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CIVIL SOCIETY IN A SECTARIAN CONTEXT:

THE WOMEN'S MOVEMENT IN POST-WAR LEBANON

By

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For my mother and father who gave me wings to fly and taught me the value of

perseverance and dedication

For my twin, Ranya, who provided me with love and support while in Montréal

For all the Lebanese women, who like me share this love hate relationship with their

country that continues to treat them like strangers

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ABSTRACT

Lara Khattab   for   Master in Arts
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Title: Civil Society in a Sectarian Context : the Women's Movement in Post-War Lebanon.

      This thesis problematizes the literature underscoring the role of civil society in bringing about democratic reforms, complementing the most recent approaches in studying the persistence of authoritarianism in the Arab world but moves away from them by focusing on the highly fragmented context of Lebanon where sectarian leaders developed strategies towards women's advocacy community to impede gender social policy reforms and democratic outcomes. It thus focuses on the limited success that the women's movement in Lebanon achieved since its inception. The thesis examines the strategies of the sectarian ruling elite vis-à-vis women's rights NGOs to explain how they may neutralize, divide, co-opt and manipulate these associations to preserve their sectarian control or use them to further their own political interests. This thesis also argues that sectarian leaders are not the only party to blame for the neutralization of women's groups, but also elite women with strong ties to the sectarian and religious leaders play an instrumental role in this process. This, consequently, impedes prospects for gender-based reforms and democratic consolidation. Grassroots women's demands are downplayed as they upset the formal and informal pillars of political power in Lebanon: sectarianism and clientelism. In this deeply divided context, civic groups seeking gender equality and a greater democratization of the system are only allowed to raise issues that consolidate or, at best, fail to challenge the hegemony of the sectarian ruling elites and their social allies. Moreover, this thesis examines the role of international funding and their gender agendas in Lebanon. It contends that international aid agencies' policies and strategies in Lebanon strengthen the sectarian hegemony of the ruling elite and impedes prospects for real women's empowerment.

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LIST OF ABBREVIATIONS

AWID   **:** Association of Women in Development
CFUWI   **:** Committee For the Follow Up on Women's Issues
CRTD-A   **:** Collective for Research and Training on Development – Action
EU   **:** European Union
FBO   **:** Faith Based Organizations
GBV   **:** Gender Based Violence
IDC   **:** Italian Development Cooperation Office
LCW   **:** Lebanese Council for Women
LCRVAW **:** Lebanese Council to Resist Violence Against Women
LLWR   **:** Lebanese League for Women's Rights
LWDG   **:** Lebanese Women Democratic Gathering
MEPI   **:** Middle East Peace Initiative
MOJ   **:** Minister of Justice
MOI   **:** Minister of Interior
NDI   **:** National Democratic Institute
NCLW   **:** National Committee for Lebanese Women
UN   **:** United Nations
USAID   **:** United States Agency International Development

CHAPTER ONE

INTRODUCTION

1.1 Situating the Thesis

With the collapse of communist and military regimes in the Soviet Union and Latin America, political theorists and analysts started to analyze the role of civil society in democratization processes.

Since the 1990s, a wave of political and economic liberalization swept through the Arab world leading to the proliferation of rights-based non-governmental organizations. However this process did not last and the dynamics were reversed from encouraging, to cracking down against civil society organizations, to appropriating and containing them (Heydemann 2007).

The resistance of the Arab world to change was not only a concern for many scholars looking for answers, it also became a major policy concern in the wake of the terrorist attacks of 11 September 2001 (Anderson 2002). These attacks prompted a shift in American foreign policy from supporting authoritarianism in the Arab world to a new "forward strategy for freedom" (Anderson 2006: 203; Heydemann 2006: 155). Engineers of Bush's democratization campaign argued that anti-American terrorism blossomed in the vacuum of a "freedom deficit". Hence, the "foreword strategy for freedom", they argued, "would drain the swamp for the frustration and rage that fed anti-American terrorism by waging wars or initiating socio-economic reforms" (Heydemann 2007: 155).

American policy makers and some scholars projected a hegemonic discourse which imposed "American institutions, values and purposes on the rest of the world" (Anderson 2006: 191). Investments in Arab civil societies reached unprecedented heights. These investments were underpinned by a Tocquevillian perception of associations that depicts them as schools of civic virtue where social capital takes root and democratic attitudes and norms develop (Heydemann 2007: 34; Jamal 2007). However, in the Arab world, the promotion and projection of these values faced resistance (Anderson 1998; 2002). Survival in power remained the ultimate objective of authoritarian Arab regimes. In this regard, Arab elites upgraded their rule by "managing political contestation, appropriating and containing civil society, capturing the benefits of selective economic reforms, controlling new communication technologies and diversifying international linkages (Heydemann 2007: 5).

The failure of democratization to take root in the Arab world divided the academic community. Proponents of the political cultural approach argued that Arab culture lacks values and practices that are essential for the process of democratization. Bernard Lewis (1990; 2001) posits that Arab and Muslim culture is what makes the Middle East resilient to democratization. On this view, Islam is the antidote of "democratic, secular and industrialized western values and inspires its followers with hatred, envy and violence towards western nations."[1] Michael Hudson suggests giving time for Arab societies to learn and assimilate democratic values. "Decades, if not centuries, are normally required for people to acquire the necessary disciplines and habits" (Hudson 1989: 71; Heydemann 2006: 2).

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[1] Bernard Lewis, The Roots of Muslim Rage, Atlantic Monthly online : <http://www.theatlantic.com/past/issues/90sep/rage.htm>

On the other hand, Lisa Anderson (1998), Quintam Wiktorowicz (2000) and Albrecht and Shlumberger (2004) argued that civil societies and civic engagement are influenced by the nature of state institutions. Anderson dispels the myth that Arab regimes are unique and portrays them "as a reflection of their country's political economy and its integration into the world economy" (1998: 78). She blames the failure of the civil society endeavor in this region on governmental policies (Ibid: 83). Wiktorowicz (2000) argues that authoritarian regimes in the Arab world developed clever institutional and legal strategies to tighten their control over civil societies rather than allow them to serve as avenues of citizens' empowerment. The authoritarian regimes of Egypt, Syria and Jordan immerse the civil society sector "in a web of bureaucratic practices and legal codes which allow those in power to monitor and regulate collective activities" (Ibid: 2). Albrecht and Schlumberger blame the elites of the Arab world for undermining one of the basic principles of civil society, its autonomy from political forces. Arab rulers have founded their own civil society that enabled them to feel "people's pulse and manipulate their interests" (2004: 43; Anderson 2006: 196).

This study thus reflects on the utility of NGOs in their role as political agents of change in the context of a weak state and a sectarian political system such as Lebanon's. In particular, it focuses on the challenges that the women's advocacy community faces regarding their political participation. This thesis therefore delves into the socio-political dynamics that constrain and determine the scope of action for the women's advocacy community in Lebanon. The analysis of the strategies of the sectarian ruling elites vis-à-vis women's rights NGOs is necessary to understand how sectarian elites may silence, divide, co-opt and manipulate these associations to preserve their sectarian control or use

them to further their own political interests. This study complements the most recent approaches in studying the persistence of authoritarianism in the Arab world but moves away from them by focusing on the highly fragmented context of Lebanon where sectarian leaders developed strategies towards actors considered secondary in political and public life.

On a broader level this study puts civil society at the intersecting point between state and society and, by doing so, helps us reflect on the nature of state-society relations in postwar Lebanon. State-society relations mediate the actions and operations of civil society. In the context of a plural society like Lebanon "political parties, interest groups, media communications, schools and voluntary organizations tend to be organized along the lines of segmental (sectarian) cleavages" (Lijphart 1977: 3). Moreover, Lebanon's weak state is unable to penetrate society, regulate social relationships, extract resources, and appropriate or use resources in determined ways (Migdal 1988). Strong sectarian leaders resist and fight state institutions through their own patron-client networks that enable them to provide survival strategies for their constituencies and extend their sectarian hegemony (Migdal 1988; Traboulsi 2007: viii; Salloukh 2007b). Hence, the combination of a society divided along confessional lines and a weak state promotes levels of social capital that are non-conducive to democracy.

This study contributes to the scarce academic literature examining the utility of NGOs in postwar Lebanon. Scholars studying this period focused on the meaning of national reconciliation and the nature of postwar institutions (Maila 1991; Salloukh 2007b), the causes and lessons from the civil war (Trabousli 2007; El Khazen 2002; Hanf 1993), the war-to-peace transition and the Syrian role (Salloukh 2005; 2007a), the

demobilization of militias and their reintegration in the political system (Picard 2002), the renewal of sectarianism (Makdidisi 1994; Picard 2002; Salam and Hanf 2003), parliamentary elections and peacebuilding (Salloukh 2006; El Khazen 2003), and political corruption and clientelism (Leenders 2004 a). Civil society and its role in the political life received little attention.

Few researchers are interested in shifting the focus from elites to non-elites to examine the state-society relations in postwar Lebanon. Paul Kingston published a series of articles (2002; 2000; 1999) focusing on the role of donor agencies in strengthening the power grip of the sectarian leaders and strategies devised by the latter to contain, co-opt and weaken environmentalists and handicapped advocacy NGOs. Karam Karam's (2006) seminal work reviews the history and evolution of associational life in Lebanon to shed light on associations that are active in the environmental and human rights fields. This thesis will complement this limited yet rich literature.

1.2 Research Questions

Do low levels of civic engagement promote institutional ineffeciency or alternatively do inefficient institutions promote levels of civic engagement non conducive to democratic values and procedures? The weakness of the Lebanese state and the strength of clientelistic networks revolving around political *Zu'ama*, warlords and tycoons, promote institutional inefficiency and high levels of political corruption. In this highly fragmented context, sectarian elites have only agreed to come together in the institutions of the state to divide spoils and distribute patronage to their constituencies in order to consolidate their power. Political power revolves around these patronage networks rather than state institutions (Hamzeh 2001; Kingston 2001).

Lebanese citizens have thus experienced their citizenship through access to sectarian leaders and their clientelistic networks. Moreover, in a country where citizenship is premised on sectarian membership, Lebanese citizens see themselves as members of their sectarian communities rather than citizens of their country. In this context, associational members realize that the representation of particular needs through clientelistic channels is the norm (Jamal 2007) and that sectarian leaders promote and supply representation to agendas that help them consolidate their patronage. Moreover, when associational leaders seek public institutions in a non-democratic context like Lebanon, they will be consolidating the authority of the clientelistic networks rather than state institutions (Ibid).

In this clientelistic system, associational leaders will either adapt to the views of the ruling elites or feel marginalized from this system. This thesis adopts this view. It analyzes the weakness of state institutions and the development of patron-client networks in post-war Lebanon to show how this non-democratic context reproduces itself and hinders the ability of civic associations to achieve socio-political change. In particular, it shows how this system impedes women's associations from amending gendered laws. Consequently, the pillars of political power in Lebanon, namely confessionalism and clientelism, are premised on patriarchy making it almost impossible for women to negotiate state-society relations towards more inclusive forms of citizenship.

Another reseach question revolves around the effect of ethnic leaders on associational life in Lebanon and the way they impeded prospects for democratic consolidation and the emergence of an inter-sectarian identity. In Lebanon, sectarian leaders filled the vacuum of an absent state and have also perpetuated this void for sheer

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survival in power. A strong state is their nemesis as is a secular civil society promoting an inter-sectarian identity. After invading state institutions, they have turned to civil society (Bray Collins 2003). In this regard, the state and civil society fail to provide mechanisms for democratic participation that enhance and consolidate democratic institutions and practices. In varying degrees, the sectarian elites blended "repression, co-optation and the appropriation of NGO function to contain the deepening of civil societies and to erode their capacity to challenge political authority" (Heydemann 2007: 9) and by doing so they successfully impeded the creation of horizontal interest-based identities.

This thesis examines the direct and indirect elite strategies devised towards women NGOs aimed to obviate prospects for gender social policy reforms and democratic consolidation. This allows us to capture how the persistence of sectarianism and clientelism in Lebanon has "less to do with culture and tradition than with the political elite's desire to preserve its rule and the nature of other power relations in the society" (Schwedler 1995: 9).

Finally, what role do associations play in a context where political institutions do not support the types of civic participation associated with more effective democracy? What values and whose interests do they promote? In the absence of democratic institutions, the same patterns of civic engagement that pave the way for more democratic institutions in democratic settings may generate attitudes and behaviors in non democracies that either reinforce the sectarian and clientelistic status quo or alienate citizens from the political regime (Jamal 2007). The way organizations frame their issues and negotiate their relations with political leaders influences the way organizations affect

patterns of civic engagement and support for democratic values and institutions (Ibid). In this regard, this thesis considers the primary role that non-accountable state institutions play in shaping patterns and outcomes of civic engagement in Lebanon but it also pays critical attention to the way associational leaders constrain civic life through their interactions with power structures (Ibid). This thesis investigates this issue by examining the Lebanese women's advocacy community. By doing so, I hilight how clientelistic and sectarian patterns trump civil society organizations and reproduce their own images. Hence, the extension of this hegemonic sectarian system does not only depend on sectarian elite strategies devised to silence subordinate classes but also on how subordinate groups cement this system through their participation in this system (Pratt 2006).

1.3 Case Study: The Women's Advocacy Community

The empirical part of this thesis sheds light on the efforts undertaken by sectors of Lebanon's advocacy NGOs to promote gender social policy reforms. The case study examines the women's advocacy community. This allows for the investigation of the factors that determine the utility of NGOs in postwar Lebanon. On the one hand, advocacy NGOs are relatively a new phenomena in the Arab world and Lebanon.[2] They are involved in the operation of the political order (addressing human and women's rights, the environment, transparency, political reform), they intervene in the arena that has been traditionally allocated to political parties and syndicates, and are led by proponents of secularism and democracy (Kingston 2008; Karam 2006) . The question in

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[2]In Lebanon, NGOs started to emerge in the early 1970s and were interrupted by the civil war only to resurge in the late 1980s with the adoption of universal values at the international level due to the alarming state of the environment and to international human rights. Hence, advocacy NGOs in Lebanon constitute a new object of analysis (Karam 2006).

theoretical terms that Gramsci's work raises is whether these women's associations help create an alternative inter-sectarian and non-clientelistic women's movement. In this regard, this thesis investigates whether these associations promote a counter-hegemonic civil society or are contained by the sectarian and clientelistic political order.

This thesis argues that a comprehensive reform of the post-war gender order challenges the formal and informal pillars of political power in Lebanon, namely clientelism and confessionalism. This hegemonic system does not only undermine prospects for gender equality but it also weakens the emergence of a common civic identity and denies other oppressed and marginalized groups their rights. A civil code for family dismantles the clientelistic practices of the sectarian leaders and their ability to organize and mobilize people along sectarian lines. On another level, the nationality law plays a central role in sustaining the sectarian leaders' political aspirations in a country where political representation is premised by the demographic weight of the confessional groups. Hence, women's rights challenge the sectarian and clientelistic systems in Lebanon which makes the case study an interesting example to investigate how sectarian elites intervene to impede women's advocacy community's efforts to reform the gender order and seek a greater democratization of the system.

Moreover, these associations cultivate a financial dependency on international donors due to the absence of local funders. In this regard, international aid agencies are an important variable to consider when analyzing the impact of these associations on gender social policies and democratic outcomes. The central argument that this thesis makes is that the transformation of the post-war gender order is not induced by aid agencies but rather by local actors (Abirafeh 2009). However, aid agencies enable or

disable local actors from launching a Gramscian 'war of position' against the prevailing hegemonic structures through their projected policies and devised programs. In theoretical terms, the aim is to investigate whether donors focus on achieving whatever can be achieved in the sectarian context of Lebanon.

1.4 Methodology

A political economic approach to understand civil society in a sectarian context like Lebanon allows me to move away from political cultural arguments. As Bassel Salloukh has argued this school of thought dismisses the possibility of democratic consolidation in postwar Lebanon due to a Lebanese mentatlity supporting powerful primordial sectarian identities which mobilize people along vertical sectarian identities rather than horizontal interest-based one (Salloukh 2008: 3). The political economic approach shows how government institutions, a reflection of the country's state formation and incorporation into the world, account for weak associational group formation (Anderson 1998; Abdelrahman 2004: 81). From this view, the persistence of the sectarian political system has less to do with primordialism than the "inherited Ottoman and later French colonial legacy and, subsequently, the institutional choices and strategies of sectarian elites bent on perpetuating their political prerogatives" (Salloukh 2008: 3).

This thesis relies extensively on ethnographic fieldwork. In order to determine the factors that shape the utility of these associations and the challenges that they encounter, I rely on qualitative research tools: structured interviews and an analysis of associational documents, publications and newspaper articles.

Research undertaken for this thesis was based on 21 interviews (See Appendix A). The interviews were either taped based upon informants' consent or written whenever the latter did not agree to have them tape-recorded.

The interviewees included a lawyer, two journalists, civil society activists and a funder from the Italian Ministry of Foreign Affairs. Italy is the only European country to support gender issues and the Italian Development Cooperation office is among the few organizations that have a gender-based strategy[3] for Lebanon which made the interview interesting for this research. Other funders were approached but the researcher was never able to set up interviews with them. This reluctance urged me to rely more on their country strategy and online published documents.

Moreover, sixteen in-depth individual interviews and informal discussions with associational leaders and activists from CRTD-A, CFUWI, KAFA, NCLW, LLWR, WWL, LWDG and Al Najdeh Association were made. The aim was to interview upper and middle management employees in these associations including executive directors, board members and campaign coordinators. However, some associational leaders were reluctant to sit for interviews. This affected data collection and analysis. The data gathered was an essential and useful tool to understand how associational leaders in these institutions made sense of their world and the issues they believe were important. It was thus an opportunity for the informants to describe the way in which they experience their ideology and the impact that the former has on their work, their views of the ruling cartel and the political system and their relationship with state institutions, their perception of Lebanese women's rights, gender roles and the way they translate their beliefs into practice. On another level, these interviews helped assess to what extent women's rights

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[3] UNDP Lebanon also developed a Gender-based Strategy for Lebanon in 2006.

associations are capable to get in touch with ordinary women and whether or not they are able to aggregate their interests.

As Diane Watt notes in her article, qualitative research does not follow a specific "formula on how to proceed; it is highly flexible whereby the research design in itself is constantly subject to changes between theory and the real world" (Watt 2007: 93). The experience throughout this thesis provides fresh insight into the aforementioned argument. For instance, I sought to gather relevant materials concerning the aforementioned associations which proved to be impossible as some associations did not document their experience. Hence the extensive reliance on one-on-one interviews was a main tool to extract the necessary information. On another level, the initial project design entailed interviewing board members but this proved to be impossible in most of the cases as board members act as rubber stamp bodies in most associations.

In a nutshell, reflexivity helped the researcher "to become aware of what allows me to see, as well as what might inhibit seeing" (Ibid: 82). This entailed careful consideration of the phenomenon under study and the ways a researcher's own assumptions and behavior may impact the inquiry. To put reflexivity to test, this entailed keeping a record in which data, thoughts, ideas, reading responses, some observations from the field about the space and place were recorded. Most importantly, this "research journal" was the place where the researcher kept possible solutions for problems encountered. It was also a place by excellence where reflections about theory and practice occurred.

To manage the collected data and find linkages between the research questions and information collected, I went through a process of data extrapolation for interview

transcripts. This entailed reading transcripts literally and retrieving from each the information that answered one of the major research questions addressed. The outcome of this process was materialized in a research question matrix. After making sure that all the issues were addressed, I proceeded to analyze the data. Transcript reading in this stage moved from literal to interpretive to deductive reading. Throughout this process, I identified ideas, tagged them, and labeled the information that lined up with these ideas elsewhere, defined and refined the emerging concepts. Hence, I drew the line between the information collected and the way to analyze it. Most importantly, this process helped me to move ahead with data analysis by finding concepts related to the general context for elite strategies and women's movement. Hence, the interactions among women's associations, the ruling cartel and ordinary women were disentangled. This process was instrumental to draw the line between analysis and research questions.

1.5 Outline of the Thesis

This thesis is divided into six chapters. The next chapter presents a theoretical framework that guides the analysis of the impact of women NGOs on gender social policy and democratic outcomes in the sectarian context of Lebanon. Chapter three examines the status of women's rights in the sectarian and clientelistic context of Lebanon. Chapter four analyzes women's advocacy community in post-war Lebanon, and chapter five adresses the challenges that women face when they raise issues such as the nationality law, civil marriage bill and domestic violence. Special attention will be paid to the political dynamics that hinder prospects for change.The final chapter summarizes the lessons learnt and contributions of this study, and reflects on future prospects for the women's movement in Lebanon.

CHAPTER TWO

CIVIL SOCIETY AND WOMEN'S MOVEMENT IN COMPARTIVE PERSPECTIVES

2.1 Introduction

This chapter presents a theoretical framework that will guide the analysis of the impact of women NGOs on gender social policies and democratic outcomes in the sectarian context of Lebanon. But first, the chapter reviews the literature that shaped the study of the utility of civil society in particular contexts. In this regard, a discussion of the hypotheses relating to the society-centric, state-centric and state-in-society approaches is in order.

The theoretical framework presented combines Migdal's (1988) model of state-society relations in "weak states and strong societies" and Gramsci's conceptualization of civil society. By doing so, this approach makes the point that associations "need to be explained and most importantly that the associative cure needs to be put into context" (RoBteutscher 2005: 6). As one scholar eloquently stated "whether associations reinvigorate or undermine democracy depends on the political system in which they exist, the structure of social relations which dominate a given society and the structural features of the associations themselves" (Ibid).

2.2 Civic Engagement and Democratic Outcomes in Comparative Perspectives

2.2.1 The Society-Centric Approach

Influenced by Alexis De Tocqueville's Democracy in America (1863), scholars who adopt the society-centric approach to analyze the impact of associational life on democratic outcomes present different arguments (Diamond 1996; Huntington 1993; Putnam 1993). Some of them argue that associational life "makes democracy work" (Putnam 1993) in the sense that it makes "democratic institutions stronger and more effective" (Jamal 2007: 5). Such claims draw from the Latin American and Eastern European experiences where civil society was presented as the driving force leading to the downfall of authoritarian regimes.

Proponents of the society-centric approach adopt the view that "civic organizations serve as agents of democratic socialization" and therefore promote democracy in different contexts (Jamal 2007: 20). This argument lends itself to De Tocqueville's *Democracy in America* in which he praises the high participation of American citizens in associational life. De Tocqueville makes an interesting argument when he attributes the virtues of American democracy to its prosperous associational sector which he defines as "the mother of all sciences" and the place par excellence where "feelings and opinions are recruited, the heart is enlarged and the human mind is developed … by the reciprocal influence of men over each others" (1863: 117-118). On this view, the civil society sector is an arena where citizens become exposed to democratic values and learn important skills that enable them to become efficient and active members of their societies.

This argument became the pillar of different hypotheses advanced by proponents of the society-centric approach (Diamond and Paltner 1996; Putnam 1993). Larry Diamond and Marc Paltner (1996) posit that civic engagement increases public awareness on political participation. When citizens, even the most marginalized come together in civil societies, they become enlightened about their political role and their views can be factored into policy making (Ibid: 232).

In *Making Democracy Work* (1993), Robert Putnam argues that associational life increases levels of social capital and cooperative ventures among associational members thus strengthening cooperation and consolidating institutional democracy and efficiency. As Putnam argues "democratic government is strengthened not weakened when it faces a vigorous civil society" (Ibid: 182).

In this regard, Putnam's central hypothesis is that the interaction of civil society activists with the public sector strengthens public accountability and democratic participation which consolidates democratic institutions. He (1993) posits that the success of local governance in northern Italy is the result of civic activism and an associational culture that transcends primordial ties.

To answer this puzzle, a classical political cultural argument is advanced "to investigate how traditions of associations and civic engagement affect political behavior" (Tarrow 1996: 390). Civic attitudes are the result of centuries of experience that are deep-seated and unchangeable. Central to this conceptualization is the assumption that southern Italy's monarchism lead to a lack of civility whereas northern Italy's vibrant communal government strengthened its civic capacity (Levi 1996).

Although the society-centric approach influenced scholars interested in assessing the democratic outcomes of civic engagement, many scholars started to question whether it really serves as the most appropriate framework to analyze socio-political change in different contexts. Such criticism gave way to a state-centric approach for the study of civil society.

Challenged by society-centric reductionism of political change to socioeconomic variables, statist theorists highlighted the "explanatory centrality of states as potent and autonomous organizational actors and agents of socio-economic change" (Sckopol 1985: 6). On this view, "the state must be considered as more than the government. It is the continuous administrative, legal, bureaucratic and coercive systems that attempt not only to structure relationships between civil society and public authority in a polity but also to structure many relationships within civil society as well" (Ibid: 7). Underlying this Weberian perception of the state is a paradigmatic shift. States are no longer perceived as dependent variables shaped by civil societies but independent variables that explain democratic outcomes and policy performance (Ibid). Moreover, civil society is no longer an independent variable that explains the success or failure of democratic institutions but a dependent variable that needs to be explained.

