in civil matters, a legal capacity identical to that of men, and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals

Article 16:

States parties shall take all appropriate measure to eliminate discrimination against women in all matter relating to marriage and family, relations and in particular shall ensure, on a basis of equality of men and women:

- the same right to enter into marriage,
- to freely choose a spouse and to enter into marriage only with their free and full consent,
- the same rights and responsibilities during marriage and at it dissolution,
- the same personal rights as husband and wife, including the right to choose a family name, a

profession and an occupation,

-the betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

Article 28: Reservations.

Reservation incompatible with the object and purpose of the convention shall not be permitted.

III.b. Declaration of Beijing and Platform Action Plan 1995.⁶²

It is a visionary agenda for women empowerment and it is a comprehensive road-map for the achievement of gender equality. The platform for Action covers 12 critical areas of concern, that are relevant to achieve women equality: poverty, education and training, health, violence, armed conflict, economy, power and decision-making, institutional mechanisms, Human rights, media, environment, and girl child.

For each critical area of concern, strategic objectives are identified as a detailed catalog of related actions to be taken by Government and other stakeholders at national regional and international level.

We will strictly concentrate in the part concerning the participation of women in politics, power and decision-making positions (part G-181), which is relevant to our studies.

III.b.a. Part G.181. Power and decision-making positions.

General overview and recommendations for actions.

Based on the believe that every person has the right to take part in the Government of his/her country.

The empowerment and autonomy of women and the improvement of women's social, economic and political status is essential for the achievement of both transparent and accountable government and sustainable development in all areas. Equality in political decision-making performs a leverage function without which is of highly unlikely that a real integration of the equality dimension in government policy-making is feasible. In this respect, women's equal participation in political life plays a pivotal role in the general process of the advancement of women. Women's equal participation in decision-making is not only a demand for simple social justice or democracy but can also be seen

⁶² Beijing Declaration and Platform for Action 1995, <http://www.un.org/womenwatch/daw/beijing/platform/> p.119 -127. (accessed 30 May 2017).

as a necessary condition for women's interests to be taken into account.

Women are largely underrepresented at most levels of government, especially in ministerial and other executive bodies, and have made little progress in legislative bodies or in achieving the target of having 30 % women at decision-making levels. Globally only 10% of the member of legislative bodies and a lower percentage of ministerial positions are now held by women.

Although women make up at least half of the electorate in almost all countries and have attained the right to vote and hold office in almost all States Members of UN, women continue to be seriously underrepresented as candidates for public office.

The traditional working patterns of many political parties and government structures continue to be barriers to women's participation in public life. Women may be discouraged from seeking political office by discriminatory attitudes and practices, family and child care responsibilities and the high cost of seeking and holding public office. Non-formal networks and patterns of decision-making at the local community level that reflect a dominant male ethos restrict women's ability to participate equally in political, economic and social life

Women in politics and decision-making positions in government, and legislative bodies contribute to redefining political priorities, placing new items on the political agenda that reflect and address women's gender-specific concerns. Enhancing their opportunities to shape and design public policy, practice, so their interests may be recognized and addressed.

The low proportion of women among economic and political decision-makers at the local, regional and international levels, reflects structural and attitudinal barriers that need to be addressed through positive measures.

Equality in decision-making is essential to the empowerment of women, in some countries affirmative action has led to 33.3% or larger representation in local and national government.

Action to be taken:

By the governments:

1. Take actions to ensure women's equal access to and full participation in power structures and decision-making.

- a) Setting specific targets and implementing measures to substantially increase the number of women with a view to achieving equal representation of women and men, if necessary through positive action in all government and public administration positions
- b) take measures where appropriate in electoral systems that encourage political parties to integrate women in elective and non elective public positions, in the same proportion and at the same levels as men.
- c) promote and protect the equal rights of women and men to engage in political activities and to freedom of association, including membership in political parties and trade unions.
- d) review the differential impact of electoral systems on the political representation of women in elected bodies and consider, where appropriate, the adjustment or reform of those systems.
- e) ensure that men and women have equal access to the full range of public appointments and set up mechanisms within governmental structures for monitoring progress in the field.

By the Political Parties:

- a) consider examining party structures and procedures to remove all barriers that directly or indirectly discriminate against the participation of women.
- b) consider developing initiatives that allow women to participate fully in all internal policy making structures and appointive and electoral nominating processes.
- c) consider incorporating gender issues in their political agenda, taking measures to ensure that women can participate in the leadership of political parties on an equal basis with men

By Governments, national bodies, private sector, etc.

- a) take a positive action to build a critical mass of women leaders, executives and managers in strategic decision-making positions.

By women organizations, NGOs, etc.

- a) build and strengthen solidarity among women through information, education and sensitization activities
- b) advocate at all levels to enable women to influence political, economic and social decision, processes and systems, work towards seeking accountability, from elected representative on their commitment to gender concerns,

Action to be taken:**2. Increase women's capacity to participate in decision- making and leadership****By Governments, national bodies, private sector and political sector.**

- a) have a transparent criteria for decision making position and ensure that the selecting bodies have a gender-balanced composition.
- b) develop mechanisms and training to encourage women to participate in the electoral process, political activities and other leadership areas.

III.c. Case of Lebanon in the implementation of CEDAW and the country reservations.

Lebanon had signed and ratified the CEDAW in 1997, but the country stated several reservations, which goes against the nature of the CEDAW and its principles. The reservations were made in regard the following articles:

Art. 9: (2) Equal rights with regard to nationality.

Art. 16 (1), (c), (d), (f), (g) Equal rights in marriage and family life/personal status.

Art. 28. (2). Reservation incompatible with the object and purpose of the convention shall not be permitted.

Art. 29 (1) related to the administration of the convention; arbitration in the event of a dispute)

Many of these articles contain provisions that are fundamental to the purpose of the convention, as it was indicated by the CEDAW committee that: *"...reservations to article 16, whether lodged for national, traditional religious or cultural reasons, are incompatible with the convention and therefore impermissible..."*⁶³

III.c.a. Lebanese Legal Framework.

It is not the aim of this particular study to analyze the situation of all different range of women rights in Lebanon, that would eventually be the scope of another research but in light to show the general and backward situation of Lebanon, concerning women equality, we will briefly describe the domestic laws which are incompatible with the main articles of CEDAW.

63. Report of the Committee on the Elimination of Discrimination against Women, Eighteenth and Nineteenth Session, A/53/38/Rev.1, 1998, p.49

At the present, not modification has been done to the national legislation in order to fully implement the convention. As mentioned earlier, our main focus will be the Right and the situation of political participation and decision-making positions of women in the country, issue that will be treated in depth in the Chapter IV of this paper.

The Lebanese legal system was strongly influenced and based on the French and the Egyptian juridical systems.⁶⁴ The different religious communities in Lebanon have their own personal status laws, which regulate legal procedures that concern to matters of personal status, family issues, marriage, divorce, inheritance, children custody, etc.

To explain the current situation in Lebanon concerning the situation of women and their general legal status, would it be important to start also noting some articles of the Lebanese constitution⁶⁵ which are somehow quite contradictory as follows.

Art. 7: *“...All Lebanese shall be equal before the law. They shall equally enjoy civil and political rights and shall equally be bound by public obligations and duties without any distinction...”*

Art. 9:

“...There shall be absolute freedom of conscience. The state in rendering homage to the God Almighty shall respect all religions and creeds and shall guarantees, under its protection the free exercise of all religious rites provided that public order is not disturbed. It shall also guarantees that the personal status and religious interests of the population, to whatever religious sect they belong, shall be respected....”

These two articles open the debate to different readings, concerning the equal status of Lebanese citizens, in the article n. 7, all Lebanese citizens are equal before law, without any distinction, but instead in article n.9, the constitution guarantee that the personal status and religious interest of the population is respected, in this regard the inequality is found in the personal status of women which

64. F. El Samad, *The Lebanese Legal System and Research*, 2008, <http://www.nyulawglobal.org/globalex/Lebanon.html> (accessed 30 May 2017)

65 *'The Lebanese Constitution'*, Chapter II, *The Lebanese: Their Rights and Duties*, Article 7 and 9. p. 5, 1926 with its amendments 1995

are considered for reasons mentioned earlier on this paper, as a second class citizens. Women are treated as minors in decisions related to governing their own lives, with limited rights compared to men. Therefore, from the beginning in the main chart of the country the inequality it is at least quite controversial and unclear, opening the matter to biased and various interpretations of these part of the constitutional chart on which article, interpretation and law should prevail.

Still Lebanon renewed the consecration of the Article 7 by stipulating Lebanon's commitment to UN charter and the Declaration of Human Rights and its principles. Thus guaranteeing that Lebanon is a parliamentary democratic republic based on respect for social justice and equally of rights and duties among all citizens without discrimination. Indeed, the Lebanese government ratified as mentioned before several conventions, declarations, and international charters relating women's rights, etc. Additionally, the Article n. 2 of the Code of Civil Procedure reflects Lebanon's adoption of the principle of supremacy of international conventions on national laws in case of conflict, which is the Monist Doctrine, rendering any discriminative laws, not matter their bases, unconstitutional.⁶⁶

In addition to that, there are 18 legally recognized religious groups in the country, but the largest religious groups are Sunni and Shiite Muslims and the Maronite Christians, all of them have their religious courts ruling the personal status of the members of their community/faith. Basically, there are not civil code/law procedure which could lessen the impact of sects, harmonizing the personal status of all citizens in Lebanon. These laws do not ensure equality between men and women within a religious group and between women of different religious groups either.

