



FINAL REPORT – PART 3 | 14.07.2017

# PATRIARCHY AND SECTARIANISM: A GENDERED TRAP

## BASELINE OF WOMEN IN POLITICS: THE CASE OF LEBANON

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# CHAPTER 3 - WOMEN'S PARTICIPATION IN UNIONS AND SYNDICATES

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Unions and syndicates are a reflection of the political environment in Lebanon; therefore participation in leadership positions in unions and syndicates is linked to formal political participation in political parties and representation in the country at large. Just as women are not truly seen as potential political representatives in the confessional political parties, they are similarly not seen as potential representatives in syndicates and unions as the latter are also male-dominated and have similar structures that do not necessarily promote women's participation. To better understand women's participation in unions and syndicates the following section looks at women's participation in the following four unions and syndicates:

The Bar Association

The Order of Physicians

The Teachers' Union

The Order of Engineers and Architects

Generally, the focus groups and interviews resulted in similar responses from the members of the different unions interviewed in this study regarding women's representation. There is high female participation within these organizations, but despite this, there are similar trends in terms of the deficiency in female leadership. There is also a general feeling within the unions that generates a vicious cycle: the overall lack of female leadership and space or opportunities for advancement within the union, de-motivates women from wanting to be more involved in leadership. The unions' and syndicates' bylaws do not have clauses concerning female participation, neither to encourage nor discourage it. The only parts related to women in the bylaws were specific to their rights as employees and included maternity leave. Personal status laws were mentioned in all the interviews as being a major influence on

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women's self-worth in terms of equality, or the lack thereof. The politicization within unions as a result of the political parties' domination of the organizations and the resulting sectarian divide is yet another commonly agreed upon challenge that faces women in the unions. Following a series of interviews and focus groups with representatives and members from all four unions and syndicates, the research team was able to deduce the common challenges women face when seeking representation by, or playing an active leadership role in, unions and syndicates:

- In Lebanon, women's participation does not equal their demographic representation. While women represent 50% of the total population, the World Economic Forum's annual Gender Gap Report found that only 26% of working-age women are in the workforce in Lebanon, compared to 76% for men.
- In particular, the leadership of the unions and syndicates are often overwhelmingly dominated by men.
  - In three of the unions studied, the minority women form is indeed even more pronounced when it comes to leadership positions. For instance, of the four unions studied, only one woman has ever been President of the Board, the Bar Association.
  - Moreover, even in the Teacher's Syndicate of Lebanon, where women are a majority of the workforce as well unionized workers, the managing bodies are mostly occupied by men.
- These situations can be explained by structural factors, as well as persisting stigmas.
  - In fact, women are still less paid than men of a similar position, and often cannot afford for the registration fees within unions and syndicates. Besides, Lebanese unions are still largely directed by interest and influence of political parties and women are almost entirely absent from the political parties' management bodies.
  - Stereotypes that strongly limit women's participation are numerous and solidly grounded in mentalities such as below:
    - Women are still expected to take care of the family, which brings with it serious obligations and often discourages them to get more involved.
    - Women are not expected to financially sustain the family, which thus allows them to accept lower paid jobs, often with less official responsibility.
    - Femininity is also very much associated with softness and discretion, which leads female activists to be perceived as "rude and bossy".

## COMMON CHALLENGES FACING WOMEN IN UNIONS AND SYNDICATES

- GENDER ROLES AND SOCIAL EXPECTATIONS THAT LIMIT FEMALE INVOLVEMENT:
  - Balancing household responsibilities that are traditionally expected of women while also investing time and effort in union work, which is voluntary and requires a high degree of commitment.<sup>91</sup>
  - The inability to commit to events during holidays or activities during the weekend because of family commitments.
  - Maternity leave is not taken into consideration by the organizations, and there is a great need to ensure space for women to manage both familial responsibilities and political careers.<sup>92</sup>
  - Meetings are often held at inconvenient times of the day, when the men finish work and the women start taking care of the household, which excludes women from most meetings and thus decision-making,
  - The influence of stereotypes on women who are active in unions, especially that generally labor and labor movements are male-dominated, both of which require extensive effort and tenacity, traits which are thought to be 'hostile and aggressive for women'.<sup>93</sup>
  - Double standards when it comes to expectations regarding women's behavior (in the case of lawyer's syndicate) in comparison to their male counterparts. Women are expected to be much softer and discrete; traits are seen as "feminine".<sup>94</sup>
  - Behaviors that allow men act as the more dominant and louder counterparts in meetings (interrupting women while speaking, disregarding women's opinions and arguments, stigmatizing female behaviors, etc.).<sup>95</sup>
  
- POLITICAL CHALLENGES:
  - The politicization of the unions, adding an additional element of struggle for women who are not active and represented in the sectarian political parties.
  