2.2.2 The State-Centric Approach

Scholars examining civil society from the state-centric approach have presented a number of hypotheses. Some shed light on the way states affect the institutional structure of civil societies thus leading to their increased or decreased political efficiency (Sckopol, Ganz and Munson 2000). Others argue that authoritarian states deploy clever institutional and legal strategies aimed at tightening social control over civil societies rather than

paving the way for them to serve as avenues to empower citizens and aggregate their interests (Abdelrahman 2004; Heydemann 2007; Wiktorowicz 2000). Still others have paid careful attention to the way states influence civic attitudes and norms (Jamal 2007; Levi 1996).

For example, Sckopol agrees with Charles Tilly that "social-movement repertoires of collective action have always adapted to the structures and practices of a given state" (1985: 7). In a similar vein, Sckopol, Ganz and Munson (2000) argue that the structure of the American state determines the shape of the associational sector. Hence, the institutional structure of large American associations includes local, state and federal levels, which mirrors the structure of federal governments (Ibid).

On the other hand, Levi (1996) criticizes the underlying assumptions of Putnam's political cultural approach and his absolute neglect of the state's influence over the shape and scope of associations as well as patterns of civic engagement. Levi posits that governments "are the major source of social capital and policy performance can be a source of trust, not just a result" (1996: 50). On this view, associations alone can not produce trust among associational members; "state institutions under certain circumstances lay the basis for generalized trust... weak and ineffective states, as is the case in Lebanon and Yugoslavia, fail to promote generalized trust thus leading to a Hobesian state of nature of the war of all against all" (Ibid).

In a similar vein, scholars analyzing the Arab World focus on how authoritarian states transform civil societies into social control mechanisms (Abdelrahman 2004; Heydemann 2007; Jamal 2007; Wiktorowicz 2000).

These scholars moved away from trying to find out why democracy did not take root in the Arab world towards analyzing what accounts for the resilience and persistence of authoritarianism in this region. This shift led some of them to focus on the robustness of state coercive apparatuses (Bellin 2004). Others were more interested in the "softer" elements aimed at enhancing the capacity of governments to regulate and control independent civil society organizations and maintaining their authoritarian rule. Underlying this school of thought is an assumption that coercive power comes at a cost that can expose Arab regimes to criticism. In this regard, authoritarian states resorted to a combination of institutional strategies "to exploit the rhetoric and organizational framework of civil society and generate political resources that can be appropriated and used to their own advantage" (Heydemann 2007: 8).

Quintam Wiktorowicz (2000) adopts a Foucaultian perception of power that sheds light on the way civil societies can be used to tighten states' social control rather than empower citizens. Liberalization from above created opportunities for associations; however authoritarian states using order and visibility turned civil society organizations into arenas to extend social control. In this regard, Arab states shifted from using visible coercion and commands into a partition of "space into surveillable units that can be regulated and administered… dictating when and where individuals are present and even their relations with one another, the state enhances its social control" (Wiktorowicz 2000: 7). For instance, the state in Jordan divided civil societies into discrete categories based on their field of intervention and regulated them by functionally differentiated government agencies that oversee their work. The state also enforced transparency on these organizations (reporting, declaring members and volunteers) thus serving its own

interests by making civil society actions visible to the authoritarian state. Hence, civil societies are therefore embedded in "a web of legal codes and bureaucratic regulations designed to enhance the regime's ability to monitor collectivities" (Ibid: 1; Heydemann 2007: 7-8).

Jamal's unique contribution in *Barriers to Democracy* (2006) moves away from institutional and political constraints imposed on civil societies to show how the latter patronized by their close relationship to the authoritarian regime in power reproduce non-democratic norms, values and practices. While reviewing Occupied Palestinian Territories' state-society relations in the post-Oslo period, Jamal highlights patterns of a strong associational life such as high levels of interpersonal trust especially among civic organizations enjoying a privileged relationship with Arafat. On another hand, associations opposed to the PNA, exhibit low levels of trust and high levels of institutional democracy. In this regard, the reinvigoration of Palestinian civil society challenges Putnam's assumptions which stipulate that the act of coming together in civil societies increases levels of trust and consolidates democratic institutions. The proliferation of civil society in the OPT and high levels of civic engagement happened in ways that undermined prospects for real democratization. Jamal, argues that the nature of state institutions shapes the quality of civic engagement with deep implications on democratic outcomes. In the highly centralized and clientelistic context of the PNA, civil society groups can cater to their target groups only if they enjoy strong ties with the ruling elites. Whenever associations challenged the PNA, they were not only deprived of resource allocation but they were also subject to coercive measures that weakened their bargaining power and reduced their popular support. In this regard, Jamal challenges the

society-centric assumptions in general. Whereas Putnam adopts a political cultural approach to explain civic attitudes and democratic outcomes and downplays the important role of the state, Jamal argues that "the nature of state institutions trumps civic cultures and reproduces their own images" (Heydemann 2008: 358). Hence, "the clear implication that challenges the society-centric approach is that the path to democracy in the Arab world leads not through civil societies, but through the reform of Arab states" (Ibid).

2.2.3 The State-in-Society approach

A revisionist statist argument emerged to challenge the aforementioned approaches. Influenced by the Weberian tradition, scholars of the "state-in-society" approach argue that strong and efficient states are the ones to maintain a close relationship with society. On this view, the relationship between states and social actors yields to empowerment (Migdal, Kohli and Shue 1994).

On the one hand, society-centrists argued that socio-cultural systems affect the efficiency of civil societies and downplayed the important role that states play in molding civil societies and patterns of civic engagements. On the other hand, statists overstated the state's autonomy from society to conclude that state institutions are the most significant actors influencing associational life. Proponents of the state-in-society approach argue that states in third world countries are embedded in their societies. In this regard, state-in-society theorists disentangle the inexorable relationship between states and social actors to shed light on how transformations in one of them affects the other.

One of the benefits a state-in-society approach claims to offer is "to disaggregate the state" (Migdal 1994: 15). This has the effect of moving away from statist perceptions

of the state as "an organic, undifferentiated actor towards shedding light on its contentious fragments … constituted of numerous societal variables influencing the processes of social change in low-income countries" (Ibid: 2, 18, and 308). Moreover and despite the fact that societies influence states, they are themselves molded by the confrontations in which they exist. Hence and arguing contra-statist theorists, state-in-society theorists argue that strong states are not totally autonomous from social actors rather strong states are the ones capable to work with social actors. Therefore a state's disconnectivity from social groups is associated with weakness rather than strength. On this view, state-in-society theorists claim that states are dependent on social actors to achieve their objectives (Kohli and Shue 1994: 309) and that the empowerment of social forces does not necessarily weaken the power of the state to rule society. Furthermore, state-in-society theorists argue that the mutually reinforcing interaction between state and society should not be taken for granted (Ibid: 235). A few remarks are in order with respect to this theoretical framework.

On the one hand, state-in-society theorists lapse into an anthropological study of states that fails to answer one of the most recurrent questions of this volume: the weakness of third world countries. Most importantly, it warns against taking this paradigm for granted but it fails to explain under which circumstances the interactions between states and societies yield to more empowerment for both. Hence, the authors bring these issues to mind but they fail to provide a convincing argument.

In the context of Lebanon's weak state and strong patron-client networks, the patterns that lead to mutual empowerement for states and societies are dramatically different from the ones envisioned by state-in-society theorists. Despite the fact that

cooperation between civil society actors and strong societal actors yield in some circumstances to policy changes, it only happens if it consolidates the power of sectarian leaders and tightens their clientislitic outreach with serious implications on democracy.

The next section provides an analytical framework combining Migdal's *Strong Societies, Weak States* (1988) and Gramsci's notion of civil society. While arguing that civil societies are dependent on states and societies, the emerging framework provides a corrective to the aforementioned paradigms as it sheds light on the imperfect and contradictory relationship between weak states and strong societies and the implications of this state-society model over civil societies and patterns of civic engagement. In such contexts, state-society relations mold the operations and actions of civil societies leading to patterns that neither consolidate democratic institutions nor to mutual empowerment and incremental social policy changes. Patterns of civic engagement are structured in ways that feeds up the interests of strong societal actors, strengthen the sectarian leaders' patron-client networks and extend their hegemony. In particular, sectarian leaders blend repression, co-optation and appropriation to contain an emerging civil society sector that calls into question their sectarian hegemony. As Salloukh argues, "that this sectarian system has attained the level of – in Gramsci's words – hegemony attests to the success of these strategies more than to the primordial character of the Lebanese" (Salloukh 2008 : 6-7).

In this regard, civil society (in this case the women's movement) is a site where sectarian hegemony is either consolidated or challenged through a 'war of position' that the women's advocacy community leads against the hegemonic sectarian and patriarchal power structures. In the particular case of Lebanon (and the Arab World), state formation

is considered as the critical moment in this history that led to the creation of a sectarian patriarchal hegemony and a gendered citizenship. In Lebanon, the pillars of this system, clientelism and sectarianism, depend largely on men's control over women. In this regard, granting women equal rights upsets religious, patriarchal and political elites because it calls into question the entire system of political power.

However before turning to this theoretical framework, the following section reviews some of the literature that analyzed civil society in Lebanon.

2.3 Civil Society in Lebanon: The Emerging Theoretical Framework

2.3.1 Lebanese Civil Society: A Review of the Literature

Lebanon is an interesting case in which to examine the effectiveness of associational life in non-democratic sectarian contexts. In Lebanon, the associational sector played an important role throughout history (Karam 2006) and developed tremendously in the post-civil war period (Kingston 2008: 1). As military actions settled, reconciliation and reconstruction commenced. Civil society was called upon to act immediately and to respond to huge needs with limited resources. More than 5,000 associations are officially registered in Lebanon.[4] These associations are active on the political and social levels. The Syrian tutelage worked to co-opt and divide many of Lebanon's previously vibrant associational actors from political parties to labor unions; Lebanon's associational sector thus played an important role to fill this vaccum. In particular, civil society actors engaged the state on different issues of social and political

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[4] A series of articles published by *The Monthly*, show that the number of associations in Lebanon considerably increased between 2004 and 2008. During the five years, 1878 associations were licensed. Among other regions, Beirut ranks first with 1170 NGOs of which 409 active. The North ranks second with 707 NGOs and 390 active. In the South of Lebanon there are 457 NGOs and only 238 active. The Beqaa ranks last with 363 associations and 180 active. *The Monthly* issues 8, 9,49,57,70,71,72,73 respectively.

interest. Others emerged as key actors providing social welfare services to the most underserved with the weakening of state institutions.

These developments led Hawthorne to describe the associational sector in Lebanon as the "most diverse and active civil society in the region" (2005: 89). Others went beyond numbers to delve into the factors that enable and disable socio-political change in the sectarian context of Lebanon. The latter grappled between a revisionist version of political opportunity structure, patron-client networks and state-in-society paradigms.

Proponents of the political opportunity structure approach, such as Karam (2004; 2006) argue that the impact of civil society's collective action is determined by political opportunities urging people to undertake collective action and deeply affecting expectations of success and failure.

While analyzing the mobilizing structures and framing processes of the post-war advocacy associations, Karam's thesis sheds light on their civility. By civic, Karam (2006) means that these associations adopt pacifist ways to promote their agendas and have thus refuted the milita logic as well as all types of violence (psychological and physical).[5] By civil, Karam takes issue with their inter-sectarian identity and the nature of issues raised (civic rights and human rights, ecology, etc). The clear implication, according to Karam, is that these movements are durable forms of collective action due to their resilience to succumb to confessional and sectarian logic (Ibid :7). On this view, the post-war social movements' success or failure should not only be evaluated in terms of

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[5] Karam's post-war protest movements are categorized into reformist and revolutionary. Advocacy NGOs under scrutiny in his study fall under the first category because they seek to reform the sectarian system and consolidate the rule of law (Karam 2006) through pacifist ways. On the other hand, Subhi Tufayli's attempt to Islamize the country is a revolutionary movement (Ibid).

their ability or lack thereof to democratize the political system but in their capacity "to regulate political conflicts through pacifist modes and encourage a bottom-top reconciliation which privileges national projects and transcends sectarian cleavages" (Ibid : 28, 330). In this regard, the 2005 Cedar Revolution is according to Karam the culmination of the post-war social movement's efforts to create a public space where people claim their demands through pacifist channels that transcend sectarian loyalties and identities.

Karam adopts a revisionist political oppportunity structure paradigm, one which assesses the impact of the aforementioned civil society movement by introducing a "socio-cultural" variable (Karam 2006: 214, 209). On this view, an analysis[6] of the constitutional political system and an appreciation of the openness/closure of the system is defined in terms of political reforms, the post-Ta'if constitutional and institutional framework, the post-war troika system and the problematic of dealing with different forms of oppposition under Syrian tutelage in Lebanon (Ibid : 194). However, "the dense and primoridal solidarities also inhbited collective action especially when the latter entered in a collision course with the interests of heads of confessions" (Ibid : 214).

Karam's insightful contribution is challenged by theortical pitfalls and emperical facts on the ground, however. In fact, the political opportunity structure paradigm emerges as a "sponge that soaks up every aspect of the social movement environment" (Gamson and Meyer 1996: 275). Although, Karam offers a revisionist paradigm, it fails to explain how state-society relations molded civil societies operations, actions and civic

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[6] Despite the ambiguity of the term, Karam adopts Tarrow's definition of political opportunity structure which is determined by five factors "the relative openness or closeness of the political system, the stability of a broad set of elite alignments that under-grid a polity, the presence of elite allies and the state's capacity and propensity for repression" (Ibid: 9).

engagement. His focus on post-war politics states that political opportunities are subject to the manipulation and practices of the sectarian elites but does not explain the strategies that the sectarian ruling cartel devised towards civil society actors to deny them autonomy and impede their reformist agendas.

Karam's paradigm also treats confessional structures as static and primordial rather than determined and manipulated by state policies and state elites (2006: 214). It fails to account for the inexorable relationship linking sectarian elites to religious heads of confessions. The former won the support of heads of confessions in part by respecting their domain of power over the personal status laws and their control over a number of important social-service institutions. It was in the interest of the ruling elites to encourage social segmentation on a sectarian basis among the population, extend their sectarian hegemony and facilitate social control (Joseph 1991). For instance, Karam (Ibid) argues that a number of religious Islamic leaders and their faith based organizations overtly opposed the optional civil marriage bill and called for its rejection. A number of sit-ins in Beirut and Tripoli were organized by heads of confessions to build an opposition, blocking the transfer of the civil marriage bill to the Lebanese Parliament. By doing so, he obscures the important role of sectarian political leaders in initiating this counter-movement in order to check the power of rivals among sectarian leaders[7] and extend their sectarian hegemony. In the particular case of the civil marriage bill, the proposal turned into a showdown between a weak Maronite president and a powerful Sunni Prime Minister. Hrawi allied with the Shi'ite speaker of parliament to propose the civil marriage bill; Hariri saw it as challenging the power of the heads of confessions who emerged

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[7] In particular, PM Rafiq Hariri played an important role in opposing the passage of the law for final endorsement by the parliament.

throughout history as an important ally for the sectarian ruling cartel mobilizing people along sectarian lines. Moreover, the adoption of the civil marriage bill risked overthrowing the myth of sectarian pluralism which legitimated sectarian leaders' rule. At the time, it was PM Hariri who resorted to mobilizing popular opposition by calling "on the mufti of Lebanon (who was in a visit to Saudi Arabia) and asking him to return immediately to Beirut and stage demonstrations to protest the proposal" (Reinkowski and Saadeh 2007: 108). The history of Lebanon abounds with such examples whereby sectarian elites structure these opportunities in such a way as to determine the nature of cleavages within the society and extend their social control.

Moreover, Karam's contribution is confronted with empirical facts on the ground. His central argument which sheds light on the emergence of an inter-sectarian civil society holding a potential for a bottom-up reconciliation is challenged by less optimistic accounts. The post-war civil society has failed to launch a "preemptive strike" against Lebanon's recurrent civil wars. Violence and short-term compromises remain the most salient tools to regulate political dissent. On this view, civil society has fallen short of ensuring civil peace and devising lasting solutions[8] for political dissent. The May 2008 clashes and the ensuing Doha agreement is testimony to this.

On the other hand, less than optimistic accounts have challenged Karam's vision of the durability of these social movements (i.e, their independence from the political and the confessional system). Lebanon's weak state and strong patron client networks that revolve around the sectarian cartel have increasingly polarized civil and associational life into two camps: those who support the sectarian leaders and those who oppose them. With the Syrian withdrawal, this schism became more acute. In fact, some associations

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[8] Salim Mouawwad, "Soukout Al Moujtama Al Madani Al Loubnani" , *al-Nahar,* 30 May 2008.

under scrutiny in Karam's study, such as LADE, have become subject to prey by the patronage networks of political leaders and have overtly lined up with one political faction against another.[9]

Kingston's (1999, 2001) relies on the patron-client networks and state-in-society approach to pay careful attention to sectarian elite strategies devised towards NGO politics in Lebanon.

Writing about environmental politics in post-war Lebanon, Kingston argues that such an analysis is best captured from the patron-client rather than a state-society relations approach (2001). These networks, regulate the socio-political order "in contexts of transitions in which the state is unable to emanacipate itself from society" (2001: 56). Patrons seek to maintain and consolidate their power grip by controling patronage ressources and by coercively limiting the degree to which they need to redistribute them back to their clients.

While tracing the roots of patron-client networks Kingston borrows from Hudson and Khalaf, proponents of the political cultural approach, to show how notables were able to take advantage of the forces of modernization to transform and strengthen their position (1999). On this view, Kingston agrees with Hudson that "this particularistic loyalty pattern is so deeply engrained that a century of westernization both material and intellectual have not worn them away" (Ibid:4).

But Kingston's framwork overstates patron-client networks' material incentives and downplays the ideological and cultural dimensions. This focus leads him to the following conclusion: civil societies in such contexts either seek a "greater material share from the sectarian patrons or greater freedom of action outside the terms of the

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[9] Interview with Nizar Sahgieh, lawyer and civil society activist, Beirut, 10 November 200

compliance agreements" (Kingston 2001: 57). What can be said about civil society organizations that challenge the underlying assumption of the sectarian hegemonic regime in power and seek a renegotiation of state-society relations outside the sectarian logic?

To explain the limited incremental social policy changes in the disability sector, Kingston adopts Migdal's state-in-society approach to shed light on the "patterns of growth of different parts of civil society that can have a determining effect on state-society relations" (Kingston 1999: 31). Hence, in the sectarian context of Lebanon, NGOs might move away from the "civil society paradigm" towards an "acceptance and a willingness to work with these confessional structures" (Ibid: 2). Reiterating Migdal's mutual empowerement theory, Kingston comes to the conclusion that cooperation between some sectarian elites and civil society actors promises incremental improvements in social policy. The "small , gradual and perhaps only partial ways, may help to break the historical immobilism of the Lebanese administrative and political system to allow it to nibble away at its longstanding problems of socio-economic inequality" (Ibid :31).

Though these networks of cooperation between civil society actors and sectarian elites might yield in some circumstances to incremental policy change; they also tighten the clientislitic outreach and extend the sectarain hegemony of the sectarian leaders rather than state institutions with serious implications on democratic consolidation. On this view, it is difficult to perceive, as Kingston does, how these networks might break the "immobilism of Lebanon's administrative and political system" (1999: 31) at a time

when sectarian leaders only promote and supply representation for the agendas that only help them preserve and extend their rule.

The following section argues that Migdal's model of *Strong Societies, Weak States* (1988) best captures the mediating role of state-society relations in Lebanon over the operations, actions and impact of civil society and patterns of democratic civic engagement and social policy reforms.

2.3.2 Civic Engagement and Democratic Outcomes in Strong Societies and Weak States

Migdal's (1988) model for state-society relations sheds light on the imperfect and contradictory relationship between states and societies in an existing environment of conflict. Moreover, Migdal (Ibid) challenges statist perceptions that overstate the ability of the state to issue binding rule-making. On this view, states in third world countries are one among other social organizations locked in "an active struggle for social control of the population" (Ibid: 48). On the one hand, the state is resisted by traditional power structures to achieve a reordering of society and extend social control. On the other hand, social organizations (families, clans, tribes, sects, patron-client networks) control the available resources and manipulate the symbols that make up people's strategies for survival. The importance of these strategies transcends the fact that they provide a basis for individual survival and link the "individual from the realm of personal identity and self-serving action to the sphere of group identity and collective action" (Ibid: 27). In order to force people to behave according to certain rules and norms, these social organizations devise their survival strategies taking myriad forms of sanctions, rewards and symbols.

In the context of a "web-like social structure" where autonomous social organizations compete to extend social control through their survival strategies, the state can wrest social control only if it provides alternative strategies (Ibid: 37). In this regard, it would be difficult to perceive in highly conflicting contexts the mutually empowering nature of states and societies. Hence, strong states are the ones capable of executing policies aimed at enforcing the state's social control. Borrowing from statists, Migdal determines state capabilities in terms of their ability "to penetrate society, regulate social relationships, extract resources, and appropriate and use resources in a predetermined way" (Ibid: 55). In Third World countries, the state enters in a collusion course with strong societies who challenge state policies by manipulating incentives and rewards through their patronage networks.

Lebanon's sectarian political system institutionalized this pattern of state-society relations (Salloukh 2007b: 2). In post-war Lebanon, the state is more of a contested arena rather than an actor in these struggles. As Kingston eloquently notes "instead of having a weak state trying to protect its limited autonomy from strong sectarian leaders, the latter use these strategies to check the power of rivals among sectarian leaders, to challenge their dominant position and to deny cross-sectarian civil society actors autonomy" (Kingston 1999: 7). In this deeply fragmented political context, neither the state nor civil society serve as arenas where citizens can claim their rights or hold sectarian leaders accountable.

Moreover, at a time when citizens' political participation can only take place through ties to sectarian leaders, associational leaders learn that the latter are only willing to support and represent particular agendas that do not challenge their sectarian

hegemony and serve them to consolidate their patronage networks with deep implications on citizens' interests and needs. On the other hand, associational leaders also learn that the representation of these interests in Lebanon only happens through clientelistic channels (Jamal 2007). Therefore, the patterns of civic engagement that pave the way for the consolidation of democratic institutions and practices strengthen clientelism and sectarianism, the pillars of political power in Lebanon.

Moreover in this highly fragmented context, associations do not act as schools of civic virtue that strengthen democratic values but rather attitudes and behaviors promoted will differ leading to the reinforcement of the clientelistic and sectarian status quo or marginalization from the regime.

The way associations frame their issues and negotiate their relationship with political institutions and the sectarian leaders around them, influences the way organizations affect their support for democratic values and practices. Therefore and in addition to the primary role that non-accountable state institutions play in mediating civic engagement, associational leaders constrain civic life through their interaction with power structures. The relationship between associational leaders and sectarian elites does not only guarantee freedom of action but also shapes visions, attitudes and beliefs inculcated within these association about the consolidation of democracy and patterns of political participation. Consequently, clientelistic and corporatist associations serve to consolidate the legitimacy of the sectarian leaders and disseminate non-democratic values. On the other hand, non-client associations try to affect policies and consolidate inter-sectarian consciousness but may not be successful in doing so.

It is to this important issue that a Gramscian conceptualization of women's advocacy community becomes important. Women's rights in Lebanon are elements of structural problems. In this regard, a research focused on women's rights NGOs sheds light on whether these associations challenge the hegemonic system, paving the way for an alternative society, or are kept consistent with the parameters of the clientelistic and confessional political order which feeds up on gendered discrimination.

2.3.3 Sectarianism and Women NGOs: Hegemony and the 'War of Position'

Writing about civil society, Gramsci stresses that the only challenge to capitalist hegemony is brought by struggles of subordinate classes. This thesis extends Gramsci's argument to investigate the potential that another subordinate group, namely women, holds in challenging the hegemony of sectarianism and enacting gender social policy reforms in Lebanon (Pratt 2006).

From this perspective, the hegemony of sectarian identities should not be reduced to its socio-economic dimension; the ideological dimension is sometimes more important. Individuals may support the sectarian political system which is ideologically and materially based. Hence, hegemony does not only lead to the marginalization and oppression of subordinate groups by the powerful ruling elites but rather the subordinate groups cement rulers' hegemony through their belief and support in these hegemonic structures (Ibid).