As Azza Baydoum express: "...In Lebanon, like any country that is governed by a patriarchal system, belonging(...) to a particular family is inherited through the male line of kinship (bloodline). By contrast, a women's lineage or affiliation changes through marriage, as does her sectarian, regional and familial affiliation..."⁶⁷

As said before, personal status laws are intimately tied to political nepotism and to cultural specific notion of the citizen as a subject⁶⁸, where the male head of families are also heirs to the political

66 M. Helou *'Study on Advocacy for the Adoption of a Quota for Women in Electoral Law'* EU/Eurecna, p.15, 2016. NCLW.

67 A. Charara-Baydoum, 'Revisiting Inequalities in Lebanon, The Case of the "Syrian refugee crisis and gender dynamics"'. *Civil Society Review* Issue 1- Jan 2015, p. 74, Lebanon Support.

68 'Most Constitutions of Arab States identify the basic unit of society as the family. This suggests the masculinization of citizenship in Arab states is tied to culturally to specific notion of the citizen as a subject'. S. Joseph. "Gender and Citizenship in the Arab World" Concept, University of California, Davis, 2002. Available online from: www.euromedgenderequality.org/image.php?id=487 (accessed 05 June 2017)

throne, clearly, this behavior prevents women to occupy political and public spaces. Indeed, the Arab citizen (including Lebanese) subject is seen as a patriarch, the head of the patriarchal family, legally constituted as the basic unit of the political community who accrues rights and responsibilities, concomitant to that legal status. Using a Beauvoir's term: “..there is an absolute human type, that is the masculine..”⁶⁹

Here below a brief description of these laws:

Nationality rights: Lebanese women married to foreigners spouses cannot pass their Lebanese citizens to their children or foreign partner. Only children born from Lebanese father can do it. So only Lebanese men have the right to pass their citizenship to a non Lebanese spouse or sons.

Women married a foreign spouse will be considered residents rather than citizens and will not enjoy the same rights. Women only can pass their Lebanese citizenship to their children if the father is unknown.

Divorce rights: Divorce norms are diverse depending on the sect/religious group. For Muslim men divorce is simpler than for Muslim women, which is still possible but more complicated.

Instead for Catholics, divorce is directly not allowed (some exceptional reasons could be raised for obtain the annulment of the marriage).

Guardianship and custody rights. In general (except for the Armenian orthodox), the father has parental authority as he is the legal guardian of the child. In essence, after divorce, the mother only have the custody of their children until they reach a certain age.

Inheritance rights: Based to the 1959 Civil Law of Inheritance, applied to non-Muslims in Lebanon, all citizens (men and women) enjoy equal right concerning the inheritance.

However, in the majority of cases, the woman's part of the inheritance will be the half of that of a man. The Muslim law (Sunni and Shiite) set up specific rights of inheritance for women and men.

Child marriage: Still, nowadays there is not common minimum age for marriage, since the different

⁶⁹ De Beauvoir, *The Second Sex*, London, Vintage Books Kindle Edition, 2014. Loc. 456, Available from: E-Book Amazon Kindle, (accessed 28 May 2017).

sects/religious groups disagree on the age to allow someone get married. Since, these issues are also ruled by the personal status law of each faith/religious courts.

It is, clearly a controversial debate, but some political parties and NGOs are advocating for changing and rising the age of marriage.

Gender based violence: There are new laws enacted concerning the marital rape and domestic violence, since rape is a crime in Lebanon, but still there are some harmful outdated laws like the one allowing rapists to avoid punishment if they marry their victims -law known as article 522- based on old "honor codes".

Women Political representation: Women gained the right to vote and stand for election in 1952. But the level of political participation of women is one of the lowest in the world, (4 out of the 128 seats in parliament) only 3% of seats. There are not women in ministerial position.⁷⁰

III.d. The patriarchal features within the Lebanese domestic law and the considerations of the CEDAW and the Beijing Declaration.

When we review the structure -even in a generic way- of the personal status and the domestic law in Lebanon, in relation with considerations expressed in the Declaration of Beijing; in regard to situations and obstacles women encounter to find a balanced participation in politics and equality, we find common characteristics that hampers the full implementation of the CEDAW (ratification without any reservation) in Lebanon. These characteristics as we will see later in the next chapter, are part of the traditional patriarchal structure and male-domination dynamic which are replicated over and over in different parts of the world, at different levels, Lebanon is not an exception to that.

We will highlight some of the observations made at the Beijing declaration along with some elements of the Lebanese domestic law, which are visible examples of how the patriarchal idiosyncrasy shaped the personal status laws and limited women political participation:

For instance, the disagreement on the legal age of marriage, due the lack of considering the

⁷⁰ Lebanon: Gender Equality Profile – Status of Girls and Women in the MENA, UNICEF, p.3, 2011, Available from: <https://www.unicef.org/gender/files/Lebanon-Gender-Equality-Profile-2011.pdf> (accessed 29 May 2017)

international definition of child⁷¹ as valid legal framework to be applied by the different confessional laws; allows men to marry girls under 18 years old. This customs results in serious consequences for the social-cultural, physic and psychological development of these girls (minors). These are clearly male-dominant attitudes towards girls, in which these minors are considered property which are “*purchased*”, in exchange of money (dowry/forfeit) based on their value (physical appearance, age of the girl, etc). Girls/brides are given away by parents under a sort of “*property deed*” in which men (groom) “owns/buys” the girl/bride. Also this means acquiring the control and power over women's body; since the girl (bride/spouse) has not ownership nor power over her life. She is supposed to take care of the husband, household chores and take care of the children and the elders. Men are the ones taking decisions, and those who has the legal right over every matter, as they have paid for it. The girl/bride is like property which is legally transferred from father's ownership to the husband's ownership (groom's family), through an pre-arranged binding contract signed by the two parts (family of the girl and the husband's family)

Another example of the same logic is clearly seen in the article 522, which pardon rape perpetrator is he marries the victim to save the “honor of the victim's family” at the eyes of society. Again this places the victim in a position of object, without rights and without feelings. It places the victim as a passive receiver of males decisions, instead as a decision-maker of her own, regardless the outrageous situation she has been trough. In addition to that, the perpetrator avoid punishment and gets legal power over the victim, turning his crime (rape) into acquiring marital rights/ “legal right” over the women

In the case of inheritance, women receive the half share of their brothers, expressing a lower position compare of her male sibling, limiting her economical power and development; as the women is not considered equal to her male brothers, therefore not entitle to receive equal amount of inheritance. When it comes to custody rights / guardianship, the fact that women in case of divorce do not have the custody of their children, as the descendants (sons) are "owned and property" of the father, who hold all rights of decision over their children; place the mother in a diminished status. As she is considered somehow an object with limited rights and no agency; rather men are subjects with

71 The United Nations Convention on the Rights of the Child defines child as: "a human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier." Archived 31 October 2010 at the Wayback Machine. The Policy Press, Office of the United Nations High Commissioner for Human Rights. http://www.hakani.org/en/convention/Convention_Rights_Child.pdf, (accessed 30 May 2017).

full rights and decision-making capacities, which have agency in any matters.

Finally, one of the crystal clear situations in which women is considered to have an inferior legal status in opposition to men is the right to pass nationality; in which as mentioned earlier, women are incapable to transmit their Lebanese citizenship/nationality to their sons and foreign spouse, resulting as well in being unable of granting the mother's family name to her offspring. Here women's status as subject of rights, is once more reduced and practically canceled. In the case of divorce, depending on the confessional laws, but in cases when it is allowed, it is always much more complicated to prove and justify the divorce request from women than men, for the very same reasons of considering women entities with restricted legality than men.

To conclude this part, we will mention the observations of the 4th and 5th periodic revue of the CEDAW in Lebanon, in which similar concerns were raised by the Committee of the CEDAW, on the persistence of the patriarchal stereotypes, deep-rooted in the aspect of roles and responsibilities of women and men in the Lebanese society.

Based on the Article 5 of the CEDAW on stereotypes roles and violence against women. The role of the women is still considered in terms of reproduction. Even if we see, some slow changes, mainly within some social classes and youth, in were women are highly educated and financially independent. These sectors eventually has less belief to particular social roles, refusing the personal status law which controls private and public lives. But indeed, many reservations can be found, as it is considered: "...financial independence as means to personal liberation from the authority of the man (husband, father or brother)..." This conception is reflected in the high level of discrimination manifested in the personal status law, which are based on the stereotyped image of women within the patriarchal system.⁷² Moreover, the Lebanese Constitution grants the sects power over citizens' personal status, reinforcing in this way traditional stereotype roles.

For the Lebanese society, in order to preserve social integration, the obedience to religion and tradition including the maintenance of gender roles, are main priorities and the founders values in the society.

Regarding family issues, as mentioned before, the household management, children upbringing and care are mother/wife duties. Even in cases where women receive some sort of assistance in the house

72. Official Periodic Revue number 4th and 5th of CEDAW Lebanon. Article 5. p. 28-32, 2014. (accessed 31 May 2017).

tasks (domestic worker or female family member) these duties are never carried out by men, instead men are responsible for all decision related with money.

III.e. Considerations of the Beijing Declaration in reference the barriers that prevent political participation of women.

The Beijing Declaration express how the power relations prevent women from leading fulfilling lives operate at many levels of society, from the most personal (private sphere) to the highly public (public sphere). Likewise, traditional working patterns of many political parties and government structures continue to be barriers to women's participation in public life; since women may be discouraged from seeking political office by discriminatory attitudes and practices, family and child care responsibilities, the high cost of seeking and holding public office. In addition to that, the non-formal networks and patterns of decision-making at the local community level reflect a dominant male ethos which restrict women's ability to participate equally in political, economic and social life.