- FINANCIAL CHALLENGES:
  - Many women lack the financial capability to either join syndicates/unions due to the expensive fees, or to take initiatives that require voluntary work/financial investment.

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<sup>91</sup>World Economic Forum's annual Gender Gap Report

<sup>92</sup>Saadé, Nina, Pascale Salameh, et Bernadette Barbour. « Conditions de travail et congé maternel au Liban », *Sciences sociales et santé*, vol. vol. 28, no. 2, 2010, pp. 115-128.

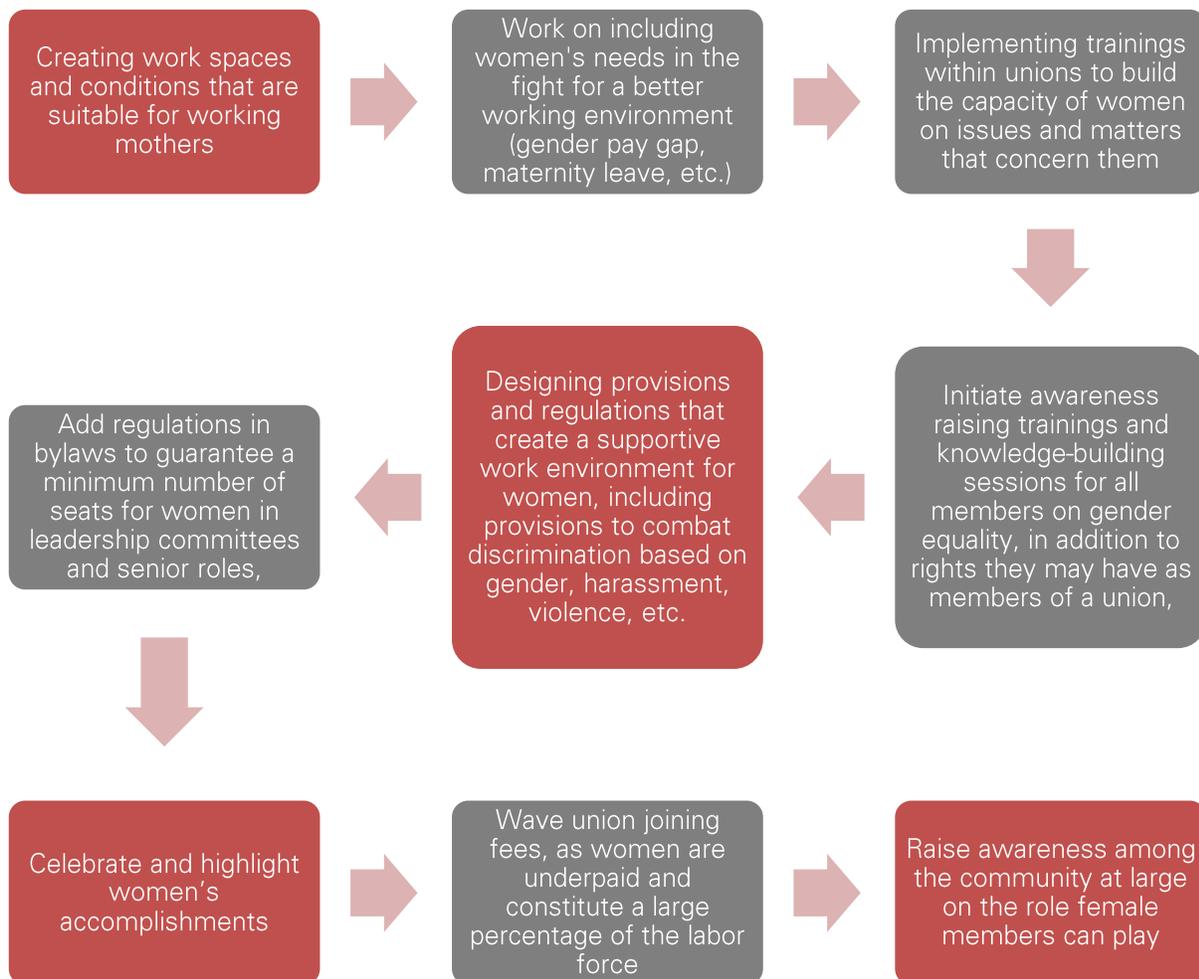
<sup>93</sup>Guillaume, C., Pochic, S. & Silvera, R. (2013). Genre, féminisme et syndicalisme. *Travail, genre et sociétés*, 30,(2), 29-32. doi:10.3917/tgs.030.0029.