In Gramsci's civil society conceptualization, associations are places where consent to oppressive regimes is generated and disseminated in society at large. Hence,

civil society is a necessary instrument of political control for the ruling elites.[10] For Gramsci, the powerful control the populace by force and coercion but this is usually temporary. Hence, the survival of the ruling elites in power depends on an agreement that perceives sectarianism as natural (Abedelrahman 2004; Pratt 2006). Civil societies are arenas where ideological "battles for the hearts and minds of the citizens are conducted" (Pratt 2006: 11). These struggles include thorny issues that serve to consolidate the hegemonic system "such as women's rights, the construction of national identity and the way they are being negotiated and disseminated in society at large" (Ibid). Hence and in the clientelistic and sectarian context of Lebanon, civil society continues to exist but it fails to act as a counter-hegemonic society (Ibid).

Gramsci's counter-hegemonic society incorporates those channels where civil society actors launch their 'war of position' against the oppressive hegemonic order (Gramsci 1971: 229-238). "This does not only entail attacking the ideological systems underlying these hegemonic systems but creating avenues where a contestation of dominant ideas paves the way for a counter–hegemony" (Pratt 2006: 12). Hence, the women's 'war of position' in Lebanon does not only entail an embracement of liberal democratic values but a challenge of Lebanon's hegemonic sectarian and clientelistic system. In this regard, it is important to investigate whether Lebanese women's NGOs agendas and discourses promote an alternative counter-hegemonic society or remain compliant with the parameters of the hegemonic and patriarchal status quo (Keck and Sikkink 1998: 21).

It is thus important to higlight how sectarian and patriarchal hegemony was created and consolidated. The following section sets out to prove how the process of state

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[10] In Gramsci's conceptualization the state = civil society + political society (1971 : 263)

formation, the watershed in Lebanon's history, lead to the construction of a patriarchal and sectarian hegemony and consequently of a gendered sectarian-based citizenship that deprived women of their basic rights.

2.3.4 State Formation and the Construction of a Sectarian Patriarchal Hegemony

The resilience of patriarchy in the Arab world has intrigued many researchers. Proponents of the political cultural argument introduced a psychological dimension to the study of patriarchy. For example, Hisham Sharabi, posits that the neo-patriarchy which characterizes modern Arab states, "regardless of their legal and political forms and structures, are in many ways no more than a modernized version of the traditional patriarchal sultanate" (Sharabi 1988: 7). On this view, neo-patriarchy is consolidated in modern Arab societies due to the lack of "internal forces, organization and consciousness which truly characterize modern formations" (Ibid). Hence, proponents of the political cultural approach blame women's marginalization on the psychological feature of Arab neo-patriarchal societies that puts "the ruler and the father at the pinnacle of power subordinating children and women to the former and citizens to the latter" (Ibid).

They argue that Arab countries are exceptionally patriarchal and therefore ignore that patriarchy exists in every corner of the world, East and West. Some commonalities between the Arab world, China and India can be drawn in this respect (Storck 2003). Moreover, the political cultural school stipulates that patriarchy is static and natural thus obscuring the fact that states contribute to its creation and consolidation in modern times (Yuval Davis 1997).

A structural historical approach provides a corrective to the political cultural one (Charrad 2000). It investigates how processes of state formation, especially "the

integration of strong societal groups who have the highest stakes in women's subordination into nation-states, determine the development of state policies on women's rights" (Ibid: 241). As Charrad argues, state formation and state intervention in the Arab world are not only responses to economic or class-based demands. Strong societal actors inherited from colonialism (ethnic, communal and tribes) "acted as corporate structures in the economic and political spheres" (Ibid: 234). The politicization of ethnic and tribal identities by colonizers influenced "the options and strategies available to the post-independence leadership as it made alliances in seeking power" (Ibid: 238). These pacts were determined by the political and socio-economic interests of the elites in power and their desire to extend their political legitimacy over the populace. In this regard, women's rights are an essential pillar to build the modern state.[11] As Charrad notes, "states are institutions of social control opting for laws and policies that would conform to their interests or at least not jeopardize them" (Ibid).

In Lebanon, it was in the interest of the imperial powers and later of the sectarian ruling elites to encourage communal autonomy and foment social segmentation along sectarian lines. Thus, "an alliance between the political leaders, religious leaders and key family patriarchs emerged in which key issues of relevance to women and family were fundamental" (Joseph 1991: 193).

Through strategic bargaining with local religious and political elites, the Ottomans and later on the French entrenched a system that privileged family and religious patriarchs but at the same time secured French imperial ambitions (building a power base in the region and dismantling prospects for unity with Syria). On this view, a

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[11] In particular, the family law was an important state tool for the political leadership to define the future of the country and the obligations of "men and women in the family, community and society at large" (Charrad 2000:237-239).

colonial hierarchical system was supported by a precarious alliance linking the French colonial powers to patriarchal elites. As Elizabeth Thompson argues, "those privileges were awarded to intermediary male agents who wielded tribal, religious and household authority in Lebanon" (Thompson 2000: 3).

In this regard, French colonial policies facilitated the construction and perpetuation of a gendered citizenship that persists in Lebanon (Ibid: 65). Under the French Mandate System, men from different confessional communities negotiated with the French and women were completely marginalized from this process. These pacts determined the post-independence gender order in Lebanon and defined the legal status of women in Lebanon (Thompson 2000).[12] Thompson (Ibid) argues that through negotiation and compromise, the French sought to appease the rivalry among competing patriarchs and at the same time they extended their political legitimacy. By awarding them privileged power over subordinate groups, the French tamed factions that constituted avenues for state resource extraction. "The French fostered a neo-feudal landowning class in Lebanon with economic and political power that far surpassed that of the Ottoman era" (Ibid). Moreover, they built a clientele of religious patriarchs by delegating them absolute control over their communities. Through their hospitals and schools, religious courts and weekly sermons, heads of confessions wielded great influence over the populace. In this regard, French colonialism strengthened the influence of heads of confessions "by

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[12] For instance, when the French proposed a civil marriage code, Muslim heads of confessions opposed the bill because they viewed it at as essentially threatening their power and allowing women to marry non-Muslim men. The French felt that this claim might encourage Muslim communities to mobilize and ask for unity with Syria, which has been one of the main concerns for the French. This has led the French to retreat and keep Personal Status Laws under the aegis of recognized sects. Moreover and despite women's participation in the nationalist struggles they were surprised by nationalists joining the coalition with religious leaders against them. Religious leaders were instrumental for nationalist leaders in mobilizing people in the anti-colonial struggle. In this regard, Thompson argues that women's politics were sacrificed for the politics of cooperation between nationalists and confessional leaders (2000: 152-153) and the secularists – nationalists joined the coalition with the religious heads of confessions (Ibid: 272-273).

channeling subsidies to the confessional-based social and religious institutions and by encouraging the organization of religious affairs autonomously from the state affairs" (Ibid: 150). [13]

In post-France Lebanon, women's rights were held hostage to these gendered pacts that shaped the political choices of the post-independence political leadership in its quest to extend political legitimacy and maintain the precarious power sharing agreement. In this regard, the sectarian ruling elite engaged in political actions and policies that extended their sectarian hegemony and protected kinship and confessional ties that provided them with a basis of political power. Hence, these gendered pacts were maintained and extended. This has been achieved through the delegation of the family domain to the legally recognized sects. On the one hand, the religious-based personal status laws enabled heads of confessions to control family life and extend their power over their following leading to the subordination of women to patriarchal codes (Joseph 2002a: 183). Hence, sectarian elites won the support of the religious sects and at the same time they legitimated social segmentation along sectarian lines which served them to extend sectarian hegemony. On the other hand, social segmentation was also achieved by the stubborn denial of the sectarian elites to build a responsive public system of social services that awards the citizenry access to social entitlements irrespective of their

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[13] It is worth noting that confessional-based organizations became the main sources of service providers for their communities under the Ottoman Empire. As Thompson notes, communities (mainly of the Muslim non-Sunni confession and Christian communities) that were not considered as important for the Ottoman Empire or were simply out of reach of the state, were left under the paternalistic control of their religious and confessional leaders. Mount Lebanon was an extreme case (Thompson 2000: 75). This *millet* system impacted the citizen-state relationship in modern Lebanon (Ibid). The state did not cultivate direct relations with various communities thus leaving citizens under the aegis of their paternalistic leaders. In this regard, it consecrated religious sects as pillars of political identity and popular organization. Under the Ottoman Empire, religious leaders were proclaimed as the supreme religious and civil leaders and the representatives of their communities' interests' vis-à-vis the Ottoman government.

confessional backgrounds. To further win the support of heads of confessions, the sectarian elites delegated the process of social service delivery to religious-based institutions and channeled important amounts of public subsidies to them through state ministries.

On the other hand, key family patriarchs in each sect emerged as another important party in this alliance. The weakness of state institutions and its failure to respond to basic needs strengthened kinsmen's oversight in the political process. Political leadership is often passed through generations from father to son, with only rare cases from father to daughter or brother to sister and husband to wife. When women make it through family ties to decision-making positions, they become representatives of their confessional communities rather than women's interests and needs. On the other hand, resource distribution is based on family relations with relatives obtaining resources through patron-client networks. Since, families are patriarchal institutions, the distribution of resources follows these patriarchal patterns and men are privileged in their acquisition and distribution. In this regard, women continue to be highly dependent on their male relatives to mediate for them, and men, as family "heads" are consulted on family matters while women are totally excluded (Ibid).

In this regard, the construction of a gendered citizenship where the family, religion and state intertwine has been a "consequence of an inherited Ottoman and later French colonial legacy and the institutional choices and strategies of sectarian elites bent on perpetuating their political prerogatives" (Salloukh 2008: 6). Lebanese women are therefore shaped by this intricate intersection of identity which not only comprises gender and class but also religion and sect. "This paves the way for an understanding of the way

women in Lebanon live and struggle through these issues, day-by-day, issue-by-issue"
(Joseph 2002b: 31).

2.4 Women NGOs: Is there a Movement?

The large body of research on women's movements has focused on a number of questions such as: Why and under which circumstances do women organize as women? What forms do these forms of mobilization take? How do these movements enable or disable gender equity?

2.4.1 Aims and Activities

Some feminist theorists focus on gender discourse as a basis for equal rights, "especially as it takes the form of definition of feminity and sexuality in relation to men" (Mohanty 1991: 11). Underlying this assumption, is an image of women as a cohesive interest group aimed at defying patriarchal subordination. However, some scholars counter-argue by proving that identities are complex and comprise other variables such as class, race, ethnicity, gender and sexuality (Joseph 2000 b; Waylen 1994; 2007). Women do not simply act on the basis of gender considerations but also by the different components that make up their individual identities (Waylen 1994).

For instance, scholars who study Arab women's activism argue that "women take a more active role when they engaged in the public sphere as mothers and widows in performances of grief and mourning" (Owen 2004: 210-211). Lebanese women have used their bodily symbols to make particular statements such as opposition to war and violence or the fate of some of their relatives. During the civil war, many women demanded an end to the war and return to normalcy (Shehadeh 1999: 149). Moreover,

The Friends of the Families of the Kidnapped and Disappeared was constituted exclusively of women who held a national campaign to investigate about the fate of their disappeared relatives.

However, in the recent years feminism became labeled with women NGOs thus "bringing this movement to a broader political stage while closing the door for women's participation outside the realm of 'specialized and professionalized' civil societies" (Alvarez 1998: 306). However, this professionalized associational sector has failed to link middle class women heading over these associations with ordinary women (Waylen 1994; 2007). Employing notions of women's empowerment and women in development, these NGOs are headed by educated bourgeois women who in most of the time adopt a normative discourse thus failing to address the structural problems of ordinary women in society (Waylen 2007).

Hence and as is the case for the women's movement in Latin America and Eastern Europe, activists in Lebanon face the challenges of reconciling different class and sectarian identity interests. How these challenges are met depends partially on institutional and organizational structure as well as their relationship with funding agencies (Waylen 2007).

2.4.2 The Institutional Structure of the Women's NGOs

Most studies of NGOs in the Arab world underscore their highly centralized and hierarchical structures. Scholars studying the internal management of Arab NGOs argue that a "one-man show" best captures the decision-making process (Abdelrahman 2004; Jad 2004). Islah Jad argues that within the women's advocacy community, the decision-

making is most often held hostage to NGO directors who gained increased power through their good connection with the international aid community (Jad 2004: 7).

Many theories have been advanced to explain the low level of democracy among civil society organizations including women's associations. Some (Hatem 2005) blame it on the nature of Arab states. In the context of deficient democracies and authoritarian states that have tightened their grip over advocacy community, many of these associations have emulated these hierarchical structures in the way they approached their clients and members" (Ibid: 30). Others have blamed the centralized styles of leadership on institutional deficiencies and the "inactive membership syndrome" (Abdelrahman 2004: 162). On this view, many associational leaders have assumed leadership by default and not by design (Ibid).

Of particular interest to this study is the profile of associational women leaders. Scholars who examine associational leadership in women's NGOs argue that these leaders use their positions as platforms to enter mainstream politics rather than to represent the interests of ordinary women. In the Arab world, elitist women with strong ties to political leaders have colonized the civic space and derived benefits and privileges from the patriarchal clientelistic systems in power. This calls into question their ability and willingness to renegotiate the gender order towards more inclusive forms of citizenship for women. Assad Abou Khalil[14] adopts this view and argues that Arab women's movements focus on their inclusion into a male dominated political system rather than challenging the oppressive social and political structures in these systems.

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[14] Assad Abou Khalil, "Al Mar'aa al Arabia : Moulahazat fi Kadaya al Nasawiya", *al-Akhbar*, 1 August 2009.

This is most evident in the issues adopted (such as the quota system) that help them enter the parliament but leaves main areas of discrimination untouched.[15]

While the majority of women's associations follow the patterns outlined above, Al Ali (2005) argues that a handful number of women's organizations have attempted to challenge the status quo and create more democratic structures. However, "these women are facing obstacles and challenges not only from their respective governments but also from activists within civil society, who follow more traditional patterns of political and social engagement" (Al Ali 2005 : 110).

2.4.3 Women NGOs and International Aid Agencies

One of the factors which helped in the rise of independent women's organizations in some countries is the increased amounts of international aid for gender-based agendas. "The United Nations Decade For Women (1975-1985) constituted a watershed bringing the gender-based agendas to frontline and increasing the proliferation of women's rights NGOs" (Ibid :109).

However, by adopting the premise that these associations are voluntary-based and independent from the ruling elites, international organizations equated the existence of NGOs with the strength of civil society (Jamal 2007). In the Arab world, the underlying assumption of this paradigm is challenged by empirical facts. Arab regimes conquered and appropriated the NGO sector "to contain the deepening of civil societies and to erode their capacity to challenge political authority" (Heydemann 2007: 8). Arab women organizations are no exception as most of these non-governmental organizations are not as non-governmental as their names suggest (Al Ali 2005). In many countries, officially

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[15] Ibid

registered NGOs are either "initiated by women with familial ties to the political leadership or are controlled by the state" (Ibid: 106) or in some cases are enjoying "protected status and benefit from privileged relations with powerful political actors" (Heydemann 2007: 13). A common pattern among the women's advocacy community in the Arab world is the almost total colonization of these institutions by first ladies which deprives them of their bargaining power and their ability to play an autonomous political role (Ibid). By channeling important amounts of aid to these associations, funders strengthen the oversight of the same institutions that serve to silence grassroots women's organizations and extend the authoritarian outreach of ruling elites.

Lebanon's civil society sector is an extreme case of the appropriation of the NGO system by confessional groups and sectarian leaders. Hariri Foundation, Mouawad Foundation, Amal Associations, Jihad al Binaa, Safadi Foundation and many more non-governmental organizations are established by sectarian leaders to extend their hegemony by providing meaningful services to their confessional communities. By assuming that these associations are "civic minded" (Kingston 2002), international funders extend the sectarian outreach of the post-war sectarian elites rather than support grassroots and bottom up forms of collective action. As Leenders argues, international aid agencies overlook "the fact that NGOs are heavily politicized and often serve as vehicles for personal advancement which leads to a situation wherein EU supported politicians and perpetuated their clientelist tendencies" (Leenders and Goes 2006: 103).

On the other hand, the funders' strategy to engage the Lebanese state in the screening process further consolidates the sectarian and clientelistic outreach of political leaders. For instance, the EU engages the Lebanese government in choosing NGOs

benefiting from EU grants. This makes the screening committees subject to prey of clientelistic practices. Appointments to these committees are based on sectarian rather than merit affiliations and the choice of NGOs is shaped by the sectarian cartel's preferences (Ibid).

International funding impedes civic-minded associations from acting as mobilizing and organizing structures which withstands their classification as grassroots women's movements. On the one hand, funders channel large amounts of aid to projects that would relieve constituencies of some of the rising poverty and social distress while always being keen to promote projects that reflect their political agendas with respect to women's rights (Hatem 2005: 29). Technical quick-fix solutions are provided for complex political problems (Abirafeh 2009: 31) and "projects are usually short-lived and in response to fund availability rather than pressing local needs" (Al Ali 2005: 110).

Funding does not only lead to a de-politicization of gender-based agendas but it also promotes a globalized trend of professional NGOs. Among other issues, this new trend of advocacy networks prohibits the women's associations from acting as mobilizing structures that are backed by popular support for their agendas. In modern women's associations, "professional experts find administrative jobs where they use modern tools to 'advocate' for certain topics, 'train' or 'educate' a target group usually defined for the period needed to 'implement the project'" (Jad 2004: 8). These forms of mobilization are not only short-lived but they stand in stark contradiction to voluntary-based women's movements that are usually headed by women who spend substantial time networking and coordinating with ordinary women, trying to listen to their problems and finding out

solutions. As Jad (2004) argues these efforts are the products of a group of volunteers motivated by their deep-seated political belief (Ibid).

On the other hand, the international recognition of these associations has not successfully translated into local recognition and legitimacy. The lack of local funding[16] solicited by associations and public feelings that foreign funding for NGOs is illegitimate has created serious problems of accountability. As one scholar eloquently puts it, "by not relying on local funding, advocacy organizations have no constituency to which they are accountable … when the government attempts to shut them down, these advocacy non-governmental organizations find few supporters especially that public feeling see these associations as selling their countries out for personal benefit, a charge that carries weight when many associational leaders have enjoyed a significant improvement in their standard of living through nongovernmental work" (Langhor 2004: 199).

International funding has created actors "with parallel powers based on their recognition at the international level, and easy access to important national and international figures" (Jad 2004: 10). This encouraged competition between NGO directors thus making it almost impossible to agree on common objectives (Ibid). When coordination takes place "a pronounced lack of democracy and consultation within these groups occurs and therefore withstands their ability to affect change" (Langhor 2004: 198). Schisms within coalitions leading advocacy campaigns are usually the fruit of the stubborn refusal of one side to coordinate and consult with others concerning critical issues.

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[16] For instance, Langhor (2004) argues that associations in Arab countries face the challenge that Arab societies are very poor which challenges the ability of these associations to become mass membership associations funding themselves through dues.

In a nutshell, women NGOs in the Arab world may allow women to freely associate and provide psycho-social support but their political efficiency remains a Herculean task. Groups seeking to challenge the status quo and the various areas and laws that oppress them and treat them as second class citizens (whether it be authoritarianism or sectarianism) require widespread popular support. However, "nongovernmental advocacy organizations, which are typically single issue groups lacking internal democracy, with small local constituencies dependent entirely on foreign largesse, are ill-equipped to lead the change" (Ibid).

2.5 Conclusion

This chapter has been largely theoretical advancing a framework that will guide the analysis of the impact of post-war women's movement in the sectarian context of Lebanon on social policies and democratic outcomes. In this regard, this chapter argued that the combination of a weak state and strong patron-client networks in Lebanon impede prospects for democratic civic engagement and gender social policy reforms. The chapter also portrayed Lebanon's clientelistic and sectarian system as hegemonic. In this regard, a Gramscian conceptualization of women's advocacy community becomes important to understanding whether the discourse of these associations paves the way for an alternative counter-hegemonic society, or are rather kept consistent with the parameters of the sectarian and clientelistic status quo. The chapter also argued that the institutional makeup of the women's advocacy community impedes reforms. In this regard, women activists face the challenge of reconciling different class and sectarian identity interests. This struggle depends on the associations' institutional and organizational structure as well as their relationship with funding agencies. With the

theoretical tools presented, the next chapter examines the status of women's rights in the

sectarian and clientelistic context of Lebanon.

CHAPTER THREE

POST-WAR STATE-SOCIETY REALTIONS AND GENDERED LAWS IN A GRIDLOCK

3.1 Introduction

This chapter sheds light on the post-war fragmented political context in Lebanon in which women's associations exist and towards which women's advocacy networks are targeted (Jamal 2007). In this regard, the dynamics of post-war clientelism and confessionalism are disentangled and their patriarchal nature is explained. Underpinning this power structure is an alliance between heads of confessions and family patriarchs who emerged as the strongest allies of the sectarian ruling cartel. As argued in the second chapter, this was the result of imperial strategies that politicized kinship structures and sectarian identities to further their own interests. In post-war Lebanon, the sectarian ruling elites engaged in political actions and policies that extended their sectarian hegemony while protecting kinship and confessional ties that provided them with the basis for political power. Gendered laws are part of this sectarian elite strategy. Hence, a comprehensive women's rights agenda would not only lead to gender equality but it would also challenge the underlying assumptions and coalitions that have cemented the sectarian elites' clientelistic and confessional politics.

This chapter opens with a discussion of post-war state-society relations and the construction of gendered citizenship in Lebanon. It then moves on to shed light on the origins and main areas of discrimination against women in personal status, nationality and penal codes. Finally, it highlights the limits of women's organizing in the sectarian and clientelistic context of Lebanon.

3.2 Post-War Sectarian Elite Strategies for 'State-Building'

3.2.1 Elite Divisions and Post-war Politics of Confessionalism and Clientelism

On 22 October 1989, the Ta'if Agreement was promulgated thus ending the Lebanese civil war and paving the way for political normalcy. However, as critics of this new power sharing agreement argue (Traboulsi 2007; Salloukh 2007 b), Ta'if avoided a renegotiation of state-society relations outside the iron cage of sectarianism. The post-war Lebanese system sanctioned communities as political entities. Hence, the confessional community, and its informal clusters, namely the extended family, became the pillars of the political system. Ta'if is therefore deemed as a return to and a restructure of the pre-war confessional system "by giving a greater say to Muslim communities in political decision-making based on the demographic and political changes produced by the civil war" (Picard 2002: 156).

Underpinning this confessional system is a new breed of political leadership, deeply divided and highly competitive, representing conflicting ideologies and visions of Lebanon. This new breed of *Zu'ama* emulate traditional ones in the sense that they monopolize the political practice in the country making fortunes through government corruption. However, "they are also different from their predecessors in the sense that they have introduced a militia spirit which only sought victory for communal groups" (Picard 2002: 167). Thanks to a general clemency law, warlords were absolved of war-crimes and "a mafia-like behavior was introduced in running state affairs and doling out the spoils of power" (Ibid). Hence, it can be said that the civil war disrupted clientelestic networks controlled by urban-based *Zu'ama* to give birth to more complex and more dangerous forms of clientelism developed around militias (Ibid). Moreover,

"entrepreneurs" who made staggering fortunes during the war in the Gulf secured their entry in the parliament through their wealth. Most prominent among them was the late Rafiq Hariri, the father figure of Lebanon's neo-liberalism.

The quest by the divided sectarian elites for legitimacy relied on the extension of their clientelistic networks and the perpetuation of sectarian identities and affiliations at the expense of national ones. "This was achieved through an elaboration of political strategies and socio-economic programs where leaders maintained more direct control over their communities" (Joseph 1991: 193). The manipulation of the electoral laws and Lebanon's liberal economy geared toward reconstruction and services, with a heavy reliance on foreign aid and immigrants' remittances, consolidated the mafia-like clientelistic system.

Sectarian leaders, like monarchs in other parts of the Arab world, are preoccupied with survival in power. In this regard, "they have successfully upgraded their rule by managing political contestation" (Heydemann 2007: 5). Hence, Lebanese parliamentary elections have had less to do with democratic contestation than with making the electoral process safe for the sectarian cartel (Ibid). This has been ensured by the manipulation of the "size of the electoral districts, the vote counting procedures, and the emphasis on ancestral city voting stations" (Salloukh 2008: 15). Thus the parliament was transformed into a gallery of drug barons, warlords and business tycoons.

The sectarian ruling elites offer myriad forms of survival strategies and rewards for their followers in return for their clients' support that is often called up on elections' day or whenever the political patron requires popular support on particular issues.[17]

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[17] The series of demonstrations that took place in the wake of Syrian withdrawal from Lebanon provide fresh insight into this argument.

These strategies take the form of political money to support the most underserved in accessing an increasingly expensive and privatized social system.[18] Moreover, sectarian leaders have parachuted their men in public sector employment albeit this was in direct breach of the Ta'if constitution which eliminated all forms of political sectarianism in civil service positions below the rank of director-general.[19] Not only did this process overburden state institutions with low salaried employees, it has also disrupted the possibility of merit-based employment (Leenders 2004 b).