This explain the situation of women toward the political participation and the existing barriers and attitudes preventing the development of women rights which are deeply rooted in male domination and patriarchal schemes.⁷³

When we see the figures of women political participation in Lebanon which reaches around 3%, with the highest overall peak of 5% in the past, we realize that this very low proportion of women among economic and political decision-makers at local (and also regional and international) levels, reflects the above mentioned structural and attitudinal barriers that need to be addressed through positive measures.

III.f. Official Periodic Revue number 4th and 5th of CEDAW Lebanon 2014.

Considerations, concerns and challenges on the implementation of the CEDAW in Lebanon.

The government of Lebanon and the state's party so far have not fully comprehended its obligations under the Convention, mainly concerning on formal and *de facto* equality for women.

The various bodies of the government like the ministries have expressed in diverse occasions

⁷³ Beijing Declaration and Platform for Action, G. Women in Power and decision-making, p.121-122, UN Women 1995. Available from: <http://www.un.org/womenwatch/daw/beijing/platform/> (accessed 03 June 2017)

statements such as: *“The Government shall continue to strive to strengthen the role of women in public and their participation in the economic, social and political fields....it also should continue the political empowerment and commitment from the government. Furthermore, it shall strive to implement the undertakings to which Lebanon has committed itself and which appear in the international conventions signed by Lebanon or recommendations to which it has consented, especially the Convention on the Elimination of All Forms of Discrimination against Women, which requires legislation and measures to be introduced in order to achieve gender equality and confront all forms of violence against women and girls. The Government affirms the need to foster the NCLW and empower it to carry out its role.”*⁷⁴ But it only remains at the political level discourse as not serious action have been undertaken.

In the other hand, policies adopted in the ministries, mainly done by the Ministry of Social Affairs, such as the formulation of a gender strategy, trainings on gender to government officials, and the incorporation of gender mainstreaming in planning and programmes. In addition, the Lebanese government has drafted a national handbook on standardized gender-related notions.

Indeed, the presence of a women’s affairs department in the ministry has contributed to a direct approach toward cooperation with women’s organizations and to the adoption of special awareness-raising and empowerment programmes for women in different regions of the country.

In the same line, the Ministry of Interior and Municipalities, took different initiatives of including women's quota along with other mechanisms favoring womens political participation in the parliamentary electoral bills submitted to the Council of Ministers (ex. In 2006 NCLW first electoral bill with 30% quota, 2011 Ministry of Interior and Municipalities presented a parliamentary bill including quota, also in 2012 the Ministry of Interior of municipalities, presented another electoral including womens quota). However, all these electoral bills have been stalled and never approved, since are still being discussed by the parliament.

Nevertheless, the absence of exceptional special measures in favour of women at a general strategic level does not mean the Lebanese government are still unmindful of women’s issues.

74. Official Periodic Revue number 4th and 5th of CEDAW Lebanon. Article 13. p. 18-32, 2014. Available from: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/LBN/4-5&Lang=en (accessed 31 May 2017).

As result of the pressure and initiatives from the civil society, media, international community and the huge efforts made by the NCLW, in strengthening partnerships with women’s NGOs to implement publicity and support activities; a “women-friendly” public environment have been created, stimulating serious involvement on the part of women in public life at decision-making level, as well as positive engagement with women’s issues.

In the other hand, **the National Commission for Lebanese Women (NCLW)**, is a key actor who plays a priority role taking initiatives and activities such as the ten-year national strategy, based upon a process of participation with NGOs, professional associations and relevant ministries. This, include the development of the National Action Plan (2011-2021); covering the areas of awareness-raising, education, empowerment, institution-building, combating violence, political participation and ridding the law of discriminatory; the NCLW is also promoting the Security Council resolution 1325 in the National Strategy for Women, as it incorporate “*the protection of girls and women in emergency situations, armed conflict, wars and natural disasters*”⁷⁵. With broader participation and active involvement of women in dialogue, conflict resolution and building the culture of peace to overcome the effects of war.⁷⁶

The NCLW continued to “push” and reminding the government their obligations with the CEDAW and international conventions signed, as putting pressure for the inclusion of the quota of 30% in the electoral bill. The accomplishment of this initiative, would be a symbolic step that will pave the way for a public policy including women issues in their political platform.

III.g. Initiatives undertaken by the Civil Society Organizations

These actors were and still are one of the main motors for change. In many cases these NGOs and civil society organizations are “controllers”, monitoring the governmental actions or inaction. Many times taking in their hands government and legislative tasks like drafting or amendments bills, including the issue of protection of women under different aspects. Creating several civil alliance, including with the NCLW to support women's electoral quota, among others.

Organizing awareness-raising, trainings, educational and empowerment campaigns on women’s rights

75 Security Council Resolution 1325 (2000) on Women, Peace and Security.

http://www.un.org/womenwatch/osagi/cdrom/documents/Background_Paper_Africa.pdf (accessed 02 June 2017).

76. Official Periodic Revue number 4th and 5th of CEDAW Lebanon. Article 7 & 8. p. 47-55, 2014. (accessed 02 June 2017).

in slum areas, focusing on the discourse of “temporary special measures”.

We could also mention other main activities on political participation of women such as:

Forums and round tables; focus on building women’s capacities to enable them to become candidates and get elected. Alongside, activities on electoral law, quota, drafting and formulating laws attaining gender equality, combating violence against women and advocacy for the implementation of a civil law to regulate the personal status of Lebanese citizens.

III.h. Initiatives taken by the Political parties and forces:

To the present, still women’s issues are missing from party agendas, some of them, have special independent sections or women's committees within the organization, but mostly are related to charity, social services and beneficial initiatives. In these cases, when woman enters in a political party, she is identified with a separated sector not related with political issues neither with the agenda of the party. Perpetuating in this manner, the secondary role and stereotyped images of women as a social and caretaker. It is not even part of the policy of positive discrimination to encourage women to rise to leadership positions, it is actually all the contrary.

Therefore, women militants have gradually become aware that these "committees or organizations" within the political parties were actually spaces where patriarchal logic was replicated. Women take care of women's affairs and leave political militancy to men, the exclusion of the positions of power and the dynamics of marginalization within the political parties have been exacerbated in the context of the civil war, which placed women in a merely charitable role (see Annex Interview: FL and YWCA)⁷⁷. In this sense, the functioning of gender militant groups benefits men and values the roles for which they were "created", consecrating an idea of hierarchy between the sexes, which is modeled on recurrent logic, structuring in Lebanese society. Even in the militant movements that have a more alternative discourse they tend to reproduce in the praxis the patriarchal schemes. The androcentric division of leadership and gender-based functioning have led to separation in the collective, ending the mixicity⁷⁸

⁷⁷ Annex Interview: Lebanese Forces p. 17-18, YWCA. p.9.

⁷⁸ MJ.Abi Yaghi, 'Militar par projets, fragmentation et reproduction de l'espace contestataire féministe au Liban'. *Féministes Dans les Pays Arabes. Nouvelles Questions Féministes*, Antipodes, Vol. 35. 2016. Available from: <http://triangle.ens-lyon.fr/spip.php?article6472> (accessed 20 May 2017).

As a summary, Lebanese political parties have no policy of positive discrimination in favour of women and the political agenda does not include adoption of a policy of temporary exceptional measures, which does not appear in the Lebanese political lexicon and has not been adopted in the majority of civil sectors.⁷⁹ The confessional system in some ways reinforces this separation of women from politics. As instead of mobilizing citizens based on their social-economic demands and specific needs, it mobilizes them within sectarian fabrics, which makes them to confront between each other. In this context, women's presence and participation is a secondary matter and the few politically mobilized women are not united nor interested to pursue women's concerns and agenda. It is seen that women in the political parties have non common ground on women issues, being a woman does not make any difference to fight for equality, as these women are loyal only to the party interest and the party political agenda so far Annex Interview Lebanese Forces, YWCA)⁸⁰. On the contrary, women should be fully incorporated in each party policy and having presence in all sections of the political party.

As it is clearly expressed by the 4th & 5th Periodic Review in CEDAW: *"...women in Lebanon are not only excluded and marginalized but also often alienated. The obstacles are primarily objective and subjective cultural ones. The source of alienation among many women is an inadequate awareness of their legal and civil rights. There are also structural obstacles inasmuch as it is the nature of sectarian system to marginalize equality between individuals in favour of equality between sects. The great paradox is that the quota-based sectarian system continues to reject the adoption of a quota for women..."*⁸¹

Even though, the Lebanese Constitution grants equality between all Lebanese in regard rights and obligations, including "full political rights and the right to occupy public positions" (articles 7 and 12 of the Constitution); the inability and the political unwillingness at national level to implement possible special measures, as quotas, benchmarks or targets incentives, to accelerate the implementation of the CEDAW and therefore the possibility to achieve equal women political

79. Official Periodic Review number 4th and 5th of CEDAW Lebanon. Article 7 & 8, p.47-55, 2014. Available from: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/LBN/4-5&Lang=en (accessed 31 May 2017).

80 Annex Interviews: Lebanese Forces, p.17-18, YWCA p.9

81 Official Periodic Review number 4th and 5th of CEDAW Lebanon. Article 7 & 8, p.47-55, 2014. Available from: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/LBN/4-5&Lang=en (accessed 31 May 2017).

participation, decision-making positions it is very far and should be assumed by the government.

III.i. Position of women in the formation of Lebanese government:

As a general overview, we have seen that Parliamentary committees initiatives in support of women's rights has been very lean, nothing else than public statements.

Just to show some figures, the position of women in the formation of governments could be expressed as follows; two women were in the government in 2009; no women in 2011 and one female minister out of 24 in 2014. The overall rate of nomination and election remains very low 3.1%.