<sup>94</sup>Doing Gender, Doing Difference Sarah Fenstermaker and Candace West, June 2002

<sup>95</sup>Ibid

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Women are generally discouraged from taking initiative because of the uninviting environment, aggressive nature of politics, hostile male counterparts, etc., but when asked why women aren't equally represented, male unionists blame women and their inability to take initiative, not taking into account the challenges women face and the courage they need to have to discuss politics with a group of older, patriarchal men. On the other side, women that actually make proposals and adopt a similar behavior to men in order to be taken seriously can be perceived as "man-like", "unfeminine" and "too aggressive".<sup>96</sup> Given the responsibility of unions and syndicates to exert effort and invest time to improve their members' place in their communities and rights at work, it is crucial for them to create an environment suitable for all their members. Interviewees and union members agreed that some development within unions could be undertaken. The below table explains the current status of women in the unions and syndicates studied, their participation, stereotypes they face, and any support they receive:



<sup>96</sup>Guillaume, C., Pochic, S. & Silvera, R. (2013). Genre, féminisme et syndicalisme. Travail, genre et sociétés, 30,(2), 29-32. doi:10.3917/tgs.030.0029.

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	BAR ASSOCIATION	ORDER OF PHYSICIANS	ORDER OF ENGINEERS AND ARCHITECTS	TEACHERS UNION
STRUCTURAL GAPS	<ul style="list-style-type: none"> <li>Almost 55% of current interning lawyers are women</li> </ul>	<ul style="list-style-type: none"> <li>No female president since the union's creation in 1946</li> </ul>	<ul style="list-style-type: none"> <li>No female president since the union's founding in 1956</li> </ul>	<ul style="list-style-type: none"> <li>No female president since the founding of the union in 1938</li> </ul>
	<ul style="list-style-type: none"> <li>Of the 12 members of the current Beirut board, 1 is a woman (8.3%)</li> <li>No female members on the board in Tripoli</li> </ul>	<ul style="list-style-type: none"> <li>29% of all registered doctors in Lebanon are women, but between 2004 and 2017, they represented between only 6.25% and 19% of the board</li> <li>Currently, 2 out of the 16 board members are female</li> </ul>	<ul style="list-style-type: none"> <li>Only 12.8% of registered architects and engineers are female (7,800 out of 64,000)</li> <li>12.5% of the current board are female</li> </ul>	<ul style="list-style-type: none"> <li>75% of school teachers are women</li> <li>91% of students studying 'education' are female</li> <li>There has never been more than one female on any board in the history of the union</li> </ul>
	<ul style="list-style-type: none"> <li>Women occupy 17% of leadership positions in committees</li> </ul>	<ul style="list-style-type: none"> <li>There are no female board members in Tripoli,</li> </ul>	<ul style="list-style-type: none"> <li>13,5% of executive branch members are women</li> <li>5% of leadership positions in the 29 committees are occupied by women</li> </ul>	<ul style="list-style-type: none"> <li>No more than 1 woman out of 12 board members in recent years (0 today)</li> </ul>
REGISTRATION FEES	2,500 USD per year	Over 2,000 USD per year	2,000 USD per year	20 USD per year
SPECIAL PROVISIONS OR QUOTAS IN BYLAWS TO PROMOTE FEMALE PARTICIPATION	x	x	x	x
POLITICAL PARTIES INFLUENCE THE WORK AND ELECTIONS OF THE UNION	✓	✓	✓	✓

<p>PERCEPTION OF WOMEN'S PARTICIPATION</p>	<ul style="list-style-type: none"> <li>• Low for governing bodies, high for 'basic' participation</li> </ul> <p>Seen as an issue that needs to be dealt with externally</p>		<ul style="list-style-type: none"> <li>• Not taken seriously as the profession is seen as <i>essentially</i> masculine</li> </ul>	<ul style="list-style-type: none"> <li>• Less legitimate than men's participation given their behavior during meetings (loud, interrupting speakers, even aggressive)</li> </ul>
<p>COMMON STEREOTYPES</p>	<ul style="list-style-type: none"> <li>• A female lawyer with the same capabilities as a man is "rude", and "bossy"</li> </ul>	<ul style="list-style-type: none"> <li>• Women not socially expected to provide for the financial needs of the family</li> </ul>	<ul style="list-style-type: none"> <li>• Women are "bad" engineers as the profession is masculine</li> <li>• Women tend to receive (and accept) secretarial job offers</li> </ul>	<ul style="list-style-type: none"> <li>• Logistics, such as time (late) and duration of the meetings make the space exclusive and more challenging for women to attend. Women are "fit" for teaching, as it is perceived as a continuation of their "caretaker" role in the family.</li> </ul>

