

Women Quota in Lebanon:

A False Promise?

Marguerite Helou

Demands for the adoption of women quota in public office, whether these positions are by election or appointment, were late in materializing and reaching the agenda of policy-makers in Lebanon. Persistent efforts by some civil society organizations since the 1990s and the appointment of a human rights activist as a Minister of Interior in 2008 led to the submission of two official proposals to this end as part of a general electoral reform. Nothing has materialized so far. The first proposal, calling for a women quota on parliamentary electoral lists, was aborted by Parliament in 2008. The second, calling for the allocation of seats for women on the municipal councils was approved by the Council of Ministers on January 29, 2010 but still awaits adoption by Parliament.¹ In light of the prevalent frustration with the decision-makers' failure to seriously act on this issue, the following sections of this paper aim at providing an assessment of the contributions that the two suggested quota proposals may have made to the enhancement of women representation in public office at the national and local levels respectively, as well as highlighting the factors influencing the decision-making process on this issue.

1. Women Quota: Reaching the Agenda of Decision-Makers

The first official attempt at dealing with female under-representation in the political arena appeared in the electoral law proposal submitted in June 2006 by the National Commission for Electoral Law Reform (NCELR), a commission formed by the government headed by Prime Minister Fouad Seniora in 2005² and entrusted with the drafting of a new electoral law for Lebanon. However, this law proposal was never discussed or voted upon either by the government which asked for it or by Parliament before September 2008. Adopting a mixed system of voting and an open quota system, the submitted law proposal provided for the obligatory inclusion of a minimum of 30 percent female candidates on each list running in the larger electoral districts (i.e. *mouhafaza*)³ in which the proportional system of voting is to be implemented, and left free gender competition open in the smaller electoral districts in which the majority voting system is to apply. However, this part of the suggested reforms never saw the light and was not included in the electoral law adopted by the Lebanese Parliament in 2008.

The second official attempt at guaranteeing more female representation in elected bodies was the approval of the Minister of Interior's proposal by the Council of Ministers, in its session held on January 29, 2010, to allocate 20 percent of the seats on the municipal councils for women. However, the women quota was only one on a

1. While this article was under publication Parliament failed to adopt the proposed reforms of the municipal elections law which included the women quota.

2. Decree no. 58 dated 8/8/2005.

3. Lebanon is divided regionally into six administrative governorates called *muhafazat*, each of which is divided into smaller districts called *kada'*.

list of suggested reforms to be introduced to the law on municipal elections. As such, it still awaits the Council of Minister's approval of the other proposed reforms before the law proposal is sent to Parliament for discussion and adoption. Due to the nature of the disputed areas of reform, the time it is taking the Council of Ministers to decide on them, and the need for Parliament's adoption of the government's law proposal, Lebanese women may be left with a dim hope concerning the implementation of this quota in the upcoming municipal elections due to take place in May 2010.

2. Assessment of the Quota Proposed by the National Commission for Electoral Law Reform (NCELR)

The National Commission for Electoral Law Reform (NCELR), known also as the Boutros Commission, introduced a complete set of reforms for the electoral process. Although the NCELR's reforms have fallen short of the expectations of those demanding radical change (e.g. a non-confessional parliament, Lebanon as one electoral district with a proportional system of voting, etc.), most, if not all of the proposed reforms would have reflected positively on women's ability to run in freer competitive elections with relatively better chances of winning had they been adopted.