On the other hand, Ta'if's overstated objective to achieve balanced economic development, an essential element for post-war national reconciliation and state building, gave way to a sectarian–based neo-liberal economy. As Ghassan Dibeh notes "regional and sectarian redistribution mechanisms came at the expense of the distribution along

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[18] A research study conducted by CRTD-A investigates the role of faith-based organizations on public policies in Lebanon. Throughout the fieldwork, that I have taken part of, it became clear that MPs and their non governmental organizations are important actors on the scene assisting the needy in covering an increasingly expensive and privatized social-care system. Though the comparative report was not published, the researcher's case study sheds light on the way political money was channeled to support needy patients to get the appropriate medical treatments. For instance, interviewees in the Saint George Hospital agree that on the eve of the 2009 parliamentary elections, sectarian politicians disbursed considerable amounts of patronage to tighten social control over their constituencies. Most prominent among these is the Hariri Foundation founded by the late Prime Minister Rafiq al Hariri in 1997 first giving grants to young Lebanese students to study abroad and then moving to establish health centers in underserved regions throughout Lebanon. According to participants from the hospital's administration, the Hariri foundation is accepting all applicants and contributing with significant amounts of money that can go up to 10.000.000 or 15.000.000 LBP. Patients who are advised to seek financial support from the Hariri Foundation usually get a letter addressing the hospital's administration stating the amount of funds allocated per case. Hariri's successful experience encouraged other politicians to emulate the experience in order to win the support of the voters as parliamentary elections drew closer. Through these patron-client networks, the strongmen, the sectarian leaders, resist the state institutions and provide survival strategies for their confessional constituencies (Migdal 1988: 27). In this regard and in a similar vein, the tycoon Mohammad al Safadi provides considerable financial support that takes the form of checks to cover his clientele's hospitalization fees. Moreover, Mouawad Foundation founded by the late Rene Mouawad and headed by Nayla Mouawad also adopted similar strategies in providing medical care for the poor. Of course other sectarian leaders and sectarian parties, namely Amal, PSSP and Hezbollah provided support for their confessional constituencies. However, these cases did not come to the fore due to the fact that the Saint George Hospital is mostly accessed by Christian and Sunni communities. This political money incurred parliamentarians political support on elections' day and maintained the clientelistic networks, one of the main pillars of political power in Lebanon.
[19] For a discussion on this issue see *The Monthly* issue 53 November 2006.

income groups" (2005: 10). Sectarian leaders colonized state institutions turning them into ATMs that channel patronage to their constituencies and funds for their confessional and regional developmental projects thus financing their neo-patrimonial relations with their sectarian constituencies. The late Prime Minister Rafiq el Hariri was the main architect of Lebanon's post-war economic policy, which became synonymous with extreme neo-liberalism and the colonization of the public sector by the private (Makdissi 1997: 693). This gave priority neither to public services nor to social infrastructure; it rather privileged banking, land and real estate. Hariri's strategy was the biggest carrot for a deeply divided postwar ruling cartel "who were only united over the division of the entire domain of the state apparatus and recognized their different spheres of influence, granting each one of them autonomy in his domain" (Leenders 2004b: 6).

3.2.2 The Hegemonic Patriarchal Coalition: The Prince, the Kinsman and the Clerk

It is clear that the state is totally absent from the lived realities of Lebanese citizens whereas real power derives from patronage networks revolving around sectarian elites. In this context, patriarchs of major families within each sect form the basis of these patronage networks as they negotiate with the Za'im access to public resources, control their distribution to their family members and recruit and mobilize the latter for their political patron. Political Za'ims treat family patriarchs as mediators on political issues whereas women are marginalized in the process (Joseph 2000 a; 1991). The family also plays an important role in reproducing political leadership along pure sectarian lines. In Lebanon, this process is dubbed as 'political inheritance' whereby sectarian leaders recruit their sons (grandsons, son-in-law, grandsons, etc) and in few cases their female relatives (grand-daughters, wives, sisters) as political heirs (Joseph 1991). Hence,

families in Lebanon are one of the major pillars in accessing and distributing political patronage and determining the patterns of political leadership. Since families are patriarchal institutions, men are privileged over women in bargaining with political patrons which cements men's control over their kin and keeps women in a subordinate position (Joseph 1991: 193). [20]

These patronage networks are not only rooted in kinship structures but are also heavily reliant on sectarian structures. As Joseph noted, "political legitimacy spoke loudest when they are being sanctioned by religious leaders" (Ibid). The past five years in Lebanon's history provide fresh insight into this argument. With Hariri's assassination and Syria's withdrawal, an intense struggle over who rules Lebanon became the hallmark of Lebanese politics. Throughout this period, religious leaders were protagonists instigating sectarian resentment. The Friday and Sunday sermons were politicized and turned into platforms to instruct community members on how to respond to political events and to mobilize them in favor of one faction or the other.[21]

Through strategic bargaining and mediation with local religious leaders, the post-war sectarian cartel entrenched a patriarchal system of privileges that helped them maintain, upgrade and extend their rule. To win the support of heads of confessions, the post-war cartel delegated the family domain to the legally recognized sects and postponed indefinitely the adoption of a unified civil code (a discussion of Personal status laws will follow in section 3.2.2.1). The legal pluralism encoded in the personal status laws

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[20] One example that elucidates how this process took place was during the parliamentary elections. One of my interviewees who monitored parliamentary elections confirmed that women's political choice is determined by the choice of the family patriarch. Divorce occurred whenever women refused to comply with their husbands' choice and opted instead for their fathers' or brothers' choices (Interview with Joumana Merhi, LWDG president, Beirut, 10 January 2010).

[21] Nisrine Zahreddine, *"Al Sir'a Al Mazhabi: Abtaluhu Rijal al-Din"*, *al-Akhbar,* 23 June 2008 and Nader Fouz "Harb Al Marjaiyat" *, al-Akhbar*, 19 June 2009.

underpins the ideological and material basis of political power in Lebanon. On the one hand, religious codes are mobilized to sanctify kinship structures that are central for the reproduction of patron-client networks and by extension sectarian leaders' political control over their constituencies. Moreover, personal status laws predicate Lebanese citizenship on sectarian membership, thus hardening the ideological hegemony of sectarian identities and loyalties at the expense of national ones. This is underpinned by the myth of sectarian pluralism which deems sects as "natural communities characterized by cultural dynamics so fundamentally different from each other that only members of the sect can adequately represent the views and interests of the sectarian community" (Joseph 2000 a: 111).

Sectarian pluralism as a legitimating myth for political representation has been utilized in other areas, namely access to social services (Ibid). The ruling elites won the sympathy of heads of confessions by channeling subsidies to confessional-based social institutions rather than building a public social welfare system.[22] Schools, universities, hospitals and other social institutions (dispensaries and orphanages) that are operated by confessional institutions cater to the needs of a good number of beneficiaries (CRTDA 2008 b). Whereas most of these institutions are well-organized and receive state funding, the public sector remains weak and unable to meet basic needs. One critic has described the Lebanese state as being a welfare state for its sectarian communities.[23] This elite

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[22]This pattern is rooted in French colonialism. In fact it was after the massacres of 1860 that missionaries started to established schools and hospitals in Mount Lebanon (Thompson 2000: 75). These social organizations catered to the social needs of the Christian community residing in Mount Lebanon. However, this pattern encouraged Ottomans to start supporting and building schools for Muslim communities. According to Thompson (2000) and Davie (1996) this was a reaction to an increased European intervention in the Ottoman Empire. Whereas Ottomans closed French missionary schools in Lebanon during the First World War, the French Mandate authorities reinvigorated missionary schools. This substituted for the lack of resources of the French government devastated by the First World War (Ibid: 60-61).

[23] Interview with Bassam al Quntar, journalist in *al-Akhbar*, Beirut, 22 January 2010.

strategy is sanctioned by the Lebanese Constitution. Article 37 of Decree 60 LR confers on confessional-based social institutions the status of "corporate body" (Zalzal 2009), and "Article 10 of the Lebanese Constitution allows confessional communities to establish their own social institutions" (Joseph 2000 a: 129).

Moreover, and with their almost complete monopoly over social service delivery, these confessional institutions have become the principle actors in shaping social policies in Lebanon. This steers the decision-making process towards strengthening their role as the ultimate social welfare providers and further marginalizes the public and cross-confessional institutions. No matter how divided heads of confessions are over the ideology and the vision of what Lebanon should be, they all agree on how to divide the sectarian pie. As one journalist eloquently stated:

> Mohamad Barakat , the president of Dar al Aytam al Islamia, told me that the Minister of Social affairs does not dare to present his budget before consulting "me". Barakat runs and operates a network of associations that brings together: priests and sheikhs from all confessions, etc. They are all one hand, if the ministry dares to diminish our share then god knows what will happen.[24]

In Lebanon these confessional-based institutions work and operate under a system of confessional male patriarchy that highly discriminates against women but also contributes to foment social divisions along pure sectarian lines (Joseph 1991). [25] Most of these institutions have been established to cater for the social needs of their confessional communities. This becomes most evident in their targeting strategy, their geographical

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[24] Ibid.
[25]The author of this thesis took part in CRTD-A's field work research "FBOs and Social policies in Lebanon". The information presented is based on my field work on social institutions operated by the Greek Orthodox Church and the information provided by other researchers who examined the institutions of the Maronite, Catholic, the Shi'ite and Sunni confessions in Lebanon. Throughout this research, it became clear that recruitment of staff in these confessional-based organizations follows a sect. For instance, the upper management positions are all filled with people from the institution's confessional background. Moreover, the head of confession or the sectarian leader play a decisive role in recruiting these people.

outreach,[26] and the facilities they provide for their confessional communities. Social fragmentation also occurs in service delivery since confessional identity shapes the type of services provided. For instance, and with the reluctance of the state to implement a unified school curriculum, private (confessional) schools in Lebanon enjoy absolute freedom in choosing which version of Lebanese history to teach and offer religious classes based on their confessional background. Each version of Lebanese history favors a particular leader leading to the creation of different realities that directly affected students' political knowledge thus hindering prospects for national integration (CRTDA 2007 b).

Moreover and since these institutions operate under a system of religious patriarchy, discernible patterns of gendered discrimination have been noted. For instance, women have been precluded from achieving key decision-making positions and have been confined to fulfill traditional roles that are only an extension of their domestic roles. When it comes to service delivery, these institutions have turned a blind eye on issues that are of particular interest for women.[27] For instance, access to reproductive health services is deemed taboo, while abortion in FBO-run hospitals is not practiced even if the women's life is in danger.[28] This has been presented as a breach of religious belief, but in

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[26]One of the indicators that clearly elucidate this argument is the one related to the geographical outreach of these FBO-based social institutions. In Lebanon, these confessional organizations work and operate in areas that are heavily populated by their own confessional communities. This attests to the fact that these associations do not move and the type of services/facilities that they provide to help the most underserved in their confessional community in paying the hospital bill or educational fees, etc. for instance, these institutions support the underserved of the *raieh or millet (the confessional community)* and for other confessions they advise them to seek the support of their co-confessionals(whether political leaders or religious institutions).

[27] Despite the fact that the comparative report did not come out, CRTD-A organized a conference in June 2009 where they shared the findings from the different case studies. The above stated conclusion was common to almost all reports presented by the researchers.

[28] For a discussion see Khattab Lara (2009).

fact it is also underpinned by sectarian considerations which deem women's reproductive functions as essential to maintain confessional demographics.

To sum up, sectarian elites extend their legitimacy materially and ideologically "based on their representation of particular sectarian identities and interests" (Joseph 1991: 193). In this regard, the confessional and the familial institutions are vital for the reproduction of the confessional and clientelistic ties. The ruling elite thus supported patriarchal and sectarian control over issues related to women to maintain the balance in the precarious confessional system and extend their sectarian hegemony. Gendered laws are part and parcel of these sectarian elite strategies. Through these laws, the ruling cartel protects kinship and confessional structures but also controls women's reproductive functions and children. The following section examines how this operates in gendered laws.

3.3 Gendered Laws and the Legal Status of Lebanese Women

Scholars who study women's rights in Lebanon argue that Lebanese women continue to be caught in a contradiction between the constitutional principle of equality and commitment to implement international treaties and the wills of the patriarchal leaders as encoded in the gendered family, nationality and penal laws (Thompson 2000). Article 7 of the Lebanese Constitution reads that "all Lebanese are equal before the Law, have equal civil and political rights and are liable and responsible for their general duties without discrimination" (*The Monthly*, August 2003: 2). Moreover, the same constitution stipulates Lebanon's compliance with United Nations treaties and the Universal Declaration of Human Rights. Most importantly, Lebanon signed a number of international treaties including the convention for the Elimination of All Forms of

Discrimination against Women (CEDAW) though with reservations which maintained specific forms of gender discrimination. "In particular, Lebanon voiced reservation for Paragraph 2 of Article 9 dealing with equality in matters of citizenship laws as well as Paragraphs c, d, f, and g of Article 16 dealing with equality in family laws" (Khalifeh 2005: 15).

This section sheds light on the status of Lebanese women and the gendered laws that shape their lives. In fact, Lebanese women are thought to enjoy relative freedom of action, high levels of education and visibility in the public sphere. This stigma is however challenged by empirical realities.

Most women receive good education in Lebanon. Adult female illiteracy has fallen from 37% in 1980 to 19.7% in 2000, whereas half of all university students are women.[29] Moreover, working women tend to be more educated than their male counterparts, as education tends to be a prerequisite for women entering the labor force (Ibid). However, these improvements in Lebanese women's educational attainments have not translated into an increased participation in the labor force in Lebanon and in public decision-making positions.

The labor market presents discernible patterns of gender discrimination and occupational segregation. Despite the "adoption of an 'equal pay for equal work' policy, including the applicability of the minimum wage, women's wages are inferior to men's" (CRTD-A 2006 b: 22). Moreover, women are predominantly active in the service sector; their involvement in commerce is lower than men's and only 5% are formally employed in the agricultural sector (IDC 2007: 10). Women are also almost totally absent from positions of responsibility and decision-making (Ibid). Figures on women's economic

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[29] Information from the UNDP-POGAR website : http://www.pogar.org/countries/theme.aspx?t=4&cid=9

participation exclude totally women's participation in the informal sector (namely domestic work and agriculture), which is the main source of income and activity for underserved women. Though these activities pass as invisible, they are attributed a market value when they are performed by a third party (such as a domestic worker). Obviously, the difference does not lie in the nature of the activity performed, but in socially constructed norms attached to it. Indeed, most of the goods produced and services provided by women are family-based (care work, domestic, work on family land, etc). Falling within the category of unpaid work, they do not receive a market value and thus remain unaccounted for in the national accounts system. It is precisely from this bias that the undervaluation and underestimation of women's participation into economic activities originates. Despite the persistently low rates of women's participation in the formal economic sphere, women are nevertheless economically active agents (CRTD-A 2006 b).

On the other hand, women's access to decision-making positions in politics and high-ranking public administration remains scant despite the fact that women acquired political rights in 1953; constitute more than half the number of total voters (LADE 2006: 15), and have acted as main actors in national struggles, armed conflicts and political demonstrations, rallies and sit-ins ever since Lebanon acquired its independence (Thompson 2000). In the 2009 parliamentary elections, only four women made it to the parliament whereas in more conservative and Islamic countries such as Iraq, Djibouti and Mauritania women occupy 25%, 13.8% and 22.1% of the parliamentary seats respectively (*Al Chahria* June 2009).

The low level of women's political participation is due to the patriarchal nature of the confessional and clientelistic political system rooted in kinship structures and manipulated by sectarian male elites. Men monopolize decision-making and law-making thus making it almost impossible for women to make it to the parliament except through familial ties. These women have been calling for their "temporary" inclusion into a male-dominated system rather than supporting and advancing a women's rights agenda.[30] For these women, challenging the status-quo, by criticizing for example the personal status laws would ultimately jeopardize their positions.

On the other hand, confessional based electoral laws and alliances have denied independent groups political representation and participation in the sectarian system (Salloukh 2008: 1). This is compound by the fact that women's participation in sectarian political parties remains minimal if not totally absent (CFUWI 2007 a: 15).

As for ministerial positions, women first accessed these posts only in 2004, when two women were appointed ministers. Today the ratio has been kept the same. There are only five women occupying high-ranking posts among grade one public servants, which constitutes only 3.5% of the available positions (*The Monthly*, November 2006). Even in these appointments, women have made it based on a sectarian quota rather than merit.

In the professional syndicates, women's representation remains low (Charani 2009: 23) which challenges one of the basic pillars of civil society, namely that it should be accessible to everyone disregarding their race, religious beliefs, sectarian affiliations and gender. Hence, patriarchy in Lebanon "has woven through the various sites in which nationhood has been constructed systematically biasing the state, the nation, civil society, and the very dynamics of citizenship in favor of males and elders" (Joseph 2002a: 183).

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[30] Interview with Marie Debs, LLWR Vice President, 24 February 2010.

With patriarchy dominating the state and society women are precluded from achieving equal rights.

In Lebanon, women's educational attainments and visibility has did not lead to real empowerment. Women's political participation continues to be held hostage to the whims of sectarian patriarchal leaders who monopolize the rules of the political game thus making it almost impossible for non-sectarian and non-clientelistic women to overcome these barriers. However these are not the only challenges that ordinary women face in Lebanon. The main area of discrimination against women are the gendered personal status, nationality and penal codes which all privilege men over women and deeply affect women's social and economic attainments as well as political participation. The following sections pay close attention to these laws. By shedding light on their imperial origins, I disentangle the political cultural myth which blames women's marginalization on the psychological feature of Arab neo-patriarchal societies and tends to portray patriarchy as static and natural, thus obscuring the fact that states contribute to its consolidation. I rather argue that these gendered codes are rooted in colonial policies and are preserved in modern times. Moreover, and instead of ensuring justice and equality for women, these laws are transformed into a major instrument of social control (Warrick 2005) that serves to protect kinship structures and heads of confessions. Consequently, this maintained the formal and informal pillars of political power, namely confessionalism and clientelism.

3.3.1 The Personal Status Laws: Legal Framework and Practices

In Lebanon, confessions acquired the legal status of "corporate bodies" (Zalzal 2007), enjoying absolute autonomy and sovereignty in running their community's affairs.

They are entitled to devise, amend and disseminate[31] bylaws that regulate their internal affairs as well as personal status laws that shape the private life of their communities. This legal status is the inheritor of an Ottoman and later French legacy.

It was under Ottoman rule that the status of various communities as *millet* and its actual implementation as a coherent mode of administration was institutionalized (Joseph 2000 a). With French colonialism, these *millet* systems and their underlying sects were guaranteed "constitutional freedom of religious practice and right to observe their personal status laws" (Joseph 2000 a: 129). This was translated in Article 9 of the Lebanese Constitution and the promulgation of decree 60 LR by French high commissioner De Martel. It was through this decree that "sects were awarded the right to establish their sectarian courts to administer family law" (Ibid). In post-Ta'if Lebanon, heads of confessions were also entitled representation in the constitutional council (Zalzal 2009) which awards them veto power when their "rights" are threatened.

The official recognition of confessional autonomy conveys benefits such as tax-exemption and other state-monitoring exemptions which increase the sovereignty of sects in running their own affairs. This has led to fifteen "mini-states" within Lebanon.[32] Confessions and their social institutions are only subject to self-monitoring procedures and religious endowments fall under the jurisdiction of heads of confessions (Zalzal

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[31] In this regard, confessional groups are not obliged to publish their internal bylaws or any related legal amendments (Zalzal 2009). For instance, the Greek Orthodox Church only recently published its bylaws (November 2009).

[32] In the Lebanese law, there are no prosecution mechanisms for Heads of Confessions. The latter are elected for life and can not be held accountable for their acts (*The Monthly* May 2002). In this regard, the letter addressed by former Prime Minister Salim el Hoss to the Sunni Mufti Mohammad Rashid Qabani is a milestone in Lebanon's history. For the first time in Lebanon's history, a former Sunni prime minister dared to challenge the Sunni Mufti. The alleged accusations against Qabani revolve mainly around the fact that he sold out *waqf* (immovable) lands of Dar al Fatwa to Solidere and had also been using public means for private ends. Qabani's son who owns a consultancy company, was commissioned to provide its services concerning the construction of a hospital funded by Dar al Fatwa. See Fida Itani, "Al Fasad Matloub wa al Hader Mazmoum", *al-Akhbar,* 2 February 2010; also Fida Itani, "Dawla bi Rajol Wahad*", al-Akhbar*, 5 February 2010.

2009). Moreover, most of these sects rely on regional and international religious references rather than national ones on issues related to religious jurisdiction. This increases the likelihood of foreign intervention and meddling in local issues (Zalzal 2007; 2009).

Of particular interest is the fact that the 15 personal-status codes regulate the family life of the 18 legally recognized religious sects. Marriage, divorce, child custody and inheritance issues belong to religious sects. However, personal status laws also serve as a major source of income generation. In fact, the state pays dues to Muslim and Christian confessions. Islamic courts and Muslim religious men receive allowances, compensations and salaries from the government distributed among the four Islamic sects. This pattern, which is rooted in the Ottoman tradition, has been institutionalized as Muslim religious courts and men became part of the state and followed the Sunni prime minister thus receiving salaries, allowances and expenses from the government (*The Monthly,* April 2008: 28).[33] Heads of Christian confessions do not receive allowances and wages from the government but rather contributions through the ministry of justice and the presidency.[34]

Despite the diversity of these codes, they have all institutionalized patriarchy thus highly suppressing, controlling and discriminating against women (Shehadeh 1998; Joseph 1991). In almost all sects, religious exogamy in marriages is prohibited. "Christian communities apply this rule for men and women; Muslims sects recognized

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[33] *The Monthly* (April 2008) states that the Lebanese government pays each head of confession 4.2 million LBP with an increase of 7% every two years. Judges of religious courts also receive salaries as stipulated in Law no. 716 of November 5 1998 and their monthly salaries start at 1,900.000 LBP and reach 5,050.000 LBP. In 2006, 27 million LBP were spent to furnish the conference room of the members of the higher Islamic religious council in Dar al Fatwa. Another 413 million LBP were spent to furnish and equip the headquarters of the Higher Islamic Shi'te Council in Hazmieh.

[34] In 2007, this amount reached 27% of the amount received by the Islamic courts or approximately a quarter the value as grants to Christian courts (Ibid).

the right for men to marry women from different religions but strictly forbidden Muslim women to do so unless the husband converts to Islam. This is underpinned by the premise that religious exogamy of women leads to the loss of children for the father's religious sect" (Joseph 2000 a: 131).

Moreover, the confirmation of paternal line awards fathers absolute tutelage over children (Ibid). This has deeply affected the issue of guardianship which is not considered as a natural right for mothers. In cases of divorce, women have to forfeit their legal, social and material rights to avoid losing child custody. If the mother decides to remarry, custody of her children reverts to the first husband (Zalzal 2007; Shehadeh 1998).

Other forms of gendered discrimination are clear in divorce and inheritance laws. It is worth noting that for Christian communities a civil law regulating inheritance matters was promulgated in 1959 stipulating that men and women receive an equal share. The discrimination is more blatant among Sunni Muslims. For instance, if a couple has only female children, they are entitled to only half of the inheritance and the extended male kin is entitled to the other half. Shiites allocate the entire share to the children irrespective of gender. Consequently, former Prime Ministers Riad al Solh and Salim al Hoss converted to the Shiite sect in order to pass on their share fully to their daughters.[35] In Muslim communities, men may divorce their wives without their consent or knowledge but this obliges the husband to pay alimony. On the other hand, divorce is illegal for almost all Christian communities except for the Greek Orthodox confession where men can divorce their wives if the latter were not virgins upon marriage or if they refused to live with their husbands.

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[35] Interview with Marie Debs, LLWR vice president, Beirut, 24 February 2010.

In conclusion, the delegation of family law to the religious sects, and the stubborn denial of the political leadership to implement fully the Lebanese Constitution and Decree No.60 LR should be seen in light of sectarian elites' politics of avoidance. In fact, a civil code for personal status laws paves the way for the "renegotiation of state-society relations in the direction of a non-sectarian form of citizenship. This in turn would demystify and consequently weaken the edifice and loyalties anchoring Lebanese society and the Lebanese political system" (Salloukh 2007b: 31). The deepest impact of this pattern of state-society relations is on the most vulnerable forces in society: women. In this regard, women live under the mercy of immutable 'divine' laws that regulate their private lives by denying them full and equal rights with their male counterparts.

Lebanese citizens, men and women, will continue to be divided over their legal status while waiting for a civil code that awards them equal constitutional rights. For those who wish to marry someone of another religion they either have to submit to the laws of one of the recognized sects, a practice many women accept thus forfeiting the freedom of religious belief, or seek a civil marriage abroad.