# CHAPTER 4 – WOMEN'S PARTICIPATION IN THE JUDICIAL SYSTEM

<b>Court of Cassation</b>	10% women
<b>Total number of judges</b>	543
<b>First woman appointed to the Crown Court</b>	2006 (currently no women)
<b>Percentage of women from the total number of judges in the judicial system</b>	41% (221 women)
<b>Quota</b>	None
<b>Shari'a Court</b>	None
<b>Court of Appeal</b>	29.8% of judges are women <sup>97</sup>
<b>Attorneys General of the Court of Appeal</b>	5 men and 1 woman (16.6%)
<b>The Court of Audit</b>	50% of judges are female, compared with 44% in 2004
<b>Investigative Judges</b>	24 men and 3 women (11.1%)
<b>Attorneys General of the Courts of Cassation, Finance and Appeal</b>	35 men and 7 women (16.6%)
<b>Inspectors of the Judicial Inspection Board</b>	8 men and 2 women (20%)
<b>Judges in Criminal and Mixed Chambers</b>	47 men and 24 women (34%)
<b>To Date</b>	<ul style="list-style-type: none"> <li>— Women oversaw 28% of criminal cases</li> <li>— 56% of civil cases</li> </ul>
<b>Latest Judicial Appointments</b>	33 new appointments, 24 of which are women (72%) - 2016

When it comes to women's participation in Lebanese public life, the judicial system stands out as an exception. The openness of the judiciary towards the significant participation of women and in selecting women for leadership positions has happened gradually over time. Men and women in Lebanon have equal rights to apply to, compete within, and join the judiciary. However, in religious courts this argument does not necessarily hold. Religious courts are an exception as they are placed outside the realm of public office. Thus, each sect can decide whether or not to include women. Yet, the fact remains

<sup>97</sup>NCLW, Lebanon National Report, CEDAW, 2014.

that both the public judicial system and religious judicial systems are dominated by men. The total number of judges in Lebanon today is 523, out of which around 48% are women, which seems to be a clear case of female advancement in Lebanon. 10% of judges in the Court of Cassation are women and the figure stands at 29.8% in the Court of Appeal. As more women continue to join the judiciary this percentage is expected to increase and potentially the number of women could well outweigh the number of men.

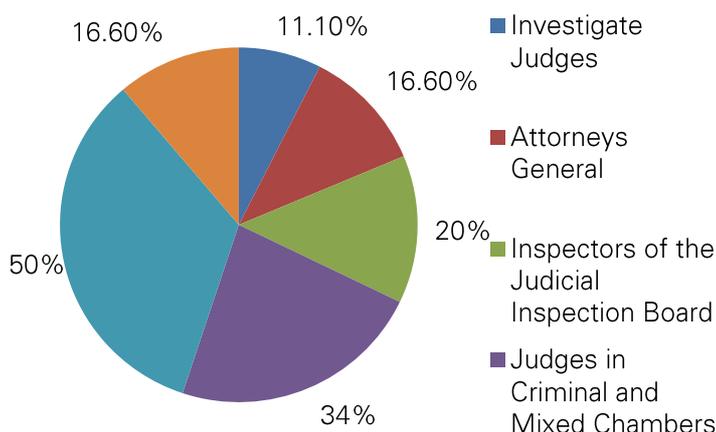
In the last intake to the judiciary in 2015, there was a noticeable success for women, 24 of the 33 new judges were women; Unique to the judiciary, the quota system is in place to ensure that balance is maintained and that it does not tip as more women gain representation. The inclusion of women in the judiciary gives hope that this success might be duplicated in other sectors where women are less present.