Guided by the goal of creating the conditions capable of ensuring equal opportunity for all candidates, regardless of gender and social class, the Boutros Commission proposed the following reforms:

- The creation of an Independent Commission for Overseeing the Elections (ICOE). This aimed at "ensuring the good implementation of the principles of neutrality and integrity in carrying out the elections and removing the electoral process from the influence of the political authorities".⁴ The ICOE was to be entrusted with the preparation for the administering and supervision of the electoral process, in addition to working on the development of a democratic culture and raising electoral awareness. Such a commission with a broad spectrum of functions and authorities would have acted as a major obstacle to the prevalent intervention by the dominant ruling elite to regenerate itself to the exclusion of others, including women.
- The organization and control of electoral financing and campaign spending as well as the organization and control of electoral propaganda and advertising. The proposal of the Boutros Commission dealt with this in detail stipulating for feasible measures and mechanisms to ensure good implementation. In a country where prominent political figures own or control major mass media channels, and which had always ranked among the highest worldwide on the electoral cost per head, some reforms would have paved the way for the achievement of the ever-lacking equality in opportunity among candidates regardless of gender or social class.
- The division of electoral districts into two categories and the adoption of the mixed system of voting: a) the large electoral districts at the level of *muhafaza* in which the closed list, proportional representation, and preferential vote were to be applied, and the small electoral district at the level of *kada'* in which the majority vote was to be applied. Of the 128 parliamentary seats, 51 seats were to be filled by the proportional system of voting in the large districts and 77 seats were to be filled by the majority vote in the small electoral districts.
- Decreasing the electoral age from 21 to 18 years to enhance the participation of the young segment of the population in the electoral process.
- In addition to keeping the race open to women in the small districts with the majority

4. Report submitted to the Council of Ministers on 31/5 /2006, www.elections-lebanon.org

voting system, the NCELR proposal stipulated for a women quota of an obligatory minimum of 30 percent women candidates on each list running in the large districts with the proportional system of voting. This was to be a temporary measure and for three successive elections only.

This proposed form of quota, intended to ensure female candidacy while preserving the electorates' freedom in choosing their representatives, was not likely to achieve the goal of ensuring more female representation in parliament for the following reasons:

- By limiting the quota to the large districts, the 30 percent quota proposed by the Boutros Commission will apply only to the 51 seats to be filled at the *muhafaza* level and not to the total of 128 parliamentary seats. As such, if all the 30 percent candidates win, this quota system would have brought 15 women to parliament, i.e. 11 percent of the total and not 30 percent which amounts to 38 women parliamentarians. As a signatory of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and the 1995 UN Beijing Platform for Action respectively, Lebanon, even with the adoption of this reform, would have stayed far from achieving the 30 percent goal set by these two conventions.

- The division of the already confessionally distributed parliamentary seats between large and small electoral districts decreases the share of each sect in each district. This will inevitably increase the intensity of the electoral battle in the small districts thus decreasing, if not eliminating, the chances of women and minorities in winning the competition, considering that traditional, feudal, sectarian, or familial powers are usually represented by "male candidates" capable of ensuring victory in tough battles.

- As the electoral history of Lebanon shows, electoral competition was rarely, if ever, restricted to that among party lists based on party national programs. Electoral coalitions and list formation in Lebanon can be best described in the words of essayist Charles Dudley Warner who wrote in 1871 that "politics makes strange bed-fellows" (cited in Shafritz, Russell, & Borick, 2007, p. 73). Electoral coalitions in Lebanon, in addition to making the strangest bed-fellows, may not necessarily lead to alliances at the national level. For instance, allies in one district may be deadly foes in another, thus increasing the intensity of the electoral battle in which women are neither politically nor culturally perceived as capable of winning.

- Article 64 of the NCELR electoral law proposal, which provides for the women quota on electoral lists, does not stipulate any special rank ordering of candidates on those lists (e.g. every third name on the list must be that of a female candidate). Given that most parties have an estimate of the size of their supporters, the NCELR's failure to impose such ranking may lead to the placing of women candidates at the bottom of the list. This is likely to deprive women candidates of the chance of being among the winning candidates upon the distribution of seats proportionally among the winning lists.

- In light of the various social, cultural, sectarian, and political obstacles that have for long hindered women participation in Lebanese political life, the preferential vote provided for in the law proposal is unlikely to work in favor of female candidates. What adds to our conviction is the fact that Lebanese women never did, and are not expected, to act as a voting bloc for women candidates for reasons that will be discussed in the following sections.