3.3.2 The Penal Code

Despite the common perception that Lebanese women are emancipated, Lebanon has a penal code that comes at the expense of women's rights. This is materialized in cases of rape, honor crimes and domestic violence. The gendering of "these laws disadvantages women as victims of crime and violence in order to serve a broader socio-cultural purpose" (Warrick 2005: 319), namely family cohesion, which is central to the functioning of the sectarian political system. Penal codes in Lebanon preserve a legal tradition that mitigates the punishments for male criminals accused of honor crimes,

domestic violence and rape, and transforms women victims of these crimes into a way to solve social problems (Ibid).

In Lebanon, both Christian and Muslim girls and women are victims of honor crimes. Whereas, the western media associates this practice with Islamic culture, evidence shows that similar practices are found among Christian communities (Beydoun 2008: 52). Article 562 of the Lebanese penal code mitigates circumstances for the man who catches his female relative in an unlawful sexual relationship and who harms or kills one or both protagonists.[36] This article is the product of the 1858 Ottoman laws and Article 324 of the 1810 French Penal Code. Laure Mughayzil (1985) notes that during the process of state formation and at a time when the 1926 constitution was being drafted, the Ottoman municipal law disappeared except for Law 188 dealing with honor crimes.Whereas the Ottoman law mitigates penalty for the perpetrator in cases of honor crimes, the French penal code of 1810 deals with "passion crimes" which allow men to kill their female relatives if the latter were caught in an adulterous position. In 1996 minor amendments were introduced that mitigated punishments for perpetrators. However, Beydoun's study (2008) shows that few crimes meet the conditions which relate to apprehending women in an adulterous position, and in most cases women's death is portrayed as the only way to restore family's honor.

Rapists escape criminal prosecution if they are already married to the victim or if they marry her after the rape takes place. For instance, Article 522 of the penal code gives the rapist impunity if marriage takes place after the rape is committed (McCracken 2005: 45). In this regard, "the law privileges the protection of the social order, namely the

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[36] For details concerning the penal code see Alia Berti Zein (2005): 20-21.

honor of the victim's family, over the provision of individual criminal justice" (Warrick 2005: 321).

A similar situation transpires with domestic violence which might lead to the death of women victims of gender-based violence.[37] Cases of domestic violence are regulated by the general articles of the penal code, namely Articles 554-559. In most of the cases, women victims of domestic violence drop the charges and consequently penalties are no longer applicable.

Reliable statistics assessing the magnitude of this phenomenon are not available, however. On the one hand, this is because families tend to make recourse to informal processes of negotiation before taking a dispute to a court. On the other hand, seeking justice on these issues is very difficult for victims of domestic violence since these crimes take place at home and therefore cannot be easily proven as "they require special investigation mechanisms and procedures conducted by trained police officers and social workers" (McCracken 2005: 44).

More worrisome is the fact that the legal context in Lebanon legalizes domestic violence against women.[38] Though some observers deny a connection between religion and domestic violence, critics agree that personal status laws legalize domestic violence. Brand argues that "there is a moral violence underpinning these laws which legitimates violence against women (Brand 1998: 82), but there are also clear instructions in both Christian and Muslim sects that overlook male violence against women and defend the domination of women by their husbands.[39] Moreover and as argued in the previous

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[37] Interview with Zoya Rouhana, KAFA executive director, Beirut, 8 January 2010.
[38] Ibid and Interview with Ghida Anani, KAFA program coordinator, Beirut, 18 January 2010.
39 See the following article "Violence against women and the role of religion" Marie Forger and Rabbi Enger :< http://new.vawnet.org/category/Main_Doc.php?docid=411>

section, religion has been mobilized to sanctify the family through immutable so-called god given personal status laws. This has extended the legitimacy of religious leaders in solving marriage problems. As one associational leader from CRTD-A stated:

> A civil code for domestic violence also threatens the power of religious leaders. You know when a man and a woman fight, the religious leader would intervene and tell her wash away the pain and come back to him.[40]

While appearing as arbitrators religious leaders encourage women to overlook the violence of their husbands to maintain the cohesion of the family. Not only is this sanctioned by religious codes, it is also a central pillar of the reproduction of political power. Silence is the first and foremost obstacle to be overcome if violence against women is to be effectively eradicated.

The marriage loophole, mitigated punishments and silence over domestic violence were created and are used for social purposes rather than to apply criminal justice. In this regard, these processes addressed the social practices surrounding raped women, victims of domestic violence and family honor rather than crimes against individual women. This is achieved by erasing the victim's selfhood, to be replaced by a wife in the case of rape, by an adulterous woman in the case of honor crime, and a silent witness in the case of domestic violence. Most importantly, since these laws address the family domain, their amendment remains in gridlock due to the pivotal role that kinship structures play in maintaining the political order.

3.3.3 Lebanese Women Give Birth but not their Nationality

Nationality is either transferred through blood (*jus sangui*) or land (*jus soli*) linkages, thus revealing important aspects of political control. In Lebanon, the nationality

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[40] Interview with CRTD-A field manager, Beirut, 19 November 2009.

law falls under the first category but regards every male blood lines as legitimate thus blatantly discriminating against women in direct contravention of International Human rights treaties and the Lebanese Constitution (Article7). Moreover, Lebanon lags behind in terms of introducing any effective changes to the nationality law at a time when some Arab states amended their own.[41]

The current law is the result of the French colonial legacy. In fact, under Ottoman rule, citizenship was premised by the principle of *jus soli* which enabled women to pass their nationality to their children (Joseph 2000 a). During the French mandate period, the transfer of nationality became restricted to the principle of paternal line. The 1925 nationality law privileged men by awarding them the legal right to pass their Lebanese nationality to their children and non-national spouses. At the same time, "naturalized" wives may pass on the Lebanese citizenship to their children if their husbands pass away. On the other hand, Lebanese women [42] married to non-nationals are denied this right except in few cases: if the child's father is unknown or if the child's father does not have a nationality (Joseph 2000 a).[43]

Despite attempts to represent the reform of the nationality law as leading to the naturalization of Palestinians in Lebanon, it is rather that the current nationality law plays a central role in sustaining the political aspirations of sectarian groups (Abou Habib

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[41] As part of CRTD-A's regional campaign that will be discussed shortly in the next chapter with a focus on Lebanon, the Lebanon-based association has been working with a number of Arab NGOs to amend the Nationality Law in different countries. This campaign "My nationality a Right for Me and My Family" has successfully led to the amendment of the nationality law in Morocco (2007), Egypt (2004) and Algeria (CRTD-A 2008). In Tunisia, the nationality law of 1993 was modified to allow children of Tunisian mothers and non-Tunisian fathers the right to citizenship provided that they are born on Tunisian soil and that they have their father's consent. The UAE nationality law of 2002 granted women the right to pass their nationality only to their underage children, provided they are widowed or divorced.

[42] Lebanese women married to non-nationals were also deprived of their Lebanese nationality. However, activists managed to amend the law and bring back the right for women to keep her Lebanese nationality if she marries a non-national.

[43] For a detailed discussion about the Lebanese Nationality Law see Baroud (2003).

2003) in a country where political representation is premised on the demographic weight of the confessions. That the law saw the light before the refugee problem and that a Palestinian woman is naturalized whenever she marries a Lebanese man devoids this argument from its content. However this linkage between a women's right to pass on her nationality and the Palestinian refugee problem attests to the fact that the alliance between patriarchy and sectarianism obviates the right of Lebanese women and Palestinians to live a decent life in the name of preserving the sectarian power sharing agreement. This destructive patriarchal and sectarian coalition confirms again that the Lebanese official policy is to punish those who do not have a state as they represent a "threat" to national security simply because they are the ones in dire need for a nationality.[44]Moreover, this law is utilized to depict women's wombs as Trojan horses used by Palestinian refugees to circumvent anti-settlement policies.

Hence, children and husbands of Lebanese women married to non-nationals continue to face a set of restricted policies that denies them access to democratic institutions, security and social rights. Lebanon's gendered nationality law turned the lives of many women and their families into a living hell. Mixed couples are treated as foreigners in Lebanon. High fees for residency permits and making children follow their fathers have complicated things for these families, Moreover, children of these mixed couples can not benefit from public services such as enrolling in public schools or benefiting from public health financing schemes.   Their life becomes even more

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[44] Nizar Saghieh, "Hina Yousbouhou al Hourman min Dawla Jourman", *al-Akhbar*, 23 June 2007. The MOI Baroud used the same racist wordings mentioned in the law regulating the foreigners' right to own property and justified it saying that the Constitutional Council adopted the law in 2001. According to Saghieh, this process turned "the exception of being stateless" to the "required" addition to every law dealing with foreigners in Lebanon.

complicated when they decide to enter the job market in Lebanon. As they are denied working for the public sector and the private sector imposes many rules which makes it hard to hire them. Palestinians continue to suffer the most as they are also denied the right to own property which consequently forfeits children's right to inherit from their Lebanese mothers (Ibid).

3.4 The Limits of Women's Organizing in Lebanon

In the deeply fragmented political context of Lebanon where sectarianism and clientelism permeate every aspect of social and political life, interest-based actors are debarred from the possibility of becoming part of the political decision-making process. This deeply affects the ability of women's organizations in amending the gendered laws and reaching gendered equity. Moreover the survival of sectarian leaders in power is ensured through the existence of a common consensus that sees the sectarian system as natural. The legal pluralism encoded in the personal status laws, the social segmentation in social policies, and the sectarian leaders' patronage networks have successfully strengthened sectarian loyalties, identities and clientelism at the expense of a trans-sectarian citizenship and rights-based norms. The results of the last parliamentary elections, the rallies and demonstrations as well as the continuous civil strife attest to the fact that sectarian leaders have succeeded in making "sectarian identities the sole markers of political action and organization" (Salloukh 2008: 1).

Post-war social movements, including women's rights movements, have been unable to mobilize people for particular societal interests that transcend sectarian identities and interests. This is confirmed by many critics who argue that women in

Lebanon do not act on the basis of gender considerations but rather on the basis of sectarian loyalties that make up their individual identities in Lebanon. As one journalist noted:

> The problem is that even women are sectarian…During the nationality sit-in, each one of them sheers for her political patron: Hariri, Berri, Jumblat,etc and they still vote for these sectarian political leaders.[45]

Moreover, this hegemonic sectarian system though apparently open, in fact only allows social actors to mobilize in a way that does not challenge the pillars of political power. Hence, freedoms can only be extended if they do not threaten the hegemony of sectarian leaders and their power base namely kinship and sects. A salient feature of this inexorable alliance is the way it has encoded patriarchy and therefore privileged men over women. Clientelism, is therefore rooted in patriarchal kinship ties. Confessionalism, underpinned by a precarious sectarian demographic balance, is also dependent on controlling women and children whether through the personal status laws or the nationality law. In this regard, gender issues call into question socially-constructed power relations in Lebanon. Moreover, women's rights intertwine with broader concepts of citizenship, human rights and the question of Palestinian refugees, all of which have been manipulated by the sectarian leaders to perpetuate their rule. Reforming gendered laws promises to yield to more democratic society, hence the difficulty of any such undertaking.

Confessionalism and clientelism have also shaped patterns of women's civic engagement. This issue will be the focus of the next chapter. However, it is worth noting that the socio-political context has led to the polarization of associational life in two different civic spaces: those who have political access to the sectarian ruling cartel and

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[45] Interview with journalist in *al-Akhbar*, Beirut, 8 January 2010.

those who do not. One observer explains the patronization of some associational leaders by the sectarian elite as follows: "sometimes people with good merit think that they cannot make it to decision-making positions if they remain outside the existing political divisions".[46] In the latter case, these associations become a showcase for associational leaders to expand their power base and hence secure their entry into the parliament, rather than serve as an arena to advance women's rights and interests. Moreover, these associations impede the ability of the non-clientelistic associations to advance their claims thus proving Nadje Al Ali's argument which stipulates that independent women's organizations "do not only face challenges from their respective governments but also from activists within civil society, who follow more traditional patterns of political and social engagement" (Al Ali 2005: 110).

These associations have weakened considerably the ability of the women's movement to launch a Gramscian 'war of position' against sectarian hegemony. These women's associations participate in the domination of women through their participation in the clientelistic system rather than holding politicians accountable for their acts.

This is not to say that the more independent women's organization have been successful in launching a 'war of position'. In fact, the post-war sectarian status quo and its limited openness for political debate have considerably de-radicalized independent women's rights organizations. This is mostly felt in the way they have sought to avoid addressing the personal status laws.[47] Moreover, this context has led to feelings of paralysis and marginalization among some secular women's rights associations.[48] All of these factors have hindered women's movements from launching a 'war of position' as

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[46] Interview with Marie Debs, LLWR vice-president, Beirut, 24 February 2010.
[47] Interview with Zoya Rouhana, KAFA executive director, Beirut, 8 January 2010.
[48] Interview with Joumana Merhi, LWDG president, Beirut, 11 January 2010.

associational ideas and programs are either kept consistent with the parameters of the pre-existing political order or are unable to launch a full-fledged reform due to schisms within the women's movement as well as feelings of marginalization and incapacitation.

3.5 Conclusion

In this chapter, the issue of gendered laws and women's rights was treated as an inherent part of post-war state reconstruction. The reform of these gendered laws entails the renegotiation of state-society relations and the "redefinition of rights and obligations for men and women in the family, community and by extension the society at large" (Charrad 2000: 234). Sectarian elites, preoccupied by upgrading their sectarian rule used these gendered laws to extend their sectarian hegemony over their followers. The sectarian ruling cartel thus chose policies that conform to its political and socio-economic interests.

This chapter examined the alliances between sectarian elites and social groups, namely confessions and kin structures, who are involved in women's subordination. These social organizations are vital for the reproduction of the pillars of political power in Lebanon namely confessionalism and clientelism. In this regard, the ruling cartel supported and legitimated patriarchal and sectarian control over issues related to women to maintain and upgrade their sectarian rule.

With this background, the next chapter examines the women's advocacy community in post-war Lebanon. The next chapter highlights the impact of confessional and clientelistic politics on women's rights NGOs. It examines their class bias, ideological systems and their relationship with local and international organizations to

shed light on how these variables impact their organizational structures, targeting

strategies, forms of social capital, agendas and their relationship with ordinary women.

CHAPTER FOUR

THE POLARIZATION OF POST-WAR WOMEN'S MOVEMENT

4.1 Introduction

Many scholars have examined women's participation and engagement in Lebanon's political and nationalistic movements, and their engagement in the women's movement (Thompson 2000; Charafeddine 2004). However, this long history of women's activism has not translated into significant political and social gains. The Lebanese women's movement faces the contemporary challenges of reconciling conflicting class, generational and ethnic interests and identities (Waylen 2007). How these challenges are met depends largely on women organizations' institutional structure, as well as their relationships with each other, the ruling elite and funding agencies.

This chapter opens with a brief overview of the main donors and their agendas with respect to gender issues in Lebanon. With the absence of local providers, international aid agencies emerged as the most important actors in supporting women's advocacy community in Lebanon. This makes aid an important variable to consider when analyzing the impact of these associations on gender social policies and democratic outcomes. This section argues that the transformation of the post-war gendered order is not induced by aid agencies but rather by local actors. However, aid agencies enable or disable local actors from launching a Gramscian 'war of position' against the prevailing hegemonic structures through their projected policies or their programs (Abirafeh 2009).

The chapter then turns to the post-war women's movement. The aim is to disentangle the limitations that withstand the formation of a counter-hegemonic society.

Hence this chapter makes the point that in the particular case of the women's movement in Lebanon, sectarian elite strategies impede legal reforms; however the institutional structure of the women's movement also prevents it from acting as a strong and counter-hegemonic force which requires a widespread popular support. This chapter traces the polarization of the women's landscape into top-down corporatist forms of organizing (NCLW, LCW, CFUWI) with ties to the religious and political leadership, bottom-up grassroots leftist women's organizing (LWDG, LLWR) and development-driven professional NGOs (CRTD-A, KAFA). Their class bias, ideological systems and their relationship with local and international organizations are examined to shed light on how these variables impact their organizational structures, targeting strategies, forms of social capital, agendas and their relationship with ordinary women.

Consequently, the diversity of gender-based associations does not create a healthy movement able to renegotiate and transform the gendered order. Rather this collection of NGOs advocating for gender equality faces a serious problem of identity and lacks a clear oppositional stance which makes it very difficult to articulate a strategic posture against the post-war patriarchal structure.

4.2 Funders, Fund Her: Donor Monies and Gender-based Agendas

Aid assistance is political and becomes even more so when gender is added to the recipe (Abirafeh 2009). In the following sections, I argue that the underlying neo-liberal ideology of international aid agencies based on the fragmentation of issues rather than seeking a reformist global agenda impedes rather than encourages the empowerment of women. This developmental paradigm does not lend itself to the renegotiation of the

gender order. Rather it seeks to mitigate women's social distress by providing technical solutions to complex political problems (Ibid).

Alain Touraine argues that "this process of disassociation is the main feature of capitalist modernity. It refers to a state in which social, political and economic structures no longer cohere together but are fractured by forms of disconnectivity. While hindering prospects of social cohesion, this paradigm yields to more fragmentation" (Hanafi and Tabari 2004: 23). Moreover, it prohibits the advocacy community from renegotiating the gender order towards more inclusive forms of citizenship for women. As Margret Keck and Kathyrn Sikkinik (1998) argue, the advocacy networks succeed the most when focused on particular aspects of discrimination in total isolation from larger reformist agendas. Hence, ideas, discussions, and campaigns are framed in such a way that they address some features of the hegemonic system without attacking them entirely and directly. In this regard, they remain consistent with the parameters of the existing political order.

For the old generation of Lebanon's women's movement this NGO-based advocacy system de-politicized what is essentially political. As Marie Debs, LLWR vice-president, argues:

> NGOs marginalized this system of political parties/political partisanship. The main argument of the international aid agencies goes as follows: Why get people to militate for big political issues? We make them busy with partial issues and then let them achieve change in these issues which does not lead to a radical societal change… This legitimizes donors' viewpoint and at the same it creates some sort of self-seeking individuals.[49]

Furthermore, this system led to a de-mobilization of social and political activism. According to Debs, the problem with advocacy networks is that they are not supported by popular movements that endorse their claims. On this view, modern associations project

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[49]Interview with Marie Debs, LLWR vice-president, Beirut, 24 February 2010.

themselves as the ones advocating and speaking in the name of the popular masses instead of building the capacities of ordinary women and helping them to mobilize and lead their own struggle.[50]

The following section examines policy formulation of the main funding agencies namely the UN, USAID and EU. By doing so, I shed light on how aid agencies frame the issue of gender inequality in Lebanon. The aim is to assess to what extent gender is not mainstreamed in policy texts (Abirafeh 2009). The discussion also focuses on the funding trends and fund recipients to show how aid policies strengthen sectarian hegemony and consequently impede the reform of the post-war gendered order.

4.2.1 Gender Mainstreaming: Funders Policy Texts

The first source of information highlighting how discourses about women shape international intervention in the gender-based field is funders' strategic plans. Among other issues, these documents reveal an almost total absence of clear strategic objectives that address gender inequality (except for the IDC). In examining, the EU, USAID and the UN documents, I highlight the gender content to understand how the latter reflect their country's views about gender in Lebanon. In fact what comes out is that gender is not treated in the documents as an analytical basis. Rather if gender is mentioned in the country strategy papers, it is always isolated in a small and separate section.

Moreover, whenever donors raise issues of gender discrimination in Lebanon, technical solutions are provided for complex political problems. Typically as it will be shown, providing women with economic opportunities, quantitative increase of the number of women elected in parliamentary and municipal elections (without reforming the electoral

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[50] Ibid.

laws) and alleviating social distress for women victims of GBV are hot topics that channeled important amounts of funds for local actors. Despite their importance, these issues alone can not lead to the renegotiation of the post-war gender order towards more inclusive forms of citizenship.

An examination of the funders' strategic plans shows that all funders think that gender is mainstreamed whereas gender is practically nowhere.[51] The first and most blatant example of the absence of gender mainstreaming is within the UN system where the multiplicity of funds dealing with the issue of women's rights leads to project overlaps and competition over resource allocation. A group of feminist activist came to the conclusion that the current UN structure impedes, rather than advances women's interests and needs. This culminated in a Gender Equality Architecture Reform Campaign (GEAR) which is led "by a network of over 300 women's, human rights and social justice groups around the world urging the UN Member States and the UN Secretariat to move swiftly forward to create a new UN gender equality entity."[52]

On the other hand, gender-based agendas suffered from a serious setback under Bush's term.[53] Studies show that under neo-conservative rule, Faith Based Organizations, who have the highest stakes in women's subordination, have become increasingly the main recipients of US funds.[54] In Lebanon, this has translated into support for

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[51] Interview with Zambelli, Beirut, April 1 2010.

[52] For more information concerning the GEAR campaign check the GEAR website : <http://www.un-gear.eu/>

[53] The AWID report makes the point that "In the past few years, the most striking influence by a bilateral donor on the women's rights agenda has been by the United States. Through its conditionality related to the Global Gag Rule and its withholding of UNFPA funds on one hand, to investing heavily in anti-trafficking and anti-prostitution on the other, the US government has had major influences on both women's organizations and women's rights on the ground"(AWID 2005: 23).

[54] In the "context of the war on Terror, faith-based organizations became the anti-dotes of extremism. In US foreign policy texts, faith-based became also synonymous with Christian (associations) that USA can do business with. On the other hand, extremism is associated with Muslim associations. A *Boston Globe*

confessional-based and sectarian associations that operate under a system of male patriarchy and fail to meet basic women's needs (CRTD-A 2007 b).[55] Moreover, the USAID country strategy (2002-2007) for Lebanon explains in half a paragraph how the US seeks to address issues of gender inequality. The USAID gender strategy does not go beyond supporting the empowerment of women on the economic level through programs that promote women's economic opportunities and increase the number of elected women in municipal councils (USAID 2002: 38).

At the same time, the EC strategic plan does not consider the impact of projects and programs on women's empowerment. For instance, the country strategy sets out objectives for the projected period without suggesting any special programs for the promotion of women's rights and gender equality (EU 2007). Elena Zambelli from the Italian Development Cooperation Office, best captures this problem when she recognizes that the EU is one among other organizations that lack a specific gender mainstreaming strategy:

> Either they see 'gender' as a separate component or they say that it is mainstreamed across their projects. In the latter case, you will see some special provisions for women and children. However, gender is far from being understood as a sound analytical basis.[56]

Hence, and among all EU member states (EU 2007: 38), only Italy[57]recently became involved in supporting gender-based programs in Lebanon. In fact Italy's

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report, shows that USAID spent US$ 57 million from 2001 to 2005 (out of US$ 390 million allocated to NGOs) to fund projects run by FBOs in Pakistan, Indonesia, and Afghanistan. Of the 260 FBOs that received funds from USAID in the past five years, only two are Muslim FBOs. The share of Christian FBOs from the USAID funding doubled in the George Bush era accounting for 98.3% of all money given to FBOs (Balchin 2007).

[55] One needs to go through the USAID website to find out that a good number of grant recipients are confessional and sectarian institutions :< http://www.usaid.gov/lb/> or the LKDG website : <http://lkdg.org/ar/aids/usaid>

[56] Interview with Elena Zambelli, IDC Gender Program Manager, Beirut, April 1 2010.

[57] Ibid.

UNIFIL presence was the driving factor that encouraged the embassy to scale up its support for Lebanon. This attests to the fact that the political situation shapes aid agendas rather than real development motives. Zambelli best captures this argument:

> We are the ones injecting a lot of soldiers, so our office grew with an Emergency and Reconstruction program. In the first year the emergency program alone channeled 15 million Euros to support projects in war-affected areas.[58]

In the IDC's Gender Guidelines every paragraph is based on a gender-analysis of power, shedding light on the inexorable relationship between the social, political, legal and economic systems and the way they all yield to gendered discrimination. Italy seeks to mainstream gender throughout its overall framework of emergency and development intervention in Lebanon and to finance women's economic, social and political empowerment (IDC 2007: 5).

Hence, except for the IDC, gender is not a priority for international aid agencies which is illustrated in the narrow representation or total absence of gender issues in policy texts. The following section sheds light on the common trends among funding agencies with respect to gender-based programs. The aim is to investigate how donors seek to mitigate the social distress and increase women's visibility without this leading to women's empowerment. This is mainly due to the fact that funders avoid addressing a renegotiation of the gender order as it risks challenging the authority of the sectarian elites which remains a red line for all donors. The views of grassroots local actors among NGO leaders are taken into consideration concerning these emerging themes and trends.