Although the presence of women in the judiciary is remarkable, they are still more likely to oversee cases which male judges see as “suitable for women”: Female judges are more likely to advance in specific legal domains such as child related matters. Until recently, female judges handled 28% of criminal cases (excluding Court of Cassation judges) and 56% of civil cases. At the same time,

interviewees told us that one area in which discrimination occurs when some male judges refuse to give younger female judges cases that deal with sexual assault for example, deciding on their behalf not to compromise their “purity”. Interviewees and study participants stated a number of challenges that face women working in the judiciary, including:

- Gender stereotypes still crippling women’s ability to practice law. There is still a prevailing assumption among most male interviewees that female judges will be more sensitive to women’s claims because they are women themselves
- There is a widespread belief that women are not able to make judgments when they have their period
- Religious courts are especially exclusive of women, because women cannot become clerics which disrupts their chances of becoming

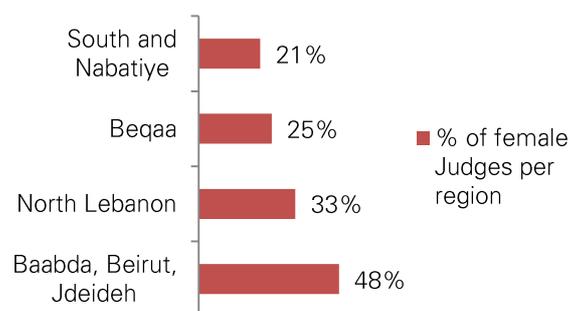
### % OF WOMEN IN THE JUDICIARY



religious judges, although the law doesn't specify that this is the case

- The corrupt nature of politics in Lebanon means that most appointments happen due to strong networks with previous and current political leaders. Most women (as stated in the previous sections) are not raised or taught to bargain or to acquire negotiation skills to engage in conversations behind closed doors and initiate corrupt practices in order to attain higher positions, which puts them on the margins with regard to appointments and thus they are rarely appointed to senior positions
- Working in the judiciary demands a lot of social interaction and connection-building. As one interviewee put it, 'Your door should always be open, and you will be expected to receive invitations to events throughout the year'. Women are less capable of attending these events because of their gender roles and expectations that limit their freedom of time and mobility
- One of the male interviewees explained that a serious challenge to appointing more women to judicial positions is that, 'At some point these women will need to go on maternity leave, and the courts would become empty if they're all female'.
- Women have to keep proving themselves in the job in order to counter the argument that women are in the judiciary because it is a convenient job for them (summer vacations, salary and benefit packages, prestige, etc.) and continuously prove themselves to be good judges
- Although there is no law that supports it, one interviewee told us that there are no veiled female judges in the entire system. The rationale behind this is that the system is attempting to maintain impartiality. Candidates are often removed from the pool of potential judges when they sit exams. Some of the female respondents explained that female judges are faced with verbal (and other kinds of) harassment, as they are treated as if they were daughters or sexualized as potential partners
- Interviewees also explained that female judges are taken less seriously than men in court, being stereotyped as easy to influence and control
- Regional disparities are also apparent. In 2010 48% of judges in Beirut, Baabda and Jdeideh were women, whereas only 33% of the judiciary in the North, 25% in the Beqaa, and barely 21% in both the South and Nabatiye areas were female

% of female Judges per region



At the same time, female judges who were interviewed explained that there are some characteristics of the job that women can benefit from, which is why parents and families support women going into the judiciary, because judicial work pays a comfortable salary (though one that is still lower than that

of men, which leads to more open positions) and it demands attendance at court only three days per week, which benefits working mothers as they can meet their familial responsibilities. Currently women head the chambers within the judiciary and hold major leading positions, including<sup>98</sup>:

- Director General of the Ministry of Justice, Khayriya Maysam Al Nuwairi
- Chairperson of the Legislative and Advisory Commission, Judge Mary Deniz Al Maoushi
- President of the Judicial Studies Institute, which is part of the Ministry of Justice, Judge Nada Dakroub
- President of the Court of Cassation, Judge Souheir Harake.
- Head of the Public Prosecution in the Governorate of Nabatieh
- Judge Ghada Abu Kroum is a candidate for President of the Court of Cassation of the Chamber of Commerce, replacing the deceased Judge Walid al-Qadi (this a religious, Druze position)
- Head of the Criminal Court in the South, Raleh Jadil, and Head of the Criminal Court in Sidon,
- Former Head of the Criminal Court in Beirut, Helena Iskandar, was recently appointed Chairperson of the Case Committee at the Ministry of Justice
- Judge of the Military Court of Inquiry, Najat Al-Ashqar, also serves as a Single judge in the district of Aley, the importance of her position lies in handling of sensitive files regarding terrorism, most notably the file of Ahmed Al-Asir a former Salafi Imam who was arrested in 2015.
- Judge Ghada Aoun, President of the Bekaa Criminal Court
- Deputy Prosecutor for the International Tribunal on the Assassination of Rafic Hariri, Judge Joyce Tabet