- Since the number of seats allocated for some sects are very few (see table 1) and in the case of some minorities are no more than one seat in some districts, to what extent

TABLE I

Muhafaza	Total number of seats	Distribution by sect	Minimum number of women on each list after rounding
North	11	4 Sunnis	3
		4 Maronites	
		2 Greek Orthodox	
		1 Alawite	
Mount Leb/North	6	5 Maronites	2
		1 Greek Orthodox	
Mount Leb/South	7	3 Maronites	2
		1 Shiite	
		1 Sunni	
		2 Druze	
Beirut	9	3 Sunnis	3
		1 Armenian Orthodox	
		1 Armenian Catholic	
		1 Greek Orthodox	
		1 Shiite	
		1 Druze	
		1 Evangelical	
South	9	6 Shiites	3
		1 Maronite	
		1 Sunni	
		1 Greek Catholic	
Beqaa	9	1 Greek Orthodox	3
		2 Sunnis	
		3 Shiites	
		1 Maronite	
		1 Greek Catholic	
		1 Armenian Orthodox	
TOTAL	51	51	15

can one require that a sect take a woman as its candidate? Moreover, what if a sect refuses to nominate women candidates based on a religious *fatwa* (edict)? Wouldn't this raise a dilemma between the call for respecting human rights (among which is the right of belief and its exercise) on the one hand, and the call for gender equality on the other? And, if as a result of this, women candidacy was limited to certain sects, wouldn't this lead to inequality among Lebanese women due to their belonging to different religious denominations?

- Finally, and in the light of the confessional distribution of parliamentary seats, what are the guarantees that the nomination of women candidates will not become an

instrument of pressure used by electorally strong groups/sects on the list against the weaker ones i.e. by making the inclusion of specific groups/sects on the list conditional on their nomination of female candidates to meet the requirement imposed by the law? Wouldn't this impact negatively on the concepts of equality and true representation among, as within, sects?

In September 2008, the Lebanese Parliament passed a new electoral law. This law maintained the bloc vote system at the level of the small electoral districts (*kada'*) and dropped the mixed electoral system and the proportional representation at the level of *muhafazat*. Automatically, the 30 percent women quota was disregarded due to the impossibility of implementation and calls for replacing it by a reserved seat quota were not successful. However the new law adopted some of the above mentioned reforms which promised more equality of opportunity among candidates. As such, it was hoped that more women will be encouraged to run for the 2009 elections. Unfortunately this was not the case. The number of women candidates in the 2009 parliamentary elections was almost equal or less than that in previous elections held since 1996. Moreover, the number of female winners in the 2009 parliamentary elections (3 women) was half the number of winners in the 2005 elections (6 women). This was due to a variety of factors, mainly the intensity of the electoral battle and the cost incurred by the requirements for financial controls introduced in the electoral law (such as hiring a chartered accountant, opening a special bank account, etc.) which, in addition to catching them unprepared, added to the cost of the electoral campaign especially for independent women candidates.

Noteworthy here is the fact that the 2009 elections witnessed the withdrawal of two women parliamentarians from the electoral battle in favor of their sons who have come of "political age". Since both were widows of Lebanese Presidents who were assassinated upon assuming office, their withdrawal was considered by many as a consecration of the widely held belief that women enter parliament only to reserve the father's seat until the legal male heir comes of age.

3. Assessment of the Proposed Quota on Municipal Councils

Adoption of a women quota in Lebanese municipal councils may be easier than adopting it in parliament since the confessional distribution of seats does not apply to the election of local councils. This may explain the Council of Ministers' approval of the 20 percent quota of the seats on those councils. Although some considered this a step backward from the previously proposed 30 percent, it can still be considered a step forward since it reserves 20 percent of the seats for women and not at the level of candidacy only. In countries like Lebanon, characterized by a highly patriarchal culture and a clientelist system that never tended to favor female representation in decision-making positions, a reserved seats quota is needed. The question however remains whether this quota is going to improve women representation without jeopardizing other important aspects of municipal elections and functioning. The answer to this question is dependent on whether other reforms, mainly the implementation of a proportional system of voting, are adopted or not.