It may perhaps be observed that three out of four women who had positions in the Chamber of Deputies (2009) were re-elected, just one of them was elected for the first time. Regrettably, the reasons behind these four elections of women, are family heritage, the deceased of a husband, father or brother. Notably, there is not gender criteria in employing women in the parliament, the same goes to drawing up and publishing candidates, at all government levels.

In the case of municipalities, after few years, there has been a slight improvement, but in spite all efforts the overall proportion remains low at 4.55%. Interesting to mention, is that almost the half of women candidate were actually elected (48%). For the mayoral elections by governorate the overall percentage remains even lower than municipalities, it is around 1.5%. Here again, 85% of women candidate were elected.

Concerning other public sectors in Lebanon, like the judicial system, there was an increased of women in middle and lower positions but a total absent of women in senior positions. This is a general trend, more women in middle and lower positions and no women or very few in senior and decision-making posts. In the army (ISF) the presence of women only reach the 3.6% of the personnel.

III. The obstacles to the participation of women in political life are many and might be summarized as follows:

- The paradox of the sectarian political system, is that distribute seats on sectarian basis. In other terms this distribution of seats hinders the implementation of adopting an additional quota system for women.
- The consideration and belief that women's issues are secondary matters to place in the political

agenda, the idea of not prioritizing the question of women, keeps away the possibility to reach gender equality any time soon.

- The dominance of the patriarchal mentality, which strongly refrain women to intervene and interact within a political community, since men consider the public space their exclusive orbit. (ex. study conducted by the Lebanese Council of Women -LCW- in 2006, based on a sample of 2,000 citizens; in which the results showed that 80% of respondents had never voted for a woman in their lives, confirm this androcentrism dynamics)

The challenge remains to continue to exert pressure in order to:

- Produce a qualitative upgrade in women's participation in the political sphere;
- Encourage a transformation in the attitudes of both men and women (mainly youth).
- Foster women to assume leadership/decision-making positions in political parties; not segregating them.

Chapter IV.

Quota System for Women Political participation in Lebanon.

IV.a. System of Quota for Women as a Temporary Special Measure.

The system of Quota is a temporary Special Measure⁸² in which a number of seats or functions in a group, body or institutions is allocated to a specific category such as ethnic or regional minorities, or where a formula for the distribution of representative seats among various groups is adopted. The quota system is generally adopted as a positive measure to correct an imbalance in representation and equality between various community groups.

Women's quota in elections is one of the temporary special measures designed to promote gender equality and increase women's political participation and representation in elected bodies. It is a set of temporary general policies and legal and regulatory procedures adopted by a State to remove the structural barriers to women's participation in political life on equal basis with their male counterparts. The women's quota guarantee a minimum of seats for women representation in the elected body. The formula on the basis of which the quota is applied may vary according to the electoral law. But it important that a minimum of seats are assured to reach the critical mass to enable women in political bodies make a different and have a weigh in the definition of policies and legislation.⁸³

The Quota system was proposed in the Beijing Declaration in 1995, as a measure or procedure that can be used as an interim and temporary solution to solve the problem of womens poor participation in politics life and the presence of obstacles that prevent their access to decision-making positions.

The requirement for increasing women representation to at least 30% in any elected body has roots in the United Nations Economic and Social Council resolution 15/1990 that calls a minimum of 30% representation of women in political life and decision-making position, and other special measures to

82 Temporary Special Measures: Policies adopted and implemented often to increase women's access to the political sphere. These tackle the structural barriers that women face in so called “malestream” on male-dominated electoral politics, thereby leveling the playing field. Special measures are intended to be temporary, in place until such time as structural impediments to the equal participation of women are removed (see Article 4 of the CEDAW – 1979). *'Arabic Lexicon of Electoral Terminology'*, First Edition, p.27, 2014, UNDP.

83 Women's Quota: Parliamentary Elections 2017, UNDP Lebanese Elections Assistance Project.

support and encourage the importance the role of women in politics and decision-making-positions, through the adoption of mechanisms and procedures to enable them to make such change. The 30% threshold is the minimum required to produce the so-called “critical mass” that women need to have a clear impact on the approach and content of political decision making.⁸⁴

The women's **quota can be implemented in three different ways:**

- 1) Seats reserved for women by virtue of a constitutional or legislative text.
- 2) Quota on the candidates lists freely formed by political parties.
- 3) Quota on the candidates lists formed in accordance with a constitutional or legislative text.

IV.a.a Mechanisms to implement the Quota system:

These mechanism depend on the legal framework and the electoral system adopted in the country.

Basically, we can divide it between:

- a) Optional or Voluntary system: Which is voluntary approved by political parties without any legal obligation. It assures the nomination of a certain percentage of women on the lists of party candidate. ex. Germany
- b) Mandatory System: Which is provided for in the Constitution and / or the law (electoral law). It is binding on all parties. Under this system there is another distinction that can be made, which is the candidates quota and the seats. The candidates quota is implemented in the proportional representation system.⁸⁵It guarantees the nomination of certain percentage of women on the lists of party candidates. ex. Argentina.

Mandatory Quota implementation case: As an example of the implementation of mandatory quota system, we can mention **Argentina**, as the first country in Latin America to implement this special measure in 1991, under the Quota Law n.24.012. This law established that 30% of the candidate list

⁸⁴ *'The Participation of Lebanese Women in Politics'*, The Quota and Other Temporary Special Measures Guide. 2017, p.8, UNDP.

⁸⁵ Proportional representation electoral system: It is the system which involves each party or group presenting a list of candidates to the electorate. Voters opt for a list, and lists receive seats in proportion to their overall share of the vote., Winning candidates are taken from the lists. Lists ca be open, closed of free. Another form of proportional representation systems is the Single Transferable Vote, in which voters choose individual candidates rather than lists. *'Arabic Lexicon of Electoral Terminology'*, First Edition, p.130, 2014, UNDP.

for the Chamber of Deputies had to be women. As a consequence of the law the percentage of women deputies has increased from 5,44% in 1991/93 to 27% in 1995/97. It was approved as a result of a slow and progressive struggle to increase the amount of political space in which some women could act. This measure was originally applied in the Chamber of Deputies of the Nation and then extended to the Senate when in 1995 this changed its mode of election, going from senators elected by the legislatures to elected directly in elections. Finally, in 2000, the law was extended through a national decree to increase the representation of women in politics, through quotas of minimal participation in the lists of candidates presented by the parties in the elections. It establishes that at least 30% of the list must be occupied by women and numerous rules of the places that must be occupied by them.

⁸⁶The current percentage of political participation in Argentina is around 35% in the present. This progress made in women political participation allowed for the first in 2007 a women to become the first democratically elected women, her won the re-elections as well. At the moment there are several drafts laws to implement the equality system of 50-50 with zebra lists.

The mandatory quota system could even impose a specific layout order of the names of male and female candidates on the lists, so as to improve the chances of women.

Voluntary Quota implementation case: In **Germany** instead the quota provisions were self-imposed by some political parties only Since 1980m and fixed in the party statute, the Green Party has a system of 50-50 rules for all candidates on electoral lists. (local, state and nation state), from that first step in the 80's most parties had established several informal quota rules for years in the context of regional background, position in the work force, membership in different political wings and so on. These rules are not written, but in the process of selection and nomination most parties try to balance more conservative versus progressive candidates, candidates from trade unions versus employers, candidates from the north of the country and the south, to mention just a few of the hidden quota rules. There no sanctions if not women are elected, but some particular secondary measures to avoid that to happen are normally in place. In the case of Germany, quota rules have led to a better representation of women in the decision-making bodies. But it is not proved that the fact that Germany has a female chancellor is a direct consequence of the voluntary quota system.^{86bis}

86 Ley de Cupos Femeninos en Argentina https://es.wikipedia.org/wiki/Ley_de_cupo_femenino_en_Argentina

86bis Electoral Gender Quotas Systems and their Implementation in Europe

<tp://www.europarl.europa.eu/document/activities/cont/200903/20090310ATT51390/20090310ATT51390EN.pdf>
(accessed 18 June2017)

The seats' quota or the previously reserved seats, generally is implemented in the majoritarian system⁸⁶. Since it guarantees the election of the legally prescribed percentage of women.⁸⁷

IV.a.b. Rationale behind the need of implementing the quota system for women.

It is important to implement these types of measures along with other temporary criterion as these are a key factor in increasing the percentage of women's participation in elected bodies. However, the global average of women participation in politics still is very low, only reach the 23%⁸⁸ based UNDP data. This figure is not enough to reach the necessary “critical mass” which is minimum number, quantity of women in representative bodies likely to have a major impact on legislative outcomes. Only as their numbers increase women will be able to work more effectively together to promote women-friendly policy change and to influence their male colleagues to accept and approve legislation promoting women’s concern.⁸⁹ The average percentage of necessary critical mass of women in parliament to produce concrete change is between 30% to 40%. As we have seen women's representation in governments is still modest today, and it is often limited to stereotyped portfolios such as women's and children affairs, charity and social assistant. However the progress done, still is very low and unequal. The sustainable goal of empowering women and promoting their participation in political life is still on the list of the international community and the United Nations' Objectives for the third millennium (N.5 Gender Equality of the Millennium Development Goals and Sustainable Development Goals)⁹⁰

Another argument from human rights and demography perspective for the adoption of quotas, it is

86 Majority system: It is the system in which the largest number of votes obtained in a vote on a decision, a draft law or the election of a candidate or list of candidates wins. In some cases majority must be absolute or qualified. Concerning elections, it is the system where a candidate (or list of candidates) is elected by obtaining the largest number of votes, in comparison with the number of votes obtained by other candidates (or list of candidates) in the electoral race. The Plurality system it is normally closed related to the majority system, since it is a voting system in which the seats within a constituency (depending on whether one or several candidates are elected) are allocated to the candidate/s or lists which obtains the highest number of votes, but not necessarily the absolute majority (more than 50% of the votes). *Arabic Lexicon of Electoral Terminology'*, First Edition, p.3 & p.128, 2014, UNDP.