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<sup>98</sup> BeirutObserver.com, 'Women invade the Courts of Justice', April 2017

# CHAPTER 5 – WOMEN'S PARTICIPATION IN SOCIAL MOVEMENTS

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It is a common belief that women tend to be more active in civil society work than in formal politics; this perception implies that civil society work is not political and that its focus should be on charity and service provision. Contrary to this belief, Lebanon is the scene of vibrant activism, with a growing number of campaigns seeking to participate in local and/or parliamentary elections, or work on different civil rights causes, and women have been an integral part of these campaigns. This section looks at female participation in three recent social movements.

BEIRUT MADINATI

THE MOUNT LEBANON MOVEMENT

YOU STINK

## COMMON CHALLENGES FACING WOMEN IN SOCIAL MOVEMENTS

Both female and male activists who participated in this research highlighted challenges that could be facing women active in social movements in Lebanon today. During the conversations with participants as well as focus group conversations, activists categorized the challenges as follows:

## INTERNAL CHALLENGES

- The gender role expectations of women in a social movement: where, for example, a woman is expected to handle administrative tasks, or auditing tasks, or catering responsibilities at events, or is discouraged from getting involved in violent protests, etc.
- Deeply ingrained patriarchal structures that challenge women's chances of advancing within the group
- The challenging stereotypes of Feminism that hinder their ability to advance women's issues on movements' agenda, or that movements 'see gender as a moveable priority' and that there is "The failure to see gender issues as an intersection with other political priorities"
 

'We support women's rights, but this is a movement to win the elections', as heard by a female activist interviewed in this research
- Internal power dynamics are almost always exclusive of women and marginalize them from decision-making and politics
- The cost of volunteering in a social movement, where an individual's resources and financial capacity are at stake, affects women more than men because of the normative gender pay gap and lack of financial independence, especially if the woman is young and still studying
- Sexual harassment and violence within social movements, where there are no clear policies or measures taken to guarantee accountability; instead, women who speak up about this violence or harassment end up being sidelined or judged for 'misinterpreting this harasser's intentions'
 

"There is no clear mechanism to report harassment, you just have to be silent about it or face a great number of uncomfortable conversations before the person is even held accountable', Female activist
- The misconception that gender equality is about equality of the sexes, and thus simplifying solutions to tackle discrimination thereby undermining the need for real internal work to promote a safe, enabling environment for women
- Older men may be present in social movements, but older women rarely are, ageism is a major challenge in today's civil society where the youth lack trust in older individuals, this is more apparent with the numbers of women than with the men

- Violence against women in social movements can take different forms, other than physical and includes, for example, psychological and emotional violence – shaming, defamation, sexual baiting, etc.
- Women are rarely chosen to speak during media appearances or public demonstrations

'It was very uncomfortable attending meetings because I would always be surrounded by aggressive men who just want to speak and never listen, and ultimately, I was the one being silenced'  
*Female activist*

## EXTERNAL CHALLENGES

- The external society and culture in general that might influence how far the movement is willing to go to nurture its progressive identity
- The same external influence and pressure can challenge a group's own legitimacy when they stand in solidarity with minorities, or in this case, make a stand for women's issues
- The fear of speaking publicly about internal power struggles and gender discrimination in order to avoid shaming and the discrediting of the group by opponents
- Power struggles around age, where it is harder for young members to take on leadership positions and even harder on young females to do so
- Women face punishment from society should they join violent or socially disruptive movements: by joining disruptive groups, women defy cultural and social norms that may trigger aggression and violence from their male colleagues, siblings, family members, etc.
- The general attacks on freedom of expression in general in Lebanon, affects women more than men, culturally it is not acceptable for women to get investigated by police or spend a night in prison, or argue with a police officer

'You shouldn't be here. Go Home, or I will take you', said to a female activist by a police officer

Some female activists and feminists have chosen to separate completely from the current social movements and establish their own groups where women can be heard, treated equally and have a bigger chances of developing themselves and the movement itself; for example, a feminist block (a group of feminist organizations and movements in Lebanon) was established in late 2015, after a series of conflicts with existing social movements and their failure to address sexist, discriminatory and inappropriate behavior towards women.