Indeed, adoption of the women quota in municipal councils without the adoption of the proportional representation system is likely to lead to worse problems than the

one it intends to remedy. First, there is the problem of true representation. A woman candidate with far less votes than a male candidate may end up assuming office because the seat has to be filled by a woman. The negative implications of this on the work of the council and its relation with the public may be similar to those that have characterized the Lebanese administration when confessional distribution of public office was in effect.

Second is the problem of equality of women within and among sects. Previous research on the parliamentary and municipal elections held in 1996 and 1998 respectively has shown that in mixed areas some dominant fundamentalist groups may support the candidacy of women from other sects rather than those of their own. This was apparent in:

- a) the support provided by fundamentalist Sunni groups in the Tripoli area (in the *muhafaza* of the North of Lebanon) to Christian female candidates who won in the parliamentary elections of 1996 and the municipal elections of 1998 respectively while these same groups vehemently opposed Sunni female candidates and;
- b) in the support provided by fundamentalist Shiite groups in the South for a Sunni female candidate in the parliamentary elections of 1996 while they denied Shiite female candidates such support. As such, a women quota without closed lists and proportional representation may make it easier to exclude a female candidate running independently than when she is part of a coalition on a closed list. Such a quota may enhance inequality among women from different sects running in the same area, as among women from the same sect but running in areas with different confessional structures.

Despite the above mentioned problems, it is the hope of gender equality supporters that the quota for the municipal elections will not share the fate of its predecessor and get aborted at some stage in the decision-making process. Encouraging women to engage in local councils is a necessary first step towards the creation and training of a new female political elite especially with the historical failure of Lebanese political parties in assuming this role.

4. Factors Hindering the Adoption of Women Quota

Discussion of factors obstructing women's access to public office by election or appointment has been extensive in the literature on the subject. They can be summarized under four major categories:

Political factors emanating from a) the confessional, clientelist, and feudal character of the Lebanese political system, b) the fact that the political competition in Lebanon is in large part one among traditional *za'ims* and feudal lords (traditional or modern) rather than among political parties and national programs, c) the lack of serious political will to enhance gender equality, and d) the prevalent conflictual political culture where everything is seen through a confessional lens, which leads to the classification of simple basic issues as matters of high politics.

Socio-cultural factors have also worked against a broader female representation in political decision-making positions. First among those factors is the patriarchal, religiously-based culture, and the ensuing gender-based role perceptions. Second is the highly divided culture along sectarian, regional, and family lines and the perception of women as being incapable of representing, protecting, and serving the interests of such

groups. Finally is the prevalent negative view of politics as a dirty field from which women have to be shielded.

Added to the political and socio-cultural obstacles are the economic and legal ones. Economic obstacles are most apparent in the high cost of electoral campaigns that may be beyond the reach of many women, mainly those who lack financial independence. The legal obstacles have always emanated from the adopted electoral laws that never provided for legal mechanisms needed to ensure equal opportunity among all candidates. They also emanated from the sectarian personal status laws that help consecrate the prevalent family structures and power relations.

Despite the role of these factors in influencing the attitudes and positions of the male decision-makers with regard to enhancing female representation in political decision-making positions, little attention, if any, has been paid to another important factor i.e. the nature and extent of the role played by the civil society in general and non-governmental organizations (NGOs) working on women rights and gender equality in particular in the decision-making process. While this sector is seen by many as sizeable, dynamic and active, no serious research has been carried out to assess its effectiveness as an influential pressure group impacting on decision-makers and policy content on the one hand, or as an agent of societal and cultural change on the other.