87 Women's Quota: Parliamentary Elections 2017, UNDP Lebanese Elections Assistance Project.

88 Facts and Figures UNDP. Global Political Participation of Women. <http://www.unwomen.org/en/what-we-do/leadership-and-political-participation/facts-and-figures> / <http://www.ipu.org/wmn-e/world.htm>

89 S. Childs and M. L Krook. Critical Mass Theory and Women’s Political Representation, University of Bristol Washington University in St Louis, *Political Studies*, Vol.56, p.725–736, 2008.

90 Millennium Development Goals and Sustainable Development Goals. Available from: www.un.org/sustainabledevelopment/sustainable-development-goals (accessed 10 June 2017)

that women constitute more than half of the society. Thus is it more than fair for women to account for half of elected bodies, it is a simple matter of justice. Besides, the role of women in elected bodies and decision-making platforms is not limited to the representation of women's issues but includes all aspects of political action.

The quota system when applied reduces the consequences of women's inequality, like deprivation, marginalization and exclusion which still exist due social, cultural, educational and patriarchal norms and values. These norms display the male-dominating mindset in the enactment of laws and regulations, and corrects the distribution of roles for both women and men. It provide eligible women an immediate opportunity to prove themselves and their capacities to the community.

Lastly, the quota system compels *fait accompli*: the need for the presence of women in politics as ordinary citizens enjoying constitutional rights.⁹⁰

Other temporary Special Measures to encourage and facilitate access to women to political and decision-making position could be the following^{90bis}:

- Reducing the candidate application fees
- Introducing reforms to the Parliament that allow for the representation of women through legislation
- Reducing the costs of electoral campaigning for women candidates.
- Increasing the media space allocated to women
- Removing the obstacles to women's capacities (for women candidates, voters, observers and elections management officials).
- Providing political parties with incentives to nominate or vote for a larger number of women.

IV. b. Lebanese situation concerning participation of Women in Politics.

Concerning the situation in Lebanon of women in politics we could consider the following figures and facts to display a clear overview of the appalling condition of women in the public inequality. This is a

⁹⁰ Women's Quota: Parliamentary Elections 2017, UNDP Lebanese Elections Assistance Project.

^{90bis} *'The Participation of Lebanese Women in Politics'*, The Quota and Other Temporary Special Measures Guide. 2017, p.13, UNDP.

reflection not only of a male-dominated and patriarchal society -in Marguerite Helou's words-, but of the lack of laws which protect women's status and ensure they stand on an equal footing with other members of society.⁹¹

For instance, Lebanon ranked in the position 180 out of 187 countries in Women's representation around the world (with Rwanda scoring first, with 63.8% of women in political participation). In regard the position within the Arab region, Lebanon is placed 15th out of 18th considering that the gap from the Arab country which the highest score in women participation in politics is Algeria with 32 % opposing Lebanon with 3.1%, in spite that Lebanon was the first country in the Arab region to grant the right to vote to women in 1952-1953.

At internal level, Lebanon account for 3.1% of the deputies in Parliament, (4 women out of 128 deputies) and the 3% of the ministers in the Council of Ministers (one women out of 30 ministers) Interestingly, women candidates in the Parliamentary Elections in 2013 and 2014 (both postponed to June 2017, after the candidate registration period) reached between the 6.2% and 7% of the candidates contrary to the less than two percent in previous periods.⁹²

Nevertheless, the increase was still below desirable levels, with only 526 women winning places on local assemblies out of a national total of 11,424 seats which were up for contestation, less than 5%.⁹³

An interesting element to note it is the profile of the only women who reached higher positions and seats in the parliament are either widows of members of parliament or former presidents of Lebanon or have family ties to political leaders. Reason why female widows withdraw from politics when male heirs reach the age required to run for candidates or express their readiness to fill their predecessors' seats, as a consequence female parliament members do not attend parliament or committees sessions giving damaging the views on women politician and women in decision-making positions⁹⁴.

Nonetheless some statistics and data confirm equal participation in the electoral process by women and men, in national and local level alike⁹⁵, Lebanese women were unable to achieve similar progress

91 W. Hussein, 'The 'Female Quota' in Lebanon: A Temporary Solution to a Chronic Political Problem', February 17, 2017. Available from: <https://lb.boell.org/en/2017/02/17/female-quota-lebanon-temporary-solution-chronic-political-problem>, (accessed 10 June 2017).

92 *The Participation of Lebanese Women in Politics*, The Quota and Other Temporary Special Measures Guide. 2017, p.2-6, 17, UNDP.

93 W. Hussein, 'The 'Female Quota' in Lebanon: A Temporary Solution to a Chronic Political Problem', February 17, 2017. Available from: <https://lb.boell.org/en/2017/02/17/female-quota-lebanon-temporary-solution-chronic-political-problem>, (accessed 10 June 2017).

94 M. Helou 'Study on Advocacy for the Adoption of a Quota for Women in Electoral Law' EU/Eurecna, p.20, 2016. NCLW.

95 Ref. Statistics Lebanon, Lebanese Elections 2009, Beirut, 2009.

in accessing political decision-making positions through elections.

IV.b.a .Main reasons behind low participation of women in political and in decision-making.

We could enumerate four main factors which still hinders women development and equal involvement and political participation of women in Lebanon. These elements include different levels, such as cultural, social, political, legal, economic and psychological ones. We will classify these factors mainly in four:

1). The Patriarchal and male-dominated social-culture ingrained in the Lebanese mindset in men and women, as the latter replicate and perpetuate the same paths, consciously or unconsciously in their families, society, etc. This marks the rigidity of gender roles in all positions and the Lebanese society and in the country. Moreover, these features are reproduced in all structures, from schools and education, religion, books, personal status laws, distribution of political powers, civil laws, jobs markers, public institutions, etc. As we mentioned earlier in this paper, these patriarchal features do not belong to any specif religion, cult or social class “per se”. and it is not specific to men only. As a result this mindset is a huge obstacle to women's access to decision-making positions, the negative effect and impact on women life could be only reduced and contained if strong measures are undertaken to ensure women representation in the public sphere.⁹⁶ In Beauvoir words: “... *this attitude limited women's success by maintaining the perception that they were a deviation from the normal, and were always outsiders attempting to emulate "normality"...*”(Annex Interviews Abaad, Chilean Former Minister of Women's Affairs)⁹⁷

2). The Post-War Political Culture, it is the resulting element of the conflict-based political culture from a heterogeneous society. There is a constant fear for fate, fear to lose identity, strong concern for the existence, which obsess components of communities. The fear increases with the exclusionary political ideology. Indeed this mix of patriarchal/androcentrism mindset with the conflictual cultural/identity, separated by sects, again exclude and segregated women under the pretext they are unable to protect, defend and serve the confessions and community interest.⁹⁸

It is evident that the sectarian personal status laws help consecrate the prevalent / status quo family

96 M. Helou 'Study on Advocacy for the Adoption of a Quota for Women in Electoral Law' EU/Eurecna, p.18, 2016. NCLW.

97 Annex Interviews: Abaab p.1-4, Chilean Former Minister of Women Affairs. p.22-23.

98 Ibid.

structures and power relations. This relation of power is seen in the permanent lack of integration of women in lists of candidates within the political parties, which is one the major obstacle refraining women from running elections.

Therefore, there an interest matter in relation the types of electoral system and the nature of the political elites, these political loops or “close circle/loops” as Camale Cherfon described during the interview or “elites clubs” in Dr. Kiwan words, strongly refrain new actors, not only women, but men and women from participating in politics and mainly reaching top positions. These elites are the ones who do not want the majoritarian system to change, since it is one of the base of their power, they need to preserve the power configuration in which there are placed. This small circle of elites few Lebanese families among different sects/ communities manage the entire political system. They created a sort of a ring to avoid any external to enter. That was also expressed by Camale Cherfon, expressed during the interview: *“So far the political system and the decision-makers are always part of a “closed circle”, the same families and the power it is always preserved by them and by the political and religious loop they lead. Basically, in the Lebanese context, when it comes to political participation there is not space for new actors without resources or without network, (young men or women). The current Lebanese political system is unequal to young men and women. There is a lack of space to add new actors in the political system. New system should be created to implement and add new actors, a system in which everyone could have access to, based on meritocracy and competences, a system that is reachable to everyone willing and aiming to occupy political and leadership positions. A system that is flexible enough to give equal opportunities to everyone in society. That is why it is not positive implement quota system.”*^{98bis}.

As Doreen Koury, who summarize very well the relation between above mentioned reasons -one and two: *“ The Patriarchal construct of the family in Lebanese (sic) is replicated in Lebanese politics. Political familism has been one of the major factors affecting the relationship between state and citizen. It is a two way process. Citizens depends on their families and extended families and kinship ties, to extract demands and privileges from the state and state actors to provide protection and resources to its citizens, they turns inwards towards their families, patriarchs and sects...”*⁹⁹

98bis. Annex Interviews: Camale Cherfon Maraya ONG. p.4.

99 D. Koury; “Women's Political Participation in Lebanon” *Heirinch Boell Foundation* – Middle East, 2013. Available from online at: <http://www.boell-meo.org/en/2013/09/23/women-political-participation-lebanon> (accessded 05 June 2017).