On another level, the profile of the fund recipients is also very indicative to which extent the international aid agencies strengthen the sectarian status quo. As it will become

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[58] Ibid.

clear, funding agencies diversified their fund recipients, yet they are still channeling important amounts of money to corporatist and elitist structures that either serve to silence grassroots women or do not seek to reform the post-war gendered order.

4.2.2 Funding Trends and Grants Recipients

A survey of funders' websites and relevant documents[59] shows that they focus more on issues that are deemed as relatively safe such as women's health, political participation and economic empowerment; however issues of choice and consent are not addressed. Hence, most of the projects are designed to mitigate women's social distress; to make them feel better but not more empowered.

Almost all funders support income-generation projects for women. However these projects do not always take into consideration whether these women really want this type of work. This leads to futile investments and huge amounts of money being channeled with no efficiency. Zambelli admits that the IDC's economic empowerment program for women was not very successful due to the fact that "women did not want to commit to the process of business formalization."[60]

Funding from the UNDP, USAID (through MEPI and NDI) and IDC was also allocated to boost women's political participation in legislative and municipal elections. In particular, the USA and Italy showed increased interest in women's participation in the municipal elections. For instance, the American-based National Democratic Institute (NDI) launched the "Participate in the 2010 Municipal Elections" campaign addressing

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[59] This is based on my personal survey based on funders' websites and policy texts. This search enabled me to highlight the main trends supported by each funder, grant recipients and in some cases details concerning the project implemented.
[60] Interview with Elena Zambelli, IDC Gender Program Manager, Beirut, 1st of April 2010.

female candidates. NDI "supports women candidates through training workshops, consultative sessions and one-on-one mentorship and public forums."[61] In a similar vein, the IDC in cooperation with MOSA and the NCLW, launched a campaign that encourages women to take part in the electoral process. Zambelli explains that

> The program is not only about a quantitative increase of women in decision making positions, but it is also about women building ties and networking that transcend the borders of identities and belongings, etc… building the capacity of women to run on the basis of their own merit and their vision rather than their (primordial) belongings.[62]

However, local actors and civil society activists argue that in the context of the current municipal law, it is useless to increase the number of women elected to municipal councils since final decision-making powers are manipulated by the president of the municipal council. Moreover, elected women are assigned small and marginal tasks. Hence, this practice might increase the presence of women in public life but it does not ensure empowerment. The following quote from a civil society activist at CRTD-A best captures this argument:

> If women are not elected as presidents, then any attempts to increase their participation will not lead to real empowerment. If elected as members of the municipal council, they will continue to be assigned symbolic tasks such as social work, etc. Moreover, these projects are usually assigned small budgets compared to infrastructure work and the latter area continues to be deemed as a male-dominated arena.[63]

Another associational leader from the LWDG argues that it is futile to talk about women's increased participation if women's rights in the domestic sphere are still subject to the wills of the family patriarch. This argument underscores the issue of the

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[61] For information concerning the NDI quota campaign see the NDI website :
< http://www.ndi.org/lebanon>
[62] Interview with Zambelli, Beirut, April 1 2010.
[63] Interview with Field Manager, CRTD-A, 3 March 2010, Beirut, Lebanon.

fragmentation of women's agendas. For proponents of this argument decision-making

starts at home and extends to the political arena and not the other way around:

> How can women achieve change if they are deprived of their right in the domestic domain? If a woman presented her candidacy to the municipal elections and won there is a law that prohibits her from going out. We see that the problem is in the Personal Status Laws… What equality are we talking about if we do not address the issue of gender equality at the family level? Discrimination at the societal level is an extension of discrimination at the family level. To become a decision maker in public life you have to be a decision maker in the private life but that is not the case … How can they separate this from the struggle for gaining equal rights at home?[64]

However there is another issue that none of the aforementioned critics or funders

have paid attention to. As is the case for the parliamentary elections, the municipal

elections also involve kinship, confessional and sectarian structures. In this regard, the

campaign for the new municipal councils is a minefield, and the electoral process is a

battlefield where all weapons should be used to win the blessing of the patriarchal

leaders. Hence, the increased participation of women in municipal elections does not

ensure the adoption of a women's rights agenda as winners will continue to act on the

basis of sectarian and kinship affiliations rather than interest-based considerations. In this

regard, funders' encouragement for women to take part in the same system that deprives

them of their rights as equal citizens strengthens the ideological legitimacy of this

patriarchal and sectarian system.

At the legal level, the reform of the nationality law attracted many funders.

Funding for research and a legal study were channeled through the UNDP-POGAR in

2002 to CRTD-A.[65] Few years later, UNDP Lebanon launched a parallel campaign. The

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[64] Interview with Joumana Merhi, LWDG president, Beirut,20 January 2010.
[65] For details about the nationality campaigns please check Chapter 5.

US$ 270,000 grant duplicated the work that had already been achieved by CRTD-A.[66] The multiplicity of funds for the same topic fomented the schism within the women's movement and created competition over funding among the associations. On another level, questions arise concerning the extent to which local actors participated and were consulted in the elaboration of strategies and program implementation. While claiming that they are civil society's partners in development, UNDP did not bother to answer some of the crucial questions raised by CRTD-A concerning the course of the project and the series of consultations that UNDP undertook to decide on the launching of this parallel campaign. It is clear from the email correspondence between UNDP and CRTD-A that the former gave brief answers on CRTD-A's various questions.[67] Furthermore, they justified the delegation of project implementation to another association, the CFUWI, claiming that they are "experts in this field and the most capable to implement such a project."[68] These statements were made at a time when it was clear for the public that CFUWI participated in CRTD-A's campaign "My nationality A Right for Me and My Family" launched in 2005. The lack of consultation with local actors involved in this issue resulted in a rushed program design that failed to add any value for women who continue to suffer from discriminatory nationality codes. The UNDP's obsession with promoting themselves as the organization championing local reforms in Lebanon, and their rush to meet funding deadlines led to inefficient work and fomented the schism within an already divided women's movement.

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[66] Bassam al Quntar, "US$ 270,000 Li Masharai Mounafaza", *al-Akhbar* , 10 October 2008.
[67] Ibid and Interview with Rola al Masri, CRTD-A nationality program coordinator, Beirut, January 18 2010.
[68] Ibid.

The other issue that attracted funders the most is fighting gender based violence (GBV). A recent study by AWID shows that the issue is a top priority at the local and international levels (AWID 2008). This "translated in the 2005 World Summit, where world leaders pledged to double efforts aimed at the elimination of gender-based violence. In addition to these efforts, some prominent international campaigns and funding initiatives on violence against women emerged" (Ibid: 45).

To varying degrees, almost all funders have supported this issue in Lebanon. Among all UN agencies, the UNIFEM channeled considerable amounts of funds to support the local actors in their quest to fight GBV. At the same time, the EU and the IDC have both agreed that GBV is a pressing issue that needs to be addressed immediately (EU 2007; IDC 2007). For Zambelli, GBV is a crime that anyone can oppose as it might lead to women's death. Moreover, it recalls the stigma of women being victims and needing protection. Besides support for KAFA's advocacy work in this field, domestic violence is a hot topic for seminars, round tables and workshops all of which focused on the necessity of implementing the law and most recently engaging men as perpetrators in solving the problem.[69]

For many associational leaders and local actors, however the reform of the domestic domain should have been implemented as part of a package deal including the reform of the personal status laws:

> GBV can not be eradicated if we do not look at it from a wider perspective and the central issue in Lebanon is the adoption of a civil code for PSL.[70]

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[69]For more information please check the OXFAM website : <http://www.oxfam.org.uk/oxfam_in_action/where_we_work/lebanon.html>
[70] Interview with Leila Al Ali, Executive Director of Al-Najdeh, Beirut, 2 April 2010.

In fact, all funders avoided addressing the personal status laws which is the main area of discrimination against women. Arguments advanced in favor of this approach were mainly premised on a political-cultural approach projecting the issue as being engrained in immutable cultural systems. This hyper-focus on supporting what "can be achieved instead of exhausting time, money and energy on the personal status laws"[71] avoids a renegotiation of state-society relations towards more inclusive forms of citizenship for Lebanese men and women and consequently preserves the sectarian status quo as citizenship continues to be premised by sectarian membership. As Lina Abirafeh argues, "the battle is between a quick-fix mentality and the time and energy required to do the non-cosmetic changes" (2009: 67).

The non-confrontational stance that the funding community adopted vis-à-vis the family law attests to the fact that international aid agencies supported issues that did not antagonize the rulers and therefore favored the sectarian elites. The LWDG's experience in this field best captures this argument. Recently the LWDG presented to the EC a project proposal to reform the personal status laws which was refused since "the topic contravenes Lebanese politics and will not be able to achieve its over-stated objectives."[72]

This is not the only way that the funding community has strengthened the sectarian status quo. As argued in the second chapter, aid agencies around the globe have equated the existence of NGOs with the strength of civil society. However, not all women's associations follow bottom-up patterns of organizing. In particular, some associations (LCW, CFUWI and NCLW) do not fit bottom-up forms of organizing.

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[71] Interview with Elena Zambelli, April 1 2010..
[72] Interview with Joumana Merhi, Beirut, 20 January 2010.

Corporatist, elitist and sectarian-based structures permeate and dominate the women's associational landscape.

The main sources of UN funding (UNFPA, UNIFEM, UNDP, UN Trust Fund) are channeled to the NCLW, CFUWI and LCW. In fact, the UNIFEM and UNDP (Lebanon) have been turned into exclusive funds for the LCW and the CFUWI (CFUWI 2007). As it will be argued in the next section, the NCLW, CFUWI and LCW do not fit the associations' developmental paradigm rather they are corporatist and elitist structures that fail to address and meet ordinary women's needs. By channeling important amounts of money to these associations, international aid agencies strengthen corporatist rather than grassroots associations, contribute to marginalize women's interests and needs and impede comprehensive reforms.

This financial support has also been paralleled by overt calls from the funding community to strengthen the capacities of corporatist structures like the NCLW. This is best epitomized by the amounts of funds and support that the IDC channels to the NCLW.[73] Moreover, the UNDP made it a point in its country strategy that the NCLW's oversight needs to be strengthened through the support of UN agencies namely the UNFPA, UNIFEM and the UNDP (UNDP 2006).

Aid agencies also supported the same organizations that have the highest stake in keeping women in a subordinate position, namely the sectarian organizations. Much as USAID channeled substantial support to Faith Based organizations, the World Bank's US$ 1,200,000 grant to empower women was awarded to the Hariri foundation for the execution of a project entitled "Towards the Empowerment of Women in the Media."[74]

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[73] Interview with Elena Zambelli, Beirut, April 1 2010.
[74] Interview with Bassam al Quntar, Journalist in *al-Akhbar*, Beirut, 22 January 2010.

Besides the dissemination of a report that sheds light on women's role in the media, a legal review on the status of Lebanese women in Lebanese legislation and a media campaign, the grant did little to really empower women. By addressing the issue of women's visibility in the media, the project raises important questions about women from a certain class while forgetting the harsh conditions that ordinary women continue to face in domestic and public life. Moreover, the biased WB funding policy raised the ire of grass-root ones who have repeatedly expressed their frustration with the fact that sectarian-based institutions compete with grassroots "Is it not a pity that Hariri Foundation, which is also a funder, to receive a WB grant?"[75]

Hence, funding agencies' focus on achieving whatever can be achieved in the sectarian context of Lebanon, mainly by mitigating women's social distress or increasing their political participation without making them more powerful. Funders avoid supporting the renegotiation of the post-war gendered order towards more inclusive forms of citizenship for women. Hence, technical quick-fix solutions are provided for complex political problems. Moreover, projects are sometimes short-lived complying with international aid agencies standards rather than being a response to local needs. Through their funding strategy as well as their belief in the sectarian system, aid agencies strengthened the ideological legitimacy of the sectarian system. Their continued support for top-down forms of organizing, corporatist, elitist and sectarian organizations impedes rather than enacts reforms. It is against this background that the next section examines the Lebanese women's movement.

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[75] Interview with Joumana Merhi, Beirut, 20 January 2010.

4.3 Post-War Women's Advocacy

The women's movement in Lebanon is one of the oldest social movements in the country (Al Khatib 1984; Charafeddine 2004; Thompson 2000). In this regard, an examination of the women's associational sector requires a detour shedding light on particular junctures that influenced and shaped the structure of the current movement.

Lebanese women actively took part in independence movements through various means that expanded their participation in civil society. In addition to their support for independence movements, women also organized to bring about reforms that improved their status whether with respect to equal political rights or extended work and education for their uneducated counterparts (Thompson 2000). At the time, women were used for their numbers and their symbolic value by male nationalists (Ibid). The latter opened up new possibilities for women's public participation that only served to advance their interests. However, the sectarian ruling cartel, as argued in Chapter 3, promoted gendered discrimination on all levels as a mean to assert their sectarian hegemony and extend their rule.

It is against this background that the LCW was created. In fact, the post-independence ruling elite promoted their project for women's emancipation by paving the way for the creation of this women's council. Though the LCW claimed to advance women's rights, its function did not go beyond providing some social services for women (Charafeddine 2004). Hence, the council "emerged as a corporatist umbrella structure sponsored by the state which limited women's rights agenda to one enabling women to participate in the social and economic spheres and increase their political participation" (Pratt 2006: 82).

LCW elitism led independent and leftist women to create the League for Lebanese Women's Rights.[76] Emerging from the communist party, the league was influenced by Marxist thought, and therefore prioritized class struggle at the expense of a gender-based agenda (Pratt 2006; Charafeddine 2004). The schism within the communist party led to the creation of another leftist women's organization: The Lebanese Women Democratic Gathering (LWDG) (Charafeddine 2004). Despite this schism, the two grass-roots leftist organizations assiduously worked together during the war years, stressing the need to work with and for other oppressed groups. Their agenda was focused on relief work whenever the fighting intensified without ever relinquishing their main objectives: the adoption of a civil marriage bill, the de-confessionalization of Lebanese politics, and strengthening the provision of public service especially in catering to the social services of all citizens disregarding confessional backgrounds.[77] Despite the fact that these associations advanced reformist agendas and challenged the sectarian status quo, their institutional makeup failed to attract young leaders in the post-war period. In particular, they were increasingly controlled by a group of women who were involved in every aspect of the associational work but refused to delegate power to the newer generation.

In this regard, the Beijing[78] summit provided an opportunity for women who did not find their place in any of the aforementioned structures to organize around particular issues and advance their agendas. Influenced by the importance of the discourse on rights and citizenship, these associations were specialized in particular fields of gendered

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[76] The Lebanese League for women's rights was founded in 1947 but was legally recognized on the 5th of March 1970.

[77] The researcher took part in classifying the LWDG archives (1976-1990)

[78] The Beijing (1995) summit is the fourth summit For more information concerning the 1995 Beijing summit for women. For more information see the website at : <http://www.un.org/womenwatch/daw/beijing/fwcwn.html>

discrimination such as domestic violence, economic empowerment and nationality, and have increasingly benefited from the support of international organizations, international non-governmental organizations and women's funds for their projects. This is particularly the case for KAFA and CRTD-A. KAFA is a non-profit, non-political, non-confessional, civil society organization that "seeks to mitigate the causes and effects of violence and exploitation of women and children … while focusing primarily on the trafficking of women and children, child sexual abuse, and gender based violence"(KAFA 2009 a: 1). On the other hand, CRTD-A's mission "is to contribute to social justice and gender equality in the Machreq/Maghreb region…Active in Lebanon and in several other countries of the region, CRTD-A's work focuses on issues related to gender and economic justice, gender and citizenship, women's leadership for change and Knowledge for Social Development" (CRTD-A 2009: 1).

Interestingly CRTD-A and KAFA refused to join the LCW or to be labeled as women's associations despite the fact that they have emerged as the main actors leading post-war women's advocacy and include in their official documents and statements clear commitments to achieve gender equality (CRTD-A 2008 a; KAFA 2006). This is partly due to the public stigma that women's organizations are elitist, ineffectual and void of real content.[79]

Hence, CRTD-A and KAFA project themselves as NGOs addressing social development issues with a gender focus at the local and regional level (CRTD-A 2006 a:

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[79] Interview with Bassam Al Quntar, Beirut, 22 January 2010. Interview with Ghida Anani, KAFA program Coordinator, Beirut, 18 January 2010.

5).[80] It is against this brief historical background that the following section discusses the constituent elements of the women's advocacy community in post-war Lebanon.

4.3.1 Ideology and Class: Associational Structures, Agendas and Social Capital

As argued in the first chapter, women's rights in Lebanon challenge pillars of political power namely sectarianism and clientelism. In this regard, research focused on women's rights-based NGOs should take into consideration whether these associations challenge the hegemonic system and pave the way for an alternative society, or whether they are consistent with the parameters of the clientelistic and confessional political order which feeds up on gender discrimination. In particular the discussion sheds light on the LCW, CFUWI, NCLW, LLWR, LWDG, KAFA and CRTD-A. Class and ideological backgrounds are investigated to assess their impact on associational institutional makeup, strategies, issues raised and values promoted. By doing so, we may judge whether these associations provide an alternative to mainstream sectarian and clientelistic politics, whether they work with the poor and the underserved, and whether they are able to provide an alternative method to empower ordinary women and respond to their greatest needs.

Corporatist, Sectarian and Elitist Structures

The LCW is the oldest and the largest women's association in Lebanon. Starting in 1952, LCW's founders participated in Lebanon's nationalistic struggle and its quest to gain independence from the French authorities and contributed during the war years to bring back normalcy to Lebanon. The LCW is projected as one of the confessionaly

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[80] Ibid.

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diverse associations that survived the war years and continued its activity in the post-war era. However, this picture is challenged by empirical facts on the ground. The long history of this association has not translated into efficient legislative amendments that lead to women's empowerment.[81] As it will be argued, the institutional makeup of the LCW hinders its ability to act as a counter-hegemonic society that challenges the pillars of political power, namely confessionalism and clientelism. In fact, associations within the LCW expressed their desire and will to belong to post-independence Lebanon which gained independence in 1943 rather than push for women's rights and consequently challenge the post-independence sectarian and patriarchal hegemony (Charafeddine 2004). Hence, the LCW has played a crucial role in the normalization of the post-independence sectarian system through its support of the aims of this post-independence hegemonic order (Pratt 2006).

That the LCW is part of the establishment is clearly mirrored in its associational structure and bylaws. On the one hand, the LCW is an umbrella organization that brings together more than 170 NGOs that are spread geographically over Lebanon's six governates. However, there is a regional discrepancy in the associational distribution with the majority (47%) being located and operating in the capital. The North (28%) receives the second largest portion followed by Mount Lebanon (14%). The Bekaa (7%), South Lebanon (3%) and Nabatieh (1%) are clearly underrepresented in the council's general assembly (Charani 1996).

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[81] For instance, the LCW has never addressed the issue of personal status laws. The main argument presented by LCW associational leaders was that such agendas risk dividing the umbrella organization irreparably. In this regard, the LCW has worked since 1953 to introduce amendments that would increase women's political participation and mitigate some of the social distress. For a list of LCW achievements, see the LCW Manuscript (2009) .

The General Assembly, the decision-making body which is also responsible for the election of a new administrative committee, is almost totally colonized by confessional and sectarian associations. Hence, the same council which sets for itself the goal to empower women brings together the largest number of associations that have the highest stakes in alienating women. Most of these associations are headed by a religious or a sectarian leader, are oriented towards service provision for their narrow confessional communities operating under a system of religious patriarchy.[82]To name but a few: Al Makassed Association, the Druze Charity Association, Islamic Charity Association, Friends of Dar al-Ajaza al Islamiya, the Islamic Martyr Charity Association, Zahrat al Ihsan,[83] Al Zahra'a Charity Association, Amal Handicapped Association, Relief Maronite Association for the Poor and Women, the Greek Orthodox Association, the Cross Association to support Armenians, Al Sader Association, Al Hariri Alumni Foundation and many more are all represented in the LCW general assembly.[84] The other category is a set of associations that are not labeled as confessional-based organizations yet they clearly operate in certain geographical areas and consequently serve narrow confessional communities. In post-war Lebanon, territorial segregation is maintained through a confessional stratification which affected the outreach of these associations.[85] Though not

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[82] I have discussed in the third chapter, these faith-based organizations (FBOs). The classification of Faith Based Organizations is based on CRTD-A's (2007) Mapping of FBOs in Lebanon. In this regard, I have skimmed through the NGO list affiliated to the LCW and cross-checked with CRTD-A's criteria and lists.
[83] This association is for instance directly linked to the Greek Orthodox Archbishopric.
[84] The name of these associations is revealed in the LCW (2004) Manuscript "Al Jamiyat al Moundawiya Tahta al Majles al Nisai" (The LCW Associations).
[85] To name but a few of these associations: the Women's Charity Association for Zouk al Blat Area, the Nahda Association for Tarik al Jdideh, Charity Association for Ras Beirut, the Women's Charity Association for Zeidanieh and Saneyh area, etc.

necessarily led by a religious or a confessional leader, these organizations cater to the needs of specific confessional communities.[86]

These associations stand in stark opposition to associations that are spread throughout Lebanon, transcending confessional identities and addressing women's social, political and economic needs. This is the case of the LWDG, LLWR, KAFA and CRTD-A that will be discussed in the next sections.[87] In fact, these few organizations working with and for women are barely represented in the LCW (Charani 1996). For KAFA and CRTD-A, it was a decision taken by the associational leaders themselves not to become part of the LCW due to its corporatist and elitist structure. On the other hand, the LLWR and LWDG, who joined the council before the war years and were active members between the early 1990s and 2000, have decided to step aside due to LCW's institutional inefficiency and inability to meet basic women's needs. [88]

It is also interesting to note that when the LCW board members were invited to describe the organizational structure of the council, grassroots advocacy women's rights organizations that have set for themselves the objective to challenge the sectarian status quo are not only the fewest in numbers[89] but also the last to be mentioned. This attests to the fact that the council does not set for itself the priority to amend the gendered laws or call into question the power of the sectarian leaders.

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[86] Interview with Marie Debs, Beirut, 24 February 2010.
[87] Interview with Marie el Debs, Beirut, 24 February 2010.
[88] Interview with Joumana Merhi, January 20 2010, Beirut, Lebanon. Interview with Marie Debs, February 24 2010, Beirut, Lebanon.
[89] Among all LWC's associations there are only four women's associations that have included gender-specific objectives, According to Charani (1996) these associations are : LLWR, LWDG, CFUWI, and LECRVAW .

Moreover, "most of the sectarian political parties have entered the LCW under the pretext of their women's committees."[90]Amal, Hezbollah, Phalangists, PSP, SSNP women's committees are active members in the LCW and have gained decision-making powers and some of them are represented in the LCW's administrative committee.

Hence, the LCW's institutional structure which is infiltrated by sectarian and confessional-based organizations impedes the council from acting as a bargaining power vis-à-vis the state (Salloukh 2008) to defend the interests of women and to bring about positive change for them.

On the other hand, the sectarian bylaws of the LCW also prohibit the council from acting as a counter-hegemonic society. As is the case for laws governing political representation, the electoral law in the LCW is underpinned by a quasi-sectarian system. Every four years, the presidency goes alternatively between Christians and Muslims (Osseiran 2006: 18). In this regard, confessional identity rather than merit is the main factor that determines electoral outcomes. Sometimes, the electoral process is subject to intrusion by sectarian leaders. Some argue that when Iqbal Doughan presented her candidacy in 2000, Bahia al Hariri, who had doubts concerning Doughan's political stances, worked hard to support Doughan's competitor Najwa Chaar, an issue that Doughan denies now that she is the staunchest defender and supporter of Hariri's Future Movement.[91]

The LCW structure increasingly led to the muting of the very few leftist, grassroots and progressive voices such as the LLWR and LWDG. The LCW presidency

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[90] Interview with the head of the legal committee at the LCW, former president of LCW (2000-2004) and president of the working women's League, March 30th 2010, Beirut, Lebanon.
[91] Informal discussion with one of Doughan's relatives, Beirut, 26 February 2010.

became totally controlled by right-wing elitist women of Hariri's Future movement[92] or the Phalangists and consequently the 14 March[93] alliance. As many argue, the aforementioned regional discrepancy debarred the 8 March alliance from making it to the presidency. [94]

However, the LCW tried to compensate for this by creating an administrative committee gathering 19 women from different confessional and political backgrounds. The current administrative committee includes representatives close to Hariri's Future Movement, as well as representatives from Jumblat's PSP and Hezbollah.[95] Despite the political tensions that might ensue from this political diversity, these women made it a point that in cases of discord the administrative committee "democratically" decides based on a majority.

These women adopt a non-confrontational stance vis-à-vis the political and confessional leadership. Hence, they have avoided raising the thorny issues whether through the administrative committee or their own associations. [96]

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[92] Same informant who has taken part in some of the LCW activities points out that Doughan (2000-2004) and Charani (2008-2012) are pro-Hariri. On the other hand, Faiqa Turkiye (2004-2008) is labeled as a phalangist and in the words of my informant a "hater of Palestinians".