This sector is not without serious flaws that have weakened its ability to push for women quota earlier on. Despite the long lists of NGOs working on improving the status of women, only very few qualify as active pressure groups on the political level. Most NGOs suffer from lack of coordination and agreement on the issue of women quota as an instrument for enhancing female participation in public office. The relations among most NGOs can be described more as competitive rather than cooperative. Though competition may be highly valued as an incentive for better performance, it must not have negative effects on any needed coordination, or lead to duplication of work resulting in the waste of badly needed money, time, and effort.

Very few NGOs have been able to establish channels with policy-makers, and most lack effective means to influence them. This is in large part due a) to their inability to bring women to act as a voting bloc capable of influencing politicians' behavior, and b) to their lack of a media strategy, or at least a well designed one, that can help them raise public awareness, reach as broad an audience as needed, and mobilize public support for their cause. The best indicators of this weakness can be found in the very small numbers of women NGOs who respond to calls for any kind of peaceful protest, demonstration, sit-in etc ... , as well as in the inability of most of those NGOs to attract men or new blood into their organizations.

Not only do women NGOs lack coordination among themselves, they, with the exception of very few, lack coordination with other NGOs working on other highly related issues in the field of human rights as with the National Commission for Lebanese Women (NCLW), the mechanism created to help monitor government compliance with and respect for its obligations under CEDAW and related conventions. This has resulted in keeping the women issues isolated from the broader context and

most importantly in depriving NGOs from the mutual help, exchange of knowledge and expertise, and the support such organizations can provide each other with. Excessive NGO specialization and concentration on gender specific issues is needed, but this must not be done in a vacuum. It should be part of a holistic approach to secure rights for women.

The above, coupled with a lack of needed funds, outdated management and planning, as well as lack of rotation of power in some women NGOs, have resulted in their success being dependent in large part on the existence of a serious political will to act on guaranteeing gender equality in practice as in theory and according to constitutional principles. Unfortunately, this did not happen until lately and only among few decision-makers. How successful those decision-makers will be in leading the change remains to be seen.

Conclusion

This article aimed at analyzing the two proposals for introducing a women quota in elected national and local councils in Lebanon which have reached the decision-making agenda. By assessing the actual contribution they may, or may not, make towards enhancing female participation in public office, the paper aimed at directing the attention of those concerned to the weaknesses and flaws that must be avoided regarding any future reform of the electoral law governing parliamentary elections and regarding the currently discussed reform of the law on municipal elections, in order to ensure that true female representation at those two levels become a reality and not a false promise.

Marguerite El-Helou is Professor of Political Science at the Lebanese University, Lebanon.
Email: guittahelou@yahoo.com

REFERENCES

- Helou M.** (1990). Women in local elections. In M. Helou, Z. Baroud, N. Hamzeh, A. Sleiman et. al, *Municipal elections in Lebanon 1998: Problems of democracy in the structure of local communities*. Beirut: Lebanese Center for Policy Studies.
- Helou, M.** (Fall 1997). *The female political elite in the Lebanese parliament*. Beirut: Bahithat.
- Helou M.** (1998). Women and politics in Lebanon. In M. Helou, P. Salem, F. El Khazen et. al, *Lebanese parliamentary elections 1996 and the crisis of democracy*. Beirut: Lebanese Center for Policy Studies.
- Helou, M.** (1999). *Lebanese women participation in municipal and parliamentary elections: A comparison*. Papers of the Conference on Gender and Governance, Public Administration Research and Consultation Center (PARC), Cairo University, Cairo.
- Helou, M.** (2002). Women political culture,. In M . Helou, F. El Khazen, S. Nasr, M. Shaoul et. al, *Parliamentary elections in Lebanon 2000: Between repetition and change*. Beirut: Lebanese Center for Policy Studies.
- Helou, M.** (2007). *Proposed electoral law and women participation in Political education of young men and women*. Beirut: The Lebanese Civil Committee for Following up on Women's Issues with the Support of the Dutch Embassy Project MATRA/KAP Beirut.
- Shafritz, J. M. , Russell, E.W. , & Borick, C.P.** (2007). *Introducing public administration* (5th ed.). N.Y.: Pearson Longman.