As an example of this dynamics, when a women marries a man from another village/municipality the women loses her affiliation with the village she was born and raised in and which she politically represents. Her political affiliation changes to that of her husband's, effectively voiding her ability to represent her own community.

3) There are also economic aspects concerning the cost to access to the electoral campaigns, candidacy, cost of establishing a social network and so on, difficulting even more the access to female candidates and young men as well, since is beyond the reach of many women, mainly those who lack financial independence, insufficient financial resources to support pursuing a political career. Many times particularly women lack the support from political parties, lists and families as well.

4) Finally, last principal cause but strongly related with the other two is the political confessional system, where everything is seen through a confessional lens and in which distributes powers based on the confessional quotas. Once more the patriarchal/male dominated mindset prevailing within the confessions dynamics as well reduces women's chances of winning elections. The roles played by family, the male-dominant mindset, the feudal system and the clientelism networks in confessions are also key questions obstructing women's access to decision-making positions, much more than for example, the specific distribution of quotas for confessions.¹⁰⁰

As a whole women's chances of accessing decision-making positions are limited by interdependence between confessional interests, political interest to preserve and consecrate political sectarianism.

Summarizing these elements, from one side the quality of the electoral system, the methodology to separate constituencies allowing the class to regenerate itself, and to the other side the confessional quotas and the patriarchal culture combined with a conflictual political culture, creates a lethal combo preventing women to access the political arena.

IV.c. Lebanese Electoral System.

First of all, it is important to state what is expressed in the Lebanese constitution (Article n.24) concerning the form of government and distribution of seats, fro at least have a general idea before

¹⁰⁰ Ibid

explaining the proposal draft bills for the new electoral law.

The Article n. 24 of the Lebanese Constitution¹⁰¹ state:”...*The Chamber of Deputies shall be composed of elected members; their number and the method of their election shall be determined by the electoral laws in effect. Until such time as the Chamber enacts new electoral laws on a non-confessional basis, the distribution of seats shall be according to the following principles:*

- a. Equal representation between Christians and Muslims.*
- b. Proportional representation among the confessional groups within each of the two religious communities.*
- c. Proportional representation among geographic regions.*

Exceptionally, and for one time only, the seats that are currently vacant, as well as the new seats that have been established by law, shall be filled by appointment, all at once, and by a two thirds majority of the Government of National Unity. This is to establish equality between Christians and Muslims as stipulated in the Document of National Accord. The electoral laws shall specify the details regarding the implementation of this clause...”

It is clearly declared, that there must be equal distribution and proportional representation among confessions. But the specifications should be determined by the draft of electoral law. Under this umbrella we will briefly name the electoral propositions submitted related to Quota for Women and the outcomes of these proposals.

IV.c.a. Electoral draft bills and the Implementation of the female quota.

The proposals submitted by National Commission for Lebanese Women and the civil society organizations in general show a lack of unification in their demands, which makes them somehow weak. Some, demand quotas in all decision-making positions (top administrative positions, high judicial councils, parties, unions, etc) instead others just limit their demands to quotas in parliament and in the cabinet. However, in general all demands agree that quota should not be less than the critical mass of 30% to make a difference, but still some discrepancies are found regarding the exact percentages (between 20% and 30%) and types of quota. Many requests quotas in seats allocations in

101 Chapter II: Legislative Power. Article 24. *The Lebanese Constitution*. Promulgated, 1926, with its amendments 1995.

despite of the type of electoral system, while others prefer quotas based on closed lists including a specific order of names or on open lists with one or two preferential votes for women in a proportional or mixed system.¹⁰²

We could mention, **two main proposals submitted by large coalitions in 2013 and in 2016:**

The first proposal drafted in 2013, prepared by around 120 feminist organizations demanded the adoption of a quota of 30% to be included in the new electoral law. It also included the same percentage for the cabinet and leadership councils and the nomination of women in political parties.¹⁰³ This proposal falls into lack of clarity and consistence in identifying their demands, the specific content and nature of their mission.

The second proposal prepared by Women in Parliament, including the National Commission for Lebanese Women in 2016, demanded also the adoption of a quota of 30% based on seats or electoral lists (depending the approval electoral system). This proposal is very detailed when in comes the distribution of the 30% within the confessional and regional quotas in the three types of electoral systems (proportional, majority and mixed systems)¹⁰⁴

At the present, with the objective to reach the quota system, the National Alliance was created, formed by around 150 organizations, federating all efforts, from government, council of ministers, the Ministry of State of Women Affairs and civil society organizations, sponsored by the NCLW, with a unique unified message and one goal: The Implementation of the Woman Quota System. The alliance is part of an integrated project to empower the Lebanese woman and activate her participation in the political life. In a broader sense the National Alliance demand for the approval of standardized measures and reforms to the electoral laws, especially the adoption of 30% “quota” for women as a positive temporary measure, out of respect for the principle of equality in the Lebanese Constitution and in implementation of international treaties.

The backward common side of these proposals are that only address the issue of implementing women quota in the new electoral law, but not other additional requests were done concerning an integral electoral law reform. These lack of holistic approach to the electoral reform, has a regressive

102 M. Helou 'Study on Advocacy for the Adoption of a Quota for Women in Electoral Law' EU/Eurecna, p.32, 2016. NCLW.

103 Women In Parliament Coalition, 2013 <http://nna-leb.gov.lb/ar/show-news/33941/2013> (accessed 06 June 2017).

104 National Initiatives for Quotas, study conducted by Women In Front and the Arab Center for Development, as part of “Women in Politics” project, with the support of the Women in Parliament coalition, representing 120 organizations.

impact in the principles of democracy, integrity of elections and equal opportunity to candidates.

In parallel, several electoral draft proposals were also submitted to approval, but in general all of them lack real commitment/conviction and political will to seriously address the quota implementation in effective manner. Others instead, although more effective to implement the 30% of women quota, fail to be too naive or impossible to implement in Lebanon.

In the end, all these proposals do not seek real reforms but rather to ensure that those in power regenerate themselves.¹⁰⁵ More specifically, quotas for women appear to challenge the status of the same male politicians and party leaders who would pass these policies, as they require that men cede seats to women as a group.

That is also why electoral draft bills are still stuck in the parliament and not being approved so far (see last part of conclusion of update)⁷⁰. The political tensions and conflicts from politicians and different parties when it comes to the electoral cycle, on the nature of the electoral system and the most convenient divisions of electoral seats, to ensure the representation of the confessions and their coexistence, stops any attempt to pass a fair and democratic electoral bill. This has led to place female quota amendments last in the “bucket list” when it comes to modification in the electoral law.¹⁰⁶

Therefore, in this context as we have seen, the implementation of an effective system of quota which could overcome the obstructions for participating to politics in a significant way and to successfully address main women needs is very challenging.

IV. d. Positions and arguments, against and in favor of the implementation of Quota System.

Some concerns and argument raised against the implementation of the Quota System could be summarize as follows:

- a) *“Women's participation in politics should not be imposed, by quota system but achieved through the economic, social, cultural and political empowerment of women; and/or in an open battle, based on their political agenda, rather than imposed on voter and given and advantage over men. Since women are responsible for their absence from the decision-making positions due to their lack interest in politics.”* It is not enough as it would not be an open-fair

¹⁰⁵ M. Helou 'Study on Advocacy for the Adoption of a Quota for Women in Electoral Law' EU/Eurecna, p.34-35, 2016. NCLW.

¹⁰⁶ Idib.

nor equal political battle, due all the social, cultural barriers to women's access to political positions. There is a total disregard of the fact that women, same like men, are an integral part of the Lebanese sociopolitical web, and there is the double-standard as a result from a patriarchal mindset granting men more rights than a woman¹⁰⁷. The quota system is necessary to accelerate women's participation in political life effectively and to achieve equality. Without any doubt the quota system alone would not be enough to achieve the effective participation of women in decision-making or between the sexes, especially in the long term. Women's perception of themselves and society's perception of women should change. The quota is just a "little help, a small push". It is a responsibility of the state to assure equal participation of women at all levels, (CEDAW, Article 3 "...States parties shall take in all fields appropriate measures to ensure the full development and advancement of women...").

- b) *"...The Quota go against the principle of electors' freedom to choose their representatives and the principle of equal opportunity for male and female candidates, which are two key principles and components of democracy....since the public interest requires choosing the best and the fittest for the community irrespective of sex, race, or other characteristics...Not discriminated by a female quota system..."* On the contrary, it is the half of society (women) which is deprived from its right to give an opinion on policies, legislation and decisions that will govern all aspects of its personal life, and struggling the most due inequalities between men and women. The Quota system is a Positive Discrimination Affirmative Action that aims to correct imbalances and restore the balance to women's participation in political life (CEDAW Article 4 "...Adoption by States Parties of Temporary special measures aimed at accelerating de facto equality, shall not be considered discrimination as defined in the convention..."). Thus it cannot be considered discriminatory. It is a sort of measures aimed at achieving gender equality and eliminating discrimination against women. It is a temporary measure designed to give women the chance to enter, participate and get power in the public space, until the necessary structural change occurs in society, gender equality achieved, therefore the quota system will not longer be needed. In addition to that, studies and experience have shown that women in decision-making positions and politics, mainly at the level of councils leads to investing and improvement in more and better public services, like

107 M. Helou 'Study on Advocacy for the Adoption of a Quota for Women in Electoral Law' EU/Eurecna, p.24, 2016. NCLW.

education, care, etc.