[93] The March 14 Alliance named after the Cedar Revolution, is a coalition of political parties and independents in Lebanon.The coaltion is led by MP Saad Hariri, younger son of Rafik Hariri, the former prime minister of Lebanon. The coalition also included the Phalangists, the Progressive Socialist Party and Lebanese Forces. Free Patriotic Movement left the Alliance before the 2005 parliamentary elections due to major disagreements and became part of March 8 Alliance in 2006. The March 8 alliance was born as a response to the March 14 coalition. It brings together : Hezbollah, Amal, Syrian Nationalist Party, Al Marada. In 2006, the Free Patriotic Movement signed a memorandum of understanding with Hezbollah and later on joined the March 8 alliance.

[94] Interview with Marie el Debs, Beirut, 24 February 2010.

[95] Aman Charani the current president is labeled as being pro-Hariri, also Iqbal Doughan heading the legal committee of the LCW is known for being an active member in Hariri's future movement. The head of the PSP's women's committee is also part of the administrative committee and the head of women's committee in Hezbollah heads the information committee. For the rest there are no clear indications concerning their political identity.

[96] Interview with Bassam Al Quntar, journalist in *al-Akhbar* newspaper, Beirut, 22 January 2010.

This is clearly reflected in their project design, discourse towards the sectarian leaders and heads of confessions[97], and articulation and perception of women's rights in Lebanon. For instance, one of the administrative committee members insisted that the LCW's success is mainly due to the fact that "women's rights are apolitical!"[98] Others pointed out that the most important challenge facing Lebanese women today is their underrepresentation in decision making positions, which is the main struggle for the LCW. [99] At the same time, the main issues of gendered discrimination are totally absent in the LCW's discourse. Whenever the issue of the personal status laws is raised, the LCW administrative committee members argue that the LCW can not support this agenda as it risks dividing the council irreparably.[100] Moreover, when public debate concerning the nationality law or domestic violence reached unprecedented heights, the LCW's voice was totally muted.[101] Thus, these women avoid antagonizing the sectarian leaders to preserve the hope of reaching decision making positions. Consequently, these women reinforce clientelism and sectarianism.

Hence, the LCW is not a place where alternative forms of political mobilization take place rather the council is turned to a bourgeois women meeting place. The latter come together to organize a fundraising dinner and praise their social and professional achievements for sheer personal and political interests.[102] In this regard, the council is

[97] For more analysis see Chapter 5.
[98] Group interview conducted by Dr Janine Clark with the LCW administrative committee, Beirut, May 26 2010.
[99] Ibid.
[100] Interview with Iqbal Doughan, former president of the LCW (2000-2004) and head of the legal committee in the LCW and president of the Working Women League, Beirut, 30 March 2010.
[101] The researcher collected newspaper clippings from *al-Akhbar, al-Safir, al-Nahar, al-Mustaqbal*, concerning the nationality, domestic violence and quota campaign. In none of the articles there is one mention of a statement made by the LCW concerning the hotly debated topics.
[102] Interview with Ghida Anani, Beirut, 18 January 2010. Interview with Rola al Masri, Beirut, 18 January 2010.

more of a showcase for many of these women who try to promote their "social work" for their underserved fellow women, and win their support on elections' day. Almost all LCW presidents[103] run for parliamentary elections. The current president, Aman Charani, ran for the elections in 2005 as a "representative of women's organizations, unions and syndicates and the civil society at large". Charani's decision was influenced by "the 14th of March movement that called for equal opportunities" (CFUWI 2005: 3). In this regard, these elitist women transformed the LCW into a rubber stamp body and ensured its compliance with their personal interests and those of their patrons, the heads of confessions and the sectarian ruling cartel.

On the other hand, reformist associational leaders decided to step aside in the wake of Hariri's assassination. According to Marie Debs, every aspect of the Lebanese political life was politicized including associational life. This discouraged reformists such as Linda Matar to run for LCW elections. According to Marie Debs: "this confessional schism makes it impossible for you to work and achieve something."[104] Moreover, Joumana Merhi, from the LWDG, explains that her association decided to withdraw its membership from the LCW administrative committee due to the fact that the council is unable to lead the change for Lebanese women.[105]

The LCW case suggests that in the context of confessional and clientelistic politics, associations do not necessarily act as schools of civic virtue but rather attitudes and behaviors promoted by associational leaders will differ leading either to the

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[103] It is worth noting that even the communist Linda Matar tried to run for the parliamentary elections in 1996. Whereas, informants who are very close to Iqbal Doughan stated that Doughan was hoping to run for the parliamentary elections in 2005 and 2009 with Hariri in Beirut however the latter did not nominate her. At the same time she was willing to run the municipal elections on Hariri's list only if she is nominated as president of the Municipal council. Of course all her dreams were not materialized. On the other hand, Charani ran the 2005 parliamentary elections under the banner of March 14.

[104] Interview with Marie Debs, Beirut, 24 February 2010.

[105] Interview with Joumana Merhi, Beirut, 20 January 2010.

strengthening of the clientelistic and sectarian status quo or intensifying feelings of marginalization from the political regime.

The National Commission for Lebanese Women (NCLW) is another corporatist structure that warrants special attention. The Commission was established in compliance with the 1995 Beijing Conference resolution. However, it included in its membership a large body of women affiliated to the civil society sector (many of whom were active in the LCW). While setting for itself the objective of monitoring the implementation of CEDAW, the committee enjoys leeway in influencing public policy making and legislative amendments. In the NCLW a "troika" system was established whereby the first lady acts as the president of the commission, the wife of the speaker of the parliament and the wife of the prime minister act as vice-presidents. The appearance of the wives of presidents in this body cannot be translated as willingness to reform but rather an elite strategy to colonize the commission and obviate prospects for effective civic engagement that will call into question the power of the sectarian leaders.

One associational leader in CRTD-A stated that this committee basically does nothing besides "presenting flowery reports to the UN on the developments achieved since Beijing."[106] Since its creation in 1996, the NCLW engaged in a project to train and place "gender focal points in every ministry. The latter have the right to inquire on specific issues related to women's rights in the relevant ministries and to interact with the employees pointing to weaknesses and strengths with respect to gender issues."[107] However, many argue that this project is a necessary but not sufficient condition for gender mainstreaming. For instance, the UNDP suggests that work should become more

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[106] Interview with Rola al Masri, Beirut, 18 January 2010.
[107] Interview with Joumana Moufareg, NCLW executive director, Beirut, 31 March 2010.

focused on training "heads of institutions, including ministers, general directors and heads of departments on the role that gender focal points play in promoting gender equality and development" (UNDP 2006: 53).

This semi-official body also fails to fulfill its main objective, namely the "integration of the decisions that have been adopted by the CEDAW"[108] into state policies. Besides, a recent campaign for the adoption of a quota in the municipal elections and supporting women candidates as well as increasing women's representation in the council of ministers[109], this committee is almost totally absent from the advocacy scene.[110]

When asked about the activities that they undertake to fulfill their overstated objective, NCLW's executive director, Joumana Moufareg, makes the point that it has recently engaged in supporting KAFA's domestic violence campaign. Even in this case, it remains of question whether support for the Domestic Violence law reflects an increased gender-sensitivity or pressure from the international funding community.[111]

As for the nationality issue, the NCLW claims to work according to the CEDAW

> which stipulates that women should be awarded the right to pass on their nationality to their children. This is the background of our work. Lebanon voiced its reservations concerning the article which reads that Lebanese women should be awarded the right to pass on their nationality to their children and therefore there is no mention of husbands. It is against this background that we are working. We are saying that the law that applies to women should be the same one that applies to men... If there are particular concerns related to state policies then they should apply to both men and women. [112]

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[108] For more information concerning the convention for the elimination of all forms of discrimination against women please check the following link on the UN website :
< http://www.un.org/womenwatch/daw/cedaw>
[109] For instance, The NCLW executive director praises the NCLW's encouragement for women to become decision-makers not only in the parliament but also in public service and she claims that the NCLW's efforts to promote women's participation in public decision making positions successfully led to the appointments of the minister of finance and the minister of state.
[110] Informal interview with CRTD-A field manager, March 3rd 2010, Beirut, Lebanon.
[111] In this case, it is the Italian cooperation office who is the major funder for both KAFA and NCLW.
[112] Interview with Joumana Moufareg, Beirut, 31 March 2010.

As the aforementioned quote illustrates, NCLW leaders try to present their agenda as being in harmony with international conventions. However, this committee, which is appropriated by a sectarian troika, does not raise the nationality issue premised by the principle of full equality rather seeks to preserve the narrow interests of the sectarian ruling cartel. This has deep repercussions on families of mixed marriages as husbands are perpetually facing the threat of being expelled from the country. At the same time, the NCLW repeated claims for their support for the civil code option remains in rhetoric. This is best epitomized by Moufareg who stated that the "the NCLW supports civil marriage but it has not yet proposed a new family law."[113] Consequently, the appropriation of the NCLW by the sectarian ruling cartel prevents the emergence of autonomous institutions and helps the sectarian elites to insulate themselves from any meaningful public accountability.[114]

It is clear from the discussion that these corporatist and elitist structures are dominated by a small clique of women with strong family and ideological ties to the sectarian leadership and heads of confessions. Hence, these associations do not fit the counter-hegemonic Gramscian paradigm of civil society and have to a great extent mirrored the sectarian male-dominated political arena. Moreover, these structures act as rubber stamp bodies rather than accomplishing their stated objective namely empowering

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[113] Ibid.

[114] A shadow NGO for the NCLW, the CFUWI, saw the light during the preparation for the Beijing Conference. Since its creation, the CFUWI is headed by LCW's president, Aman Charani. The CFUWI set for itself the objective to oversee the preparation of Lebanon's participation in the 1996 Beijing conference and the monitoring of the implementation of CEDAW. In the early CFUWI reports (2005) there is a clear indication that the NGO worked in harmony with NCLW before a schism between the two associations occurred. Hence the NCLW and CFUWI monopolized "the preparation of Lebanon's participation in Beijing, the preparation of the National report for the Beijing summit and drawing on a National strategy for Lebanese women" (CFUWI 2005: 4). The elite monopolization of the two committees eclipsed the voices of ordinary women and avoided to address issues such as domestic violence and personal status that called into question the power of the sectarian leaders (Bray Collins 2003).

women. While trying to project to the international community their adoption of a rights-based discourse, these elitist women played an influential role in pushing ahead safe agendas, silencing grassroots women's organizations and dividing the women's movement.

As it will be argued in the next sections and chapter, these women strengthened the hegemony of the sectarian leaders through their belief and support in the sectarian system. Instead of seeking political representation through a non-confessional electoral law, the aforementioned women lobbied for their inclusion into a sectarian system that feeds up on gendered discrimination. Driven by their sheer personal interests, these women made sure that whenever gender issues are raised, they do not antagonize or challenge their patrons namely heads of confessions and the sectarian ruling cartel.[115]

Grassroots NGOs: Ageism, Personalism and Professionalism

Grassroots women's organizations are divided among those that are voluntary-based and the modern professional associations with a small paid staff operating the daily routine of the association. Even in these grassroots associations, elements of authoritarian forms of power exist.

The LLWR and LWDG fall under the first category, both established before the Lebanese civil war by leftist women. These associations are membership organizations with a general assembly and an administrative committee. Membership in these associations transcends confessional identities; however the general assemblies act as safety valves for the main leaders (usually the president and the vice president) who

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[115] Despite the fact that CFUWI supported by the LCW launched a parallel nationality campaign, both associations are keen to keep their mouth shut whenever public debate heated up (See Chapter 5).

sometimes hold their position in power for a lifetime. In fact, these associational leaders who devoted their lifetime for these issues have become involved in every aspect of their associations' work. Linda Matar has been controlling the LLWR for more than thirty years; the late Waddad Chakhtoura headed the LWDG from the late 1980s until her death in 2009.

An important discernible pattern in both organizations is the almost total absence of young women leaders.[116] Young women are frustrated by the ageism that dominates the aforementioned women's associations. They argue that the inclusion of young women has not been seen as a priority for the majority of these leaders despite the many benefits that this strategy brings to a marginalized group like women.[117] "If feminist organizing is to be consistent with its principles of democracy, transformation and inclusion, then the inclusion of young women leaders should become a priority"(AWID 2005: 1). In the particular case of Lebanon this becomes even more important knowing that women face strong right-wing confessional forces that obstruct the advancement of women's rights.

Professional women's organizations are quite different in their structures. However, personalistic styles of leadership also permeate these associations leading to rough battles over who heads the association and sometimes to deep schisms and the creation of parallel associations working in the same field of intervention. This is the particular case of LCRVAW where internal struggles forced a former president, Zoya Rouhana, to leave the association and establish KAFA. Ghida Anani, KAFA program coordinator, argues that the manipulation of the electoral process by some associational leaders marginalized Rouhana and brought Laura Spheir :

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[116] Interview with Ghida Anani, KAFA General Coordinator,Beirut, 18 January 2010.
[117] Ibid. Interview with Rola al Masri ,Beirut,,March 10 2010.

The LCRVAW, had two branches, they used one of the two branches, the one in Tripoli to recruit people and all of a sudden you had people from Tripoli filling the General Assembly, it was a clear tactic that she wanted to marginalize Zoya.[118]

Instead of serving to consolidate institutional democracy, the elections are manipulated by associational leaders to consolidate their power and reproduce authoritarian forms of internal governance. This has encouraged KAFA to register itself as a CSO headed by a permanent executive director, Zoya Rouhana. By doing so, KAFA leaders avoided replicating the NGO model whereby rough battles emerge every now and then with the election of a new administrative committee. Although, this system consolidates authoritarian elements of power whereby one person will be leading the association for a lifetime, KAFA leaders argue that this strengthens institutional efficiency as they have all agreed "to continue with their work for their mission disregarding who is the president."[119]

Hence, in the newly formed professional NGOs, the real power lies in the hands of the executive director. This is particularly the case of KAFA and CRTD-A. They are both headed by two professional women who fit Hanafi's globalized elites paradigm. These women "are informed by global agendas and are closely aligned with internationally endorsed development paradigms. They move within the space occupied by INGOs, and International women funds, attending global conferences and forming their own relations with international organizations" (Hanafi and Tabari 2004: 27).

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[118] Ibid.
[119] Ibid.

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Moreover and in both associations, young professional men[120] and women are hired as full time staff to follow up the daily routine. These young professionals have found in these associations a place where they can pursue their struggles for equal rights but at the same time they can earn their living. In this regard, the NGO system mitigated a destabilizing economic-political situation for vulnerable sections of the working classes by providing new opportunities for the young generation, especially young women (Hatem 2005). These working women are usually professionals who received the appropriate training whether in their associations or elsewhere to carry the advocacy work by getting in contact with grassroots women, responding to their needs, building their capacities and mobilizing them for their cause, working extensively with the media, bringing the issue to public debate and monitoring the legal amendments with respect to their field of intervention. Although, this NGO system contributes to the mitigation of social distress felt by many women, it "also reinforced the historical pattern in which middle-class women maintained their power over working-class women, whom they were supposed to serve" (Ibid: 7).

4.3.2   Empowering Women: Agendas, Beneficiaries and Donor Monies

As argued in the sections above, women's associations are almost totally dominated by middle class women. The question in theoretical terms would be whether these associations claiming to speak in the name of ordinary women are able to bridge the class gap and to link and aggregate poor women's needs and interests (Waylen 1994;

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[120] It is worth noting that in both CRTD-A and KAFA there are some men working for these associations. In CRTD-A there is a field manager, an administrative assistant and an IT specialist. In KAFA there is a male technical advisor and there used to be an accountant. The problem as Anani from KAFA explains is that whenever men work with women's organizations they are immediately labeled as homosexuals which discourages some who might think of working to draw back.

2007). Hence, the challenge of reconciling different interests faces women NGOs in Lebanon.

Top-down Forms of Organizing, Top-down Agendas

Corporatist and elitist women have yet to address issues that are of particular interest to disadvantaged women. Elitist women in the LCW adopt a non-confrontational approach vis-à-vis the political leadership which is clearly reflected in their articulated stances and agendas. These elitist women are totally disconnected from the lives of underserved poor women, only address issues that award them prestige or allow them to enter the political arena. Hence, grassroots work is inexistent and mechanisms that empower women are absent. When asked about the main issues that they address to respond to women's needs, the only issue that came to the fore was the organization of a "book fair" on International Women's Day and their campaign for the adoption of the quota system in the parliamentary and municipal elections.[121] Hence, these women campaigned for their inclusion into the sectarian system that feeds on gender discrimination.

Not only the quota demand is elitist and is far from being a concern for underserved women who continue to suffer from gendered laws and socio-economic distress, but the way LCW and CFUWI raised these issues did not challenge the sectarian status quo. The rather worked to preserve it to access power positions.[122] Two campaigns

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[121] Group interview conducted by Dr Janine Clark with LCW's administrative committee, Beirut, 26 May 2010.
[122] It is worth noting that all LCW presidents (except Faiqa Turkiye) run for parliamentary elections at some point.

clearly elucidate how these women strengthen the hegemony of the sectarian leaders through their belief and support in this sectarian system.

The first was when the LCW headed by Charani launched a campaign asking the parliamentarians to appoint women from the "civil society sector" to ministerial positions in the 2009 cabinet. This raised the ire of many critics who argued that Charani was "asking to be appointed as a minister based on a sectarian quota and not even a gendered quota. Every sect will get its own share of the sectarian pie."[123]

The other example was when women's organizations, corporatist (LCW) and grassroots women's organizations (LLWR and LWDG), launched a campaign to award 30% of the parliamentary seats for women based on proportional representation.[124] In the wake of the Doha agreement, the LCW replaced the aforementioned law without consulting with other groups by a new one which stipulates that women would be awarded 10% of the lists based on the 1960 confessional law. Hence women would be given 14 seats: 7 for Christians and 7 for Muslims and the distribution of the seats would be premised by narrow sectarian calculations which entailed studying the size of each electoral district to see whether or not they can ask for a women's quota. This eventually leads to an overrepresentation of women in some electoral districts and among certain confessional communities and an underrepresentation among others. As Marie Debs notes "what do 10% do for you in a place like Koura where you have three seats? Since you can not give 10% in this district then they will tell you why are you represented here and not there?"[125]

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[123] Interview with journalist in *al-Akhbar*, Beirut, 8 January 2010.
[124] The LCW quota project was funded by the UNDP. According to Joumana Merhi, the UNDP awarded 80.000 $ for the LCW quota program. Interview with author in Beirut, 21 May 2008..
[125] Interview with Marie Debs, Beirut, 24 February 2010.

Hence, the LLWR withdrew from the coalition and criticized the LCW waiver which did not only compromise the 30% quota awarded to women in all international agreements but most importantly it dropped the demand for proportional representation which "could not be compromised" for LLWR activists. This led one of the critics to argue that "civil society (LCW) is consolidating the legitimacy of the sectarian system."[126]

Moreover, women who make it to decision-making positions through a sectarian law have made it to the parliament through familial ties. This system contributes to women's marginalization rather than empowerment. According to Joumana Merhi, LWDG president, women who will be able to make it through this sectarian-based law

> are representatives of their confessions and are going to be elected by their confessions, in this regard they will never support any reforms that challenge the authority of those who brought them to power. This is why in the context of a confessional law; gender-based agendas will never reach the parliament.[127]

However that is not the only area where corporatist and elitist structures contributed to consolidate the status quo. In fact, whenever elitist structures raised issues that are of particular interest for ordinary women, these projects were not devised by local actors on a needs-based assessment rather they were parachuted by international aid agencies and executed by elitist organizations.

By channeling funds to these elitist associations to train some women, publish few reports, organize few sessions in the villages, without ever challenging the sectarian status quo, funding agencies have contributed to drawing these elitist associations ideologically closer to the establishment. Through piecemeal achievements that are being applauded and supported by international aid agencies, these elitist associations are

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[126] Dima al Charif, "Al Quota bi Kayed Tai'fi", *al-Akhbar*, 23 September 2008.
[127] Interview with Joumana Merhi, Beirut, 11 January 2010.

further encouraged to avoid challenging the parameters of the pre-existing sectarian political order.

The structure of the projects implemented by the CFUWI provides valuable and fresh insight to this argument. While reviewing the CFUWI annual reports, one can not trace a particular strategy or a set of objectives that the association seeks to achieve; rather, donor priorities shape the CFUWI project strategy. The main concern of CFUWI is to sustain its "business" by securing funds for donors' fashionable trends ranging from "the elimination of all forms of legal discrimination against women", to "awareness raising among women on HIV" to "women's political participation" to "awareness raising among young women leaders on political issues" to "making school curriculum and school teachers more gender sensitive" to "reforming the nationality law" to "fighting domestic violence" (CFUWI 2007 b). Among all NGOs examined, the CFUWI is the only one to receive conditioned funds from the Amideast/USAID (CFUWI 2007 b). However, the multitude of projects and aid assistance did not lead to women's empowerment.

The most blatant and recent example was when the UNDP channeled USD$ 270.000 to the CFUWI to launch a campaign for the amendment of the nationality law. The grant was confined to a publication of a report to disseminate findings on "The Status of Lebanese Women Married to non-Nationals",[128] organizing seminars and meetings in the regions to teach "local civil society actors" the "ABCs of networking to amend the nationality law" and launching a media campaign with billboards and TV

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[128] Ironically and despite the huge amount of money, the English report published on the UNDP website is full of English mistakes. The soft copy of the study is found on the UNDP website :
< http://www.undp.org.lb/>.

spots costing a fortune.[129] At the same time, in none of the demonstrations organized by the LLWR and CRTD-A, the CFUWI showed presence and in none of the cases the CFUWI engaged in the ongoing political debate concerning the nationality law. Even in the most intricate cases, when political leaders directly attacked them and described the campaign as a "foreign plot" aiming to tip the demographic balance in favor of the Muslim community, the CFUWI was keen to keep their mouth shut.[130] Hence and while trying to project to the public opinion their preoccupation with research and training, the CFUWI avoided to engage in the political debate which is part and parcel of their non-confrontational strategy towards sectarian leaders.[131]

Moreover, these organizations are totally disaggregated from grassroots work. In fact, whenever they reached out to ordinary women, it was usually defined for the period needed to finalize the project implementation. Once the research, seminars and training sessions were executed, the CFUWI did not follow up with the constituencies and never saw back their workshop participants. Nayla al Masri, describes how these short-lived projects affected follow up with the communities and training recipients. She argues that she lost her job as the program manager for the CFUWI-UNDP nationality campaign due to the fact that the project was designed to extend over two years only:

[129]Interview with Nayla Madi Masri, CFUWI nationality project coordinator, Beirut, 8 March 2010.

[130] This happened when FPM MP, Ni'mat Allah Abi Nasser launched his campaign against women's advocacy groups at a moment when the CFUWI- UNDP coalition launched their "Nationality" media campaign. During one of the conferences, FPM Ni'mat Allah Abi Nasser who criticized the amendment of the nationality law and CFUWI vice-president Fahmieh Charafeddine were the main panelists. To defend herself, Charafeddine does not hesitate to state that her association did not engage in the political debate when Abi Nasser made the most racist statements against Lebanese women. See the article on the LKDG website: http://lkdg.org/ar/node/3675.

[131] This is based on a review of newspaper articles related to the nationality campaign from 2005 to 2010. Information is retrieved from *al-Mustaqbal, al-Akhbar, al-Safir* and *al-Nahar*, *L'Orient le Jour* and *Daily Star*.

I was working as a UNDP staff and now they terminated the contract. There is not any possibility for a follow up with those who received the training.[132]

These workshops did little to bring community members together, in a forum that sustained the day-to-day interactions and provided space where citizens could learn from and work with one another. This is best captured in Nayla al Masri's statement in which she declares that those who received the trainings on advocacy work have not met again and did not take part in any activity to promote the reform of the law in their villages.[133] On the other, the only contact that the CFUWI had with women married to non-nationals was when they were trying to use them as "test cases" to retrieve data concerning the CFUWI research study on the "Status of Women Married to Non-Nationals".

In this regard, the temporality of the projects and this short contact with the constituencies begs the question whether these associations are working to empower women and build the capacities of ordinary women or adopt certain agendas because they channel good money[134] and award associational leaders' prestige at the local and international levels.