- c) “...*Why the Quota system should be applied for women, which are not a minority...*” The logic standpoint behind the womens quota is based on the principle of equality between sexes, not in the minority principle. Since as women are marginalized in the society as a whole and they are even more marginalized within minorities.¹⁰⁸

On the other hand the arguments **in favour of the Quota System** could be summarize in a generic way as follows:

- a) Elections should allow the representation of all segments of the social fabric. It is therefore illogical to marginalize women who account for half the population, and have right as citizens to equal representation.
- b) Quota for women do not discriminate, rather they compensate for existing barriers that hinder women from receiving their fair share of political representation. Experiences in several Arab and Islamic states emphasize the effectiveness of quotas in limiting the effects of social and religious factors and the effects of the patriarchal culture, which are responsible for a gender distribution of roles, a distribution that has always prevented women from accessing decision-making position and made them lose hope in their ability to succeed in this field.¹⁰⁹
- c) Women qualifications are yet downgraded and minimized in a male-dominated political system. Still women are considered somehow second class citizens who are incompetent to represent confessions and political parties, family and community interests and incapable of safeguarding and addressing these issues and concerns. The implementation of the temporary Quota will contribute to habituate electors to voting for women and accepting as normal their presence in the political and public sphere and decision-making positions, equally to men. This should reflect a change in society's mindset regarding gender roles and pave the way for a better gender equality. Quotas help change women's perception of their position in society and political remove the negative view of politics, patriarchal succession and clientelism in the electoral process. Quotas serves to rectify a dysfunction in confessional and regional quotas to

¹⁰⁸ Womens Quota Parliamentary Elections 2017 - Q&A / UNDP Lebanese Elections Assistance Project, 2017

¹⁰⁹ M. Helou 'Study on Advocacy for the Adoption of a Quota for Women in Electoral Law' EU/Eurecna, p.25, 2016. NCLW.

represent the “other half” of these confessions and regions (women side).¹¹⁰

d) Political parties have not succeeded to fairly include women in their lists, hence the need to implement the quota as an inevitable step to the election of women. Therefore, the quota contributes to the process of democratization by making the candidate application procedure accessible to all groups. Adopting quotas for women and distributing them equally on Muslims and Christians and proportionally on confessions, would achieve equality for all confessions.

¹¹¹

e) The importance to Lebanon to comply with the international commitments such as the CEDAW and Beijing Platform for Action in how women's participation in decision-making positions help reshape political priorities and puts other women issues in the political agenda.¹¹²

IV. e. Considerations on the Implementation of Women Quotas in relation to the effectiveness of empowering women.

In this last section we will review some particular critics made concerning the effectiveness of quota implementation in the empowerment of women as a whole. This also could be translated somehow to measure to what extent the quota system could eventually address and reduce the patriarchal features in the society which hinders women's development or if instead, it will deepen the already clogged social and political dynamic in which male privileges are preserved.

Some critics have a more realistic view, as for example Mona Lena Krook¹¹³, described four main aspects expressing that quotas implementation and policies are not beneficial for women.

Indeed, apparently quotas are not so much a feminist demand for equality, but rather reflect a cynical attempt among elites to cover other struggles under the pretext of concern for the political status of women. Thus, quotas appear to contradict a number of other recent trends a growing doubt about the unity of ‘women’ as a category, and ongoing challenges to links between the numbers of women

¹¹⁰ Ibid. p.26

¹¹¹ Ibid.

¹¹² Ibid.

¹¹³ M.L. Krook. 'Assistant Professor of Political Science and Women and Gender Studies', Washington, University, St. Louis, USA. <http://mlkrook.org/>

elected and attention to women's concerns in public policy.¹¹⁴

This has led to split the theory and practice between concerns to combat inequalities in the social and economic sphere and concerns to promote equality in the political sphere.

Under this perspective, quotas seems to be a major concession to women's movement demands, but in fact serve two unquestionably non-feminist ends:

- a) Demobilize feminists with the pretext of empty promises,
- b) Diffuse urgent inequalities among women themselves.

As a consequence, gender quotas may undermine the feminist cause, but also may lend renewed energy to feminist organizing, it depends how and under with context are implemented as well.¹¹⁵

A second possibility, often raised is that these policies result in the election of more women, but only those who will reinforce rather than challenge the status quo and the patriarchal system. The case of Lebanon so far, with the three or four women who reaches parliamentary positions it is a clear example of this dynamics but without the implementation of quotas though.

Following this line of thinking, some studies suggest that women elected through quotas are more loyal to party leaders than women who win open seats¹¹⁶. This feature is also a potential risk and future political scenario for Lebanon in case the quota system is implemented; indeed some women candidates openly expressed more loyalty to their political party than for the common cause of women (see Annex Interview: Lebanese Forces)¹¹⁷. The presence of quotas does not always preclude the ability of women to represent women's concerns.

A third expectation is that quotas serve to reify 'women' as a political category. While this creates the false impression of a unified group that does not in fact exist¹¹⁸, like placing women all together in a monolithic group, limiting women as political actors, as well as the recognition of the diverse needs of women as a group, expressing that women can only represent 'women's issues'. This could be particularly harmful in the social-political multi-religious Lebanese context, where female candidates

114 M. L. Krook. Gender Quotas in Parliament: A Global View, Al-Raida, Institute for Women's Studies in the Arab World, Issue: 26-127, p. 8 2009.

115 Ibid.

116 P. Cowley & S. Childs, Too spineless to rebel? New Labour's women MPs. *British Journal of Political Science*, 33, p. 345-365, 2003

117 Annex Interview Lebanese Forces. p.17-18.

118 J.Mansbridge, Quota problems: Combating the dangers of essentialism. *Politics & Gender*, 1, p. 622-638, 2005.

are often viewed or perceive themselves to be viewed, as representatives of women, rather than as representatives of other groups. On the contrary, male candidates are rarely seen as advocates only of men, instead as representatives of whole of other social and economic identities.¹¹⁹ We consider this particular observation to be close related to the androcentrism or patriarchal feature in which men are considered already a unity which represents the entire society as a whole, instead women in principle are only able to represent women issues, just for the fact of being women. Women consider as a partial political element, incapable of represent and embrace the interest of the integral society.

119 S. Childs & M. L. Krook, Should feminists give up on critical mass? A contingent yes. *Politics & Gender*, 2, p.522-530, 2006.

Chapter V.

V.a. General Analysis on the field research: Interviews and Focus Groups.

After processing all the interviews and field research carried out with the different actors, such as government, civil society organizations (SCOs) and the international community (from now on IC), during these months, we could deduce the following general ideas and concepts:

1) Around the 95% of the interviewees agreed upon the major root-causes hindering women inequalities -therefore political participation- are the patriarchal/male-dominated culture and the confessional system in Lebanon; the latter is built up on the hierarchical structure of patriarchy and thus reinforcing it. These patriarchal features are found everywhere since they are cross-cutting to different systems, from the domestic legal-framework, religious personal status laws, constitution and electoral bill, in the reservations made by Lebanon to the CEDAW, in the structure of confessional system, social-culture and political sphere, in the educational system and job market and so on, as extensively mentioned in this study.

2) Related with the above mentioned concept of confessional system, another important causes blocking women equality in Lebanon, it is the domestic legal-framework concerning the lack of civil code regulating the personal life of the Lebanese citizens. Since the personal status of individuals is regulated by the different religious personal status norms and courts. This is expressed in the article n.9, of the Lebanese constitution, somehow contradicting the article n. 7, which state equal treatment for all Lebanese citizens without any distinction in front of the state. In any case there are some discrepancies of views in the interpretation of the article n. 9. Without any doubt the domestic legal-framework, specifically the religious personal status is discriminatory with women, placing them in an inferior -second class citizens- lower position than men and limiting their rights and individual capacities. This backward situation of the laws has its roots in the patriarchal and confessional system as mentioned in the paper.

We could see that there are a slight divergence in the point of view from Lebanese civil society organizations, NGOs, scholars and the international community and the government (see annex

Interviews: Lebanese Civil Society, NGOs, Government & Political Parties)¹²⁰ The divergence it is based on the origin of the actors and their interest. From one side, the international community (see annex Interviews: Main International Community Actors)¹²¹ have a more positive opinion, slightly more constructive perception about the possibilities of development of the country in regard the quota implementation and actions taken to get closer to equality. The reasons behind this view, are simply, from one side the IC need to justify their work and mandate in the country, as services provider different of different kinds, supporting with funding, technical resources, doing lobbying and some kind of political pressure and negotiations with the government. From the other side, the IC has noted some slight improvements in the Lebanese scenario concerning more efforts done from the civil society and NGOs sides. Coincidentally, we have noted a very similar approach from the governmental side and public institutions, probably for similar reasons as the IC, justification for their work, political discourse and political (hidden) interests. Even is almost all actors agreed in the main obstacles and reasons explained earlier, their vision of the reality of the country and how they foreseen the future is different between.

In the other hand, the Civil Society and Lebanese NGOs, have a more critic vision and perception of the situation, we could say they are more down earth and realistic about the possibilities of changes soon and the implementation of the quota. This is also quite understandable since interests are different and CSOs are in the field measuring the temperature of the country and citizens and fighting in order to change it. Certainly, the CSOs are the ones in all fronts directly facing obstacles and walls towards women political participation and women's equality.

3) In regard the implementation of temporary measure of quota system; and if it will truly have a significant impact in women political participation stepping forward to women's equality, positions are in general; around the 80%; in favour of the implementation of the quota, the divergence is found in the types of quota (mandatory or voluntary, zebra lists). Secondly, around the 10% of the interviewees are not agreed (See Annex Interviews: Maraya, Joelle Choueifati)¹²² with the implementation of the quota system, since they consider women equality will arrive with the economic development and emancipation of women and the abolition of the religious personal status code, even more, they consider that due the long rooted-clientelist and corrupted system in Lebanon,

120 Annex Interviews: Lebanese Civil Society, NGOs, Government & Political Parties .

121 Annex Interviews: Main International Community Actors.

122 Annex Interviews: Maraya p.4-5, Joelle Choueifati p.17.

women will be instrumentalized by the same patriarchal system becoming just puppets that will continue to perpetuate these dynamics as happening in the present. The other rest 10% (see Annex Interviews: EU, YWCA, M. Helou)¹²³ in principle is in favour, but is hesitating about the level of positive implication of the implementation of the Quota, this is due the context of Lebanon, concerning once more, corruption, strong powerful sects and the clientelist system ingrained in the entire country. Thus position shows in a way a kind of “sadness” and reluctance about the outcomes of the quota, if implemented. But as a general trend, somewhat we could say that all actors consider, it will be an important step, some believe it will be a huge leap and more than necessary stage toward women political participation, others instead hold a more moderate posture, but the majority of them are definitely in favour.

¹²³ Annex Interviews: EU p.18-19, YWCA p.9, M. Helou p.12-13.

Chapter VI:

Conclusions.

VI.a. Will the Quota System reduce the effect of the patriarchal culture, which is the main factor of discrimination and women's inequality?.

We could see from the introduction that the aim of this paper is to present and analyze if the implementation of the Quota System in the electoral law in Lebanon will reduce or diminish the features of the patriarchal system which is a base of women participation in politics and ultimately women's equality.

Following this line, from one side, we have described our theoretical background defining the origin and main features of the patriarchal system and related concepts, such as male-domination and androcentism and the academic works of S. De Beauvoir and the research of S. Joseph in which she developed her concept of Patriarchal Connectivity. In the other hand, we based our finding based on the field research carried out with the different national and international actors and in several reports, and studies carried out also by local NGOs, civil society organizations and mainly United Nations Agencies on the ground.

All the features of the patriarchal system are impregnated at different levels, in the Lebanese society and culture, from the domestic legal framework, personal status law in which women have limited and less rights than men, such as not able to pass their nationality to their children and husband and discriminatory inheritance laws, the confessional system fed by this androcentric dynamic, education system which reinforce gender stereotypes, pay gap and job market in which women only makes the 29% of the workforce, mainly in categories related with private sphere duties (cares, nursery, education, social and administrative functions) or the physical appearance and female objectification. Finally, the public and political sphere in which there is an almost total absent of women (only 3% of political participation of women) shows the top of the iceberg in which the male domination system is translated in a very tangible way.

The division between the private (female/submission) and the public (male/power and decision-making) sphere are strictly defined, as hierarchical relations of power in which male are placed in leadership positions, as the head of the family, the head of the confession, the head of the state and parliament, among others, creating a glass “iron” ceiling preventing women from reach top and influential positions. This situation in Lebanon is reinforced by legislation, sectarian courts system, the huge cultural-social pressure that women face every day in their attempts to break these ties. Hence, when women plays roles within the public sphere are more severely judged than men, they are diminished and downgraded and deemed incapable by men, this is for instance to refrain them and discourage them from positions in the public sphere and political participation, thus men and religious leaders feel threaten and their positions jeopardized by women entering in the public scene. Therefore all the obstacles encountered by women in the political arena, find their origin in the deepest roots of the patriarchal organization.¹²⁴

In addition to that since women were always confined to the private sphere have not yet acquired all the knowledge, particular skills and experience to easily own the political public space. As S. De Beauvoir in her book *The Second Sex*, expressed it: “...*her wings are cut and them she is blamed for not knowing how to fly...*”¹²⁵

Therefore, from the field research we could summarize that mainly all actors interviewed consider that the implementation of a female quota will represent an important and very necessary measure for accelerating women political participation and the process of women equality. But this process will not be automatically, it will take a few turns to slowly see real changes, as Roula Masri from Abaab stated: “...*Quota will bring quantity not quality, to see quality Lebanon should need to wait several years.*”¹²⁶

On this line, if the quota system becomes a reality in Lebanon, could eventually mean that the patriarchal features and male dominant dynamics starts to softens or at least loosen their rigidity.

124 D. Beblawi. 'L'invisibilisation du feminisme dans la lutte revolutionnaire de la gauche radicale egyptienne'. *Feministes Dans les Pays Arabes. Nouvelles Questions Feministes*, Antipodes, Vol. 35. 2016. Available from: <https://www.cairn.info/revue-nouvelles-questions-feministes-2016-2-page-35.htm> (Accessed on 28 May 2017).

125 S. De Beauvoir, *The Second Sex*. Vintage Classics. Kindle Loc. 101-102. Random House. Kindle Edition.

126 Annex Interviews: Abaab. p.1-4.

If we consider that the political sphere is the male-dominated and patriarchal realm par excellence, the fact that women reach those positions could imply that the entire hierarchical structure underneath who was always refraining women to get leadership positions is becoming less strong. Indeed, this outcome will signify a shift in the society, legislation and cultural norms, but in order to achieve this level, massive long-lasting efforts from civil society organizations, NGOs, international community, monitoring and pressuring the government should be carried out. But definitely, reaching the quota implementation would be a breaking point showing that Lebanese culture and structure toward women is changing in the right direction, it will also mean women are stronger and empowered. Moreover, the implementation of Quota would show that Lebanon respect and abide by ratified the international treaties, showing political willingness to duly apply the CEDAW and the follow the Declaration of Beijing Action Platform for Women's equality. Otherwise it seems that everything remains at discursive level so far.

From the other side, based on the field research we find a few skeptical actors concerning if the quota system will effectively reduce or instead reinforce the patriarchal main features. Indeed, we can relate and match the position of these actors within the critics mentioned earlier in the paper stated by Mona Lena Krook. These observations are that quota implementation in Lebanon due the type and strength of he system (clientelism and confessional) could only reflect an attempt among elites to cover other struggles under the excuse for the concern of political participation of women. At the same time, gender quotas may undermine the fight for womens equality, creating fragmentation within women movements.

Another aspect is that elected women could reinforce the statu quo rather than challenge the patriarchal system. Since women somehow could be instrumentalized for political parties elites, being functional to the system of power they say they fight. Some cases, women elected through quotas are more loyal to political parties than concerned by women common issues as Maya Zarghini from Lebanese Forces clearly expressed: “ It is the party who support you and place you as candidate, so you are bound to be loyal to the party and the political party agenda you as a candidate represent, not to women issues...” (Annex Interviews: Lebanese Forces)¹²⁷

127 Annex Interviews: Lebanese Forces.p.17-18.

We would like to express two subjective perceptions we detected in some cases while doing the field research: a) resistance from women about changing the patriarchal social-cultural status quo in which clearly they were swallowed and thus instrumentalized; and b) when the term patriarchy was mentioned in the interviews, some women instantaneously rejected it and showed some opposition on agreeing that patriarchy is the root-causes for inequalities. Instead, when the term patriarchy was replaced by male-domination domain or androcentrism, in general, all agreed upon these concepts as causes of inequalities. Therefore, to summarize, taking the existentialist notion of S. De Beauvoir and the public sphere of H. Arendt, we could express that women will not achieve political participation until they renounce to be defined by men as the Other, in order to become subjects of action, taking responsibility about their own future and their building their own destiny, if they really want to achieve equality. This equality means freedom. Thus the only space where this could happen is in the public realm, where everyone are equal actors by justice and politics could be performed.

Women need to understand that men will not give up their privileges, that if they want to have same rights these should be gained by fighting. And it will be in the public domain and during this long battle where women will raise their voice to be heard and recognized as protagonist and decision-makers, only to find themselves to achieve their (women) human transcendence.

While finishing this research paper, we have just learned that the Lebanese parliament has approved the new electoral law, replacing the so-called “1960 law” paving the way for the first parliamentary elections in eight years. The main changes in the newly approved electoral law are the following:

- a) From the majority/pluralist system to a proportional system of representation.
- b) The reduction of electoral districts to only 15 major districts now.

Still this new electoral law fails short to achieve the main demands from the civil society, not addressing any of the previously proposed reforms, like allocation for women seats, quota for women, nor even any other measure to enforce women participation, neither allowing army soldiers to vote and reducing the voting age from 21 to 18.

In addition to this, the new law the current parliament's term, which expires on June 20, will be extended once again, only for 11 months this time.¹²⁸

Unfortunately, once more women were absolutely overshadowed and forgotten. For this reason civil

¹²⁸ Will Lebanon's new electoral law end the stalemate? A new draft law for legislative elections staves off another political crisis in Lebanon. <http://www.aljazeera.com/indepth/features/2017/06/lebanon-electoral-law-stalemate-170615064815219.html> (accessed 18 June 2017)

society organizations, women movements including the NCLW, made public statements denouncing the failure in pass a democratic and fair electoral law. On this line, the National Alliance – Women for Politics organized a press conference to be held on 20th June in Beirut, with the participation of the State Ministry for Women's Affairs, National Commission for Women's Affairs and various women's bodies, to announce the Alliance's position on the election law and steps for the next stage.¹²⁹

That is why the we could perceive that the patriarchal connectivity that Suad was describing in her studies is unfortunately, still extremely strong and very much alive in Lebanon

129 National Alliance Press conference: <http://nna-leb.gov.lb/en/show-news/80520/Tuesday-June-20-2017> (accessed 19 June 2017).

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Improving women participation in the Lebanese political system: patriarchal culture vs women quota. If we agree that patriarchal culture is one main factor of discrimination, is the women quota political system to reduce its effect?

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