Grassroots Agendas: Limits of Social Justice and Gendered Equality

On the other hand, grassroots organizations such as CRTD-A, LWDG, KAFA and LLWR provided platforms for civic engagement. These associations are managed and operated by middle-class women who exhibit a deep-seated belief in empowering women. In fact, these organizations target a wide variety of individuals in the immediate proximity of the association and in different regions throughout the country. Hence, their

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[132] Interview with Nayla Madi Masri, CFUWI nationality project manager, Beirut, 8 March 2010.
[133] Ibid.
[134] Interview with journalist in *al-Akhbar*, Beirut, 8 January 2010.

targeting strategy transcends geographical, socio-economic and confessional boundaries. They also establish strong links with ordinary and underserved women. This is usually done either through their local centers that are spread in the most underserved regions and cater for the special needs of poor women or through the MOSA social development centers. In particular, KAFA, LWDG and CRTD-A have cooperated with the MOSA providing training sessions for social worker and equipped MOSA centers.[135] For KAFA, this strategy helped them to reach out to the largest number of women by building the capacities of the MOSA centers thus creating sister teams that replicated KAFA's methodology. At the same time, it spares KAFA administrative hurdles that might ensue from establishing and directly running different centers throughout the country.[136]

These associations work towards social justice and gender equality which entails creating and sustaining spaces for direct field level action and grassroots interventions with women, action-oriented feminist research, debate, analysis, exchange and collaboration on issues of gender and development. Almost all of these organizations sought to achieve the over-stated objectives by designing and implementing training and capacity building programs, conducting research-based projects, building individual and organizational capacity, advocating for gender specific issues as well as working directly with the community level in project interventions that respond to the challenges of achieving gender equality. Hence, these associations seek to bring about positive change and transformation in gender relations within the household, the community as well as within the institutions of the state.

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[135] Interview with Ghida Anani, Beirut, 17 February 2010. Interview with Joumana Merhi, ,Beirut, 20 January 2010.
[136] Interview with Ghida Anani, Beirut, 18 January 2010.

In this regard, the work is also informed by action-oriented research on a range of critical issues related to women's rights to work on the ground helping women's groups increase their opportunities and their participation in decisions that affect their lives. CRTD-A is a pioneer in the research field investigating hotly debated yet unaddressed issues such as women's access to social entitlements (health, education and social safety) and the role of FBOs in shaping social policies in Lebanon and its impact on gender and citizenship. KAFA investigated an issue that continues to be deemed taboo, honor crimes in Lebanon. LWDG conducted research on women's work and another one on domestic violence, whereas LLWR studied the problems of inter-confessional marriages, youth marriages, and assessed the illiteracy rate in the southern suburbs of Beirut.[137]

All of these associations translate their commitment towards gender equality by focusing on lobbying and advocacy for the reform of the nationality law, domestic violence, adopting a civil marriage code (LLWR), reforming the penal codes and adopting a women's quota in local elections. However it is worth noting that grassroots voluntary-based organizations and professional ones differ in their advocacy strategy. Whereas professional NGOs have focused more on enacting change in a particular area of discrimination, the others have sought to renegotiate the gendered order as a package deal (LLWR 2009).

On another hand, the more professional organizations sought to get deeper into the particular cases of nationality law and domestic violence by creating special legal

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[137]In these cases, the research studies lead to social change. CRTD-A's FBO study encouraged some FBOs to disseminate their internal bylaws, This is the case of Christian FBOs such as the Greek Orthodox who finally published the internal bylaws in 2010. The LLWR conducted a study on illiteracy rates in the Southern Suburbs that culminated in the creation of a centre in this area to cater for the needs of illiterate women.

units[138] to get in touch with women affected by these laws. In these organizations the principle of service delivery also becomes tightly linked to the issue of empowerment. One good example is CRTD-A's legal unit which aims to raise awareness among women affected by the nationality law. In addition to the provision of concrete solutions to a number of women whose citizenship rights have been denied, the legal unit investigates administrative hurdles facing women as a result of the violation of citizenship, establishes direct contacts with relevant authorities to communicate on critical issues and identifies mechanisms for accessing rights and mobilizes more women and men to take active part in the campaign providing testimonials for the media and for encounters with politicians (CRTD-A 2008 a: 11). Hence, as Rola al Masri explains, "this legal service was more than just providing services; it was more of a raising awareness campaign among women on this issue: what does this law stipulate? What does it mean to marry a foreigner, etc?"[139] Moreover and through this contact with specific cases, CRTD-A seeks to build the capacities of women affected by the law and support them in their struggle and public participation in the media.[140]

On another level, KAFA sought to link the issue of advocacy with the psycho-social support that it provides for women victims of domestic violence. In this regard, KAFA headquarter operates a 24-hours hotline service and a listening and counseling center for victims of gender-based violence. The center "offers emergency case management, social, psychological and legal support services to the beneficiaries. In addition to the

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[138] There are more than 17,000 cases of women married to non-nationals (UNDP 2009). Through the legal unit at CRTD-A that has been established in 2007, the CRTD-A reaches out to more than 500 women and families.(Interview with Rola al Masri, January 18 2010, Beirut, Lebanon)

[139] Interview with Rola al Masri, CRTD-A nationality coordinator, January 18 2010, Beirut, Lebanon.

[140] Ibid.

one-on-one support, KAFA conducts group therapy sessions to the beneficiaries of the center."(KAFA 2009 b: 1)

Moreover, these organizations also sought to address basic needs of underserved and poor women. CRTD-A, LWDG and LLWR worked to support poor women and therefore created jobs or alternative skills for members that helped generate income and empower them on the economic level. Moreover, through these programs; they created associational communities by forging common interests (CRTD-A 2007 a).

CRTD-A's "Gender, Economy and Trade" program is concerned with the structural causes of women's poor participation in formal economies. In this regard, CRTD-A sought to generate money for redistributive purpose through marketing and selling produces by rural women cooperatives. In particular, CRTD-A is concerned with the invisibility, lack of recognition and poor value given to women's household and reproductive work. CRTD-A seeks to promote local cooperatives' produces through a shop in Beirut that facilitates access to sustainable local and regional markets; profiles and publicizes the work and products of the co-operatives; and mobilizes solidarity and support networks among women's organizations to ensure their sustainability and promotes fair trade practices for women producers (Ibid).

Through its six branches,[141] LWDG reaches out to women and raises awareness on women's rights, provides legal and psycho-social support to women victims of domestic violence, organizes sessions for adult literacy, and vocational training skills. However, skepticism looms large against LWDG activities due to the fact that they were labeled as communists who refused to submit to any sectarian political party. As Merhi

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[141] Beirut, Saida, Zouk Mosbeh, Tripoli, Baalbeck and Borj al Brajneh. The center in the south was destroyed during the 1982 Israeli Invasion. The lack of financial resources withstood its reconstruction.

notes, "in each region we have an enemy because we are a civil organization, all of them are against us."[142] This is best epitomized by the fact that the LWDG, which used to provide vocational trainings, was fought in some areas by confessional factions who sought to provide similar services for cheaper prices to women (Bray Collins 2003). In a similar vein, the LLWR established centers in North and South Lebanon to provide vocational training services for women and has recently created a school in the Southern Suburbs of Beirut to eradicate illiteracy.

Hence, these grassroots organizations fill the vacuum of an absent state and address the needs of the most underserved. These associations have become increasingly dependent on aid assistance except for the LLWR who took a clear position against the donor community. They accepted limited funds but the main work is operated on a voluntary-basis. According to LLWR associational leaders, the problem with the international aid is that it is spent everywhere with no efficiency:

> Every now and then you hear that there is a workshop here and seminar there. A lot of work being done through the EU or the USAID or UNDP; but I honestly prefer to establish real institutions with this huge amount of money. We are also not interested in taking the money that would tell you go do two-three workshops and then that is it. Get the high class women of the high society put them in a nice hotel.[143]

However, that is not the only reason that the LLWR does not accept core funding for its projects. According to these associational leaders, money impacts activism and forms of mobilization. Hence the concept of mobilization for particular issues should not be underpinned by material rewards but rather by a real belief in the cause

> This money thing changes the way you perceive things. For instance when we mobilized women they often told us that they are being paid the transportation

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[142] Interview with Joumana Merhi, Beirut, 11 January 2010.
[143] Interview with Marie Debs, Beirut, 24 February 2010.

fees to come to sit-ins. We told them you will come from Tripoli to Beirut and you will be paying because we do not have money! This is for you and not for us, we are happy to achieve equality. So you have to come and participate in the sit-ins and pay the money. Last time, they said that they do not have money; we suggested to organize regional sit-ins … We do not want to transform people into beggars and we do not want their money as well.

Others recognize that most of their work relies on funds from international aid agencies. The "fund hunt" is a common phenomenon among all grassroots women's organizations whereby these associations engage in a perpetual fundraising quest to diversify their financial resources, pursue their projects, and run their administrative work. International NGOs (Oxfam Quebec, Oxfam GB, IDRC), Women funds (Global Fund for Women, Mama Cash, Kvina till Kvina), and embassies (Italian, Canadian, British) are among the main sources of funding for these associations. Some associational leaders had the courage to overtly state that their work is entirely based on external funding.[144] Hence, the main impediment for these professionalized networks is the unpredictability of aid. This is mainly due to the fact that their advocacy work is led by paid staff rather than volunteers.

As Zoya Rouhana, KAFA executive director, notes:

We have a good funding status but if you reach a point where you can not pay the salaries of your employees who will do the follow up on a daily basis, communication, etc? Of course you will lag behind.[145]

Moreover, these associational leaders recognize that their activism, which revolves around issues such as citizenship, women in development and women's rights, discourses started to attract major funding. However they all claim to work with partners

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[144] Interview with Ghida Anani,Beirut, February 17 2010.
[145] Interview with Zoya Rouhana, KAFA executive director, Beirut, January 8 2010.

who did not directly interfere with their own agendas and priorities and did not impose strict conditions on them.

Interviewees from CRTD-A, KAFA, LWDG and the LLWR, expressed bitter feelings towards American funders come to the fore. KAFA recalls that at a time when the association was in a dire need for funds, associational leaders have turned down the US$ 60.000 grant because it imposed strict conditions with respect to beneficiaries.[146] On the other hand, CRTD-A's al Masri recalls that one of the funders refused to support the economic empowerment program proposal which mentioned the word resistance: "You can see how the funding agencies intervene in the most intricate details of the program."[147]

Others, like Matar from the LLWR and Merhi from LWDG, viewed accepting US funding as akin to compliance with the American agenda and regional strategy:

> You have the MEPI with a project for the new Middle East. What Middle East are they talking about? They are steeling all its resources and then they come to make fun of us by giving us a US$ 5000 grant? Last year, we received a call for proposal from MEPI and we did not apply. The Americans have destroyed this region and stolen its resources and they propose a US$ 5000 grant? You also have this condition that grant recipients should not work with terrorist organizations. Explain to me, who is the terrorist?[148]

Matar also recalls that Amideast's Barbara Batlouni proposed a US$ 20.000 grant to LLWR. At that time, Matar did not know that the grant was a fund made by USAID. When print materials were finalized, Amideast imposed on LLWR to put the USAID logo. This raised the ire of Matar who immediately asked for the termination of the

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[146] Interview with Ghida Anani, Beirut, 18 January 2010.
[147] Ibid.
[148] Interview with Joumana Merhi, Beirut, 20 January 2010.

contract and explained "the US was threatening to invade Iraq, an Arab country and Arab people and I take money from them, never."[149]

Associational leaders in KAFA and CRTD-A argue that they have accepted funds from different international foundations, NGOs, UN agencies and embassies yet their advocacy work is supported by small women organizations that help them pay the salaries for the campaigners.[150] Associational leaders refer to this type of funding as being "core funding" or institutional support rather than being short-lived and project-based. In fact, CRTD-A is keen to shield its work from big international aid agencies and embassies especially when it comes to the advocacy work. On the one hand, there are feelings among CRTD-A campaigners that whenever advocacy work is tied to big funders, it becomes immersed in the administrative work rather than real advocacy and lobbying. In this regard, the NGO becomes more of an executive agency for the funder.

> The funder wants to implement his agenda and therefore imposes on you to comply with certain deadlines, report regularly, organize activities, etc. This forces us to waist time and energy to fulfill his requirements.[151]

This strategy is also underpinned by the fact that local actors are antagonized by the big funders who tend to project themselves as the ones triggering democratic transitions in this country rather than local actors.[152]

> They come as mentors to teach you how to work in your country, experts and etc. Perfect let it be , I will learn more from you but it does not have to be that you are taking our hands to teach us how to implement real development in our country.[153]

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[149] Interview with Linda Matar , LLWR President, Beirut, 3 March 2010.

[150] It is worth noting that the Heinrich Boll Foundation : http://www.boell-meo.org/ , supports CRTD-A's My nationality campaign. I worked with this foundation for more than three years while at another NGO. The foundation works with the grant recipients as partners. Meaning that it does not intervene in project design, implementation and follow up rather seeks to cover through the small grants that it offers on a yearly basis (usually does not exceed the 60.0000 USD/ association/year) the proposed activities.

[151] Interview with Rola al Masri , Beirut, 10 March 2010.

[152] Informal interview with field Manager at CRTD-A, Beirut, 19 November 2009.

[153] Interview with Rola al Masri, Beirut, 18 January 2010.

It is clear from the above discussion that grassroots organizations whether professional or voluntary-based have tried to create avenues to assess, reach out and address the basic needs of underserved women. Despite these praiseworthy efforts, they have failed to come together and act as a counter-hegemonic force against the sectarian status-quo. Hence, single-issue based associations with a limited constituency and number of supporters can not lead the change alone.

On the one hand, these associations have tried to reach out to ordinary women yet they have not been successful in mobilizing women around interest-based agendas. In fact, these associations were not able to raise enough awareness among ordinary women on the inexorable relationship between sectarian politics and gendered discrimination. In this regard, women continue to be divided along sectarian lines.

Two indicators elucidate this argument. On the one hand, the low number of participants who took part in the nationality demonstrations [154](CRTD-A 2007 a) compared to the relatively large numbers of women who took part in sectarian-based demonstrations. On the other hand, whenever these women participate in the nationality sit-ins, they will be sheering for their political patrons: Berri, Jumblat, Hariri, etc.[155]

On another level, these associations were able to position themselves vis-à-vis the funding community. For those who rely on foreign funding there is a clear indication that not any type of foreign funding is acceptable and that funding supports the association in implementing its long-term objectives rather than the other way around. These

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[154] The CRTD-A report mentions that the demonstration was able to gather almost 60 women which is a relatively low number. At the same time the LLWR's sit-ins also gather in the hundreds between 300 and 400 women. These numbers continue to be deemed as low knowing that the number of women (without their families) affected by the law is close to 18.000(UNDP 2009). To get the real number, it should be multiplied by 2.5. On another level, I was able to take part in one of the demonstrations organized by CRTD-A on April 13 2010. The number of women who took part in this demonstration did not exceed 20.
[155] Interview with journalist in *al-Akhbar*, Beirut, 8 January 2010.

praiseworthy strategies stand in stark contradiction to elitist forms of organizing where some associations were formed due to the abundance of funding for gender-based agendas.

However, funding structured the relationship between the grassroots women organizations to the extent that cooperation among these associations becomes almost impossible. This consequently impedes the formation of a counter-hegemonic non-sectarian movement. In fact, international funding fomented competition between NGO directors especially between the professionalized sector and the old generation of women's organizations. The former have successfully adopted the international advocacy and marketing trend and are therefore capable of making their voices heard by using modern tools. However, for some critics, these advocacy networks eclipsed grassroots leftist and voluntary-based associations.[156] The latter relied more on direct contact and interaction with women and are driven by a political agenda which urged them to establish strong personal linkages with their constituencies. As one critic argues:

> Linda Matar does not know how to use modern tools despite the fact that none of them can beat her record in fighting for women's rights. Nobody knows better than Linda Matar what women in Lebanon need to reach gender equity. [157]

On the other hand, professional associations criticize leftist grassroots organizations for their inability to update their leadership and their proclivity to project themselves as pioneers leading the change. Hence, grassroots leftist associations and professionalized NGOs failed to agree on common grounds and objectives, an issue that will be briefly discussed in the following section.

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[156] Ibid.
[157] Ibid.

4.3.3 Social Capital: the Impossible Gramscian 'War of Position'

It is clear from the discussion above that advocacy organizations are deeply divided and highly competitive representing conflicting ideologies and visions of women's rights and forms of civic engagement. In this regard, prospects for successful cooperation among women's associations are almost non-existent. Corporatism, ageism and personalism hindered the ability of women to form a counter-hegemonic society standing up against existing patriarchal and sectarian structures.

On the one hand, grassroots leftist organizations entered into a collision course with corporatist structures whenever the issue of gendered quota was raised. The battle was mainly between those who seek to reform the electoral law and consequently the post-war hegemonic order (LLWR) and those who seek to preserve the status quo for sheer personal interests (LCW).

On the other hand, the obsession of elitist leaders presiding over corporatist structures to promote themselves gained precedence over the issues addressed. For instance, when KAFA decided to organize the campaign "Lebanese Women against the Civil War", which included all women NGOs, conflicts emerged when printing material for the campaign was being produced. As Anani from KAFA noted:

> Imagine that on the leaflet they did not want to put the name of the group "Lebanese Women against the Civil War". They said we should have first the LCW which is the umbrella organization, then the CFUWI and then KAFA. Worst KAFA should come under the LCW and we are not even a member association in the LCW. [158]

Similarly, CRTD-A's "My Nationality is a Right for me and my family" suffered from a deep schism mainly due to personalism and competition over funding. Albeit this case is

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[158] Interview with Ghida Anani, Beirut, 18 January 2010.

discussed in the next chapter, it is worth noting that donor's agenda and the patronization of the CFUWI by donor's money led to a duplication of work and deep schisms within the coalition. Moreover, the obsession of CFUWI to promote itself as the organization leading the reform of the nationality law divided the women's movement irreparably. In fact, CRTD-A's nationality campaign coordinator explains how this occurred when the Women's Network, headed by Chakhtoura, launched the penal code campaign and the network fell apart mainly due to schisms within the nationality campaign.[159]

At the same time, grassroots women's organizations, namely the voluntary-based and the professional NGOs, could not agree over a common framework. The LLWR considers itself the oldest advocacy grassroots organization who does not accept to relinquish its position as the first one championing the reform of the gendered order. This became clear when Linda Matar and Marie Debs argued that LCRVAW's and KAFA's initiatives were born out of the LLWR. In fact the league has been among the first to launch the Arab Women's Court in the 1990s in which women throughout the Arab world gathered to talk about forms of domestic violence that they have experienced at home. This initiative encouraged some activists to start their work on domestic violence by creating the LCRVAW (1997) and later on KAFA (2005). In this regard, the LLWR associational leaders argue that the initiative was born from the womb of the LLWR:

> We were the ones who started addressing the Domestic Violence issue and then some who worked with us left and are now managing their own associations. We are happy because they are doing a great job.[160]

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[159] Interview with Rola al Masri, Beirut, 22 January 2010.
[160] Interview with Marie Debs, Beirut, 24February 2010.

Hence, LLWR associational leaders argue that their association was always the one to launch and advocate for these issues yet it was always eclipsed by professional organizations and even became a secondary actor on the scene.[161]

In this regard, professional NGOs expressed their distress with the ageism and personalism of LLWR leaders "these women's associations advocate for women's rights but they are too old fashioned … they were not able to improve their work."[162] Whereas the latter argue that the NGOs professional structure impedes rather than leads to real reforms. Underpinning these statements are conflicting ideologies and visions of what civic engagement and advocacy work should look like. In fact, the associational leaders in the LLWR who rely extensively on voluntary-based work have clearly positioned themselves vis-à-vis the international lingo and the way it leads to the marginalization of political participation. As mentioned earlier, Marie Debs[163] argued that the funding community altered democratic forms of civic participation by making people busy with narrow issues rather than engaging in a comprehensive socio-political agenda that leads to the renegotiation of the gendered order. According to Debs, these advocacy networks project themselves as the ones speaking for ordinary women which foments de-mobilization and de-politicization:

> You can not fight for people's rights; no one can. This is our principle. It is not through our political connections that they will be able to reach somewhere and gain their rights; but rather through their constant confrontation with the political leadership that they will be able to do so.[164]

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[161] Interview with Linda Matar, Beirut, 3 March 2010.
[162] Interview with Ghida Anani, Beirut, 18 January 2010.
[163] Interview with Marie Debs, Beirut, 24 February 2010.
[164] Ibid.

Moreover, whenever cooperation between the like-minded professional sector (CRTD-A and KAFA) took place, it was almost ineffectual. The international lingo focused on "women's empowerment" and the channeling of important amounts of funds to civil society turned these associations into professionalized institutions that are overwhelmed with the execution of projects that promoted their visibility and that of their funders with little or no efforts channeled towards coalition building and networking. As one critic eloquently stated:

> If these associations are working for the public good then they should and must engage with each others. However, the level of cooperation is very low. The main reason is that they are preoccupied with their own projects. When you come and propose to network with them, they will tell you, we are too busy. This is how civil society is fragmented and if this is the case then how you can go about change?

This increased professionalism is reflected in the associational leaders' discourse. In fact when asked about the other activities or programs that their associations undertake to empower women, KAFA and CRTD-A leaders made it a point that they are too consumed with their work whether on domestic violence or the nationality law.[165] An associational leader from CRTD-A stated:

> At some point, even if you really believe in these issues and you feel that you want to provide support, the issue of how much time you can consecrate comes to the fore. So the first time you send a representative and the next time you send another one because the first one had probably left the association. That is not to forget about the fact that the work routine is so overwhelming.[166]

Others argued that their association is keen to preserve their professional image in front of the funders and other civil society actors because they do not want to be labeled as those who work on everything:

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[165] Interview with Zoya Rouhana, Beirut, 8 January 2010.
[166] Interview with Rola al Masri, Beirut, 22 January 2010.

We do not say well this looks like violence so let us work on it, we do not work on political participation or economic empowerment. Our work should be focused on domestic violence only; we are part of the nationality campaign because we consider this as part of violence against women.[167]

Among other issues, these quotes reflect to what extent these professionalized associations grasped and incorporated the process of "disassociation" in their work which hinders social cohesion and yields to fragmentation rather than movement formation.

Hence, the experience of the Lebanese women's movement is the anti-thesis of Putnam's argument which stipulates that civil society activity leads to increased trust among individuals and enhances cooperative ventures in society at large. Distrust among women's associations, especially between corporatist and grassroots organizations, looms large and low levels of social capital permeate all activities and projects that involve or address women in general. This has harmed the image of the women's movement and reinforced the public stigma of Lebanese women being divided over their issues. Moreover, it fed into the interests of those who are most interested with women's subordination namely confessional and sectarian elites.

4.4 Women's Associations, State institutions and the Sectarian Elites

The following section investigates the relationship between women's associations and state institutions in the clientelistic context of Lebanon. The way women leaders interact with their surrounding affects the patterns of civic engagement and support or lack thereof for democratic outcomes. Hence, the aim is to differentiate between, the patterns of civic engagement and the way this impacts their articulation of social policies and support or lack thereof for democratic outcomes.

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[167] Interview with Ghida Anani, Beirut, 18 January 2010.

4.4.1   Corporatist Structures: The Sectarian Cartel Clients

Among all associations the LCW and the NCLW are the only ones to receive state funding. On the one hand, the NCLW, which is considered as a semi-official body receives yearly allowances from the council of ministers. Joumana Moufareg, NCLW executive director, states that "we are an official committee therefore we are linked to the council of ministers. The main operating budget is from the council of ministers and some agreements that we have with international funders."[168] In 1999, it was estimated that more than 500.000 USD are channeled from the council of ministers to the NCLW (CFUWI and LCW 1999:16).

However if the NCLW is considered a semi-official institution entitled to state funds, it is quite unintelligible how an NGO like the LCW receives a yearly allowance from state ministries and a budget of 66.000 USD from the council of ministers.[169] After all, LCW's board of directors claims that the council is considered as the "national" umbrella association that warrants state support. In fact, the board of directors is keen to describe its relationship with state ministries as being a healthy and cooperative one.[170] "The LCW is considered as one of MOSA's partners which are clearly translated in a symbolic yet yearly allowance provided to LCW. Moreover, the council received funds from the MOC in 2010 for the book fair." [171]

However in the words of Sayyid (1993), civil society should be autonomous from the state and its arbitrary authority. As is the case for the rest of the Arab world, the Lebanese

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[168] Interview with Joumana Moufareg, Beirut, 31 March 2010.
[169] Anonymous, "Al Majles al Nisai Youtaleb al Houkouma bi quota 30%", *al-Mustaqbal*, 18 February 2010.
[170] Researcher as observer in an Interview with the LCW administrative committee conducted by Dr Janine Clark, May 26th 2010, Beirut, Lebanon.
[171] Interview with Iqbal Doughan former president of the LCW and current head of the legal committee, and president of the Working Women's League, Beirut, 30 March 2010. Interview with the LCW administrative committee, Beirut, 26 May 2010.

government tightens its grip over the organizations that are supposed to provide space outside its reach (Abou Assi 2006). In the particular case of LCW, the state undermines the financial autonomy of the LCW by spending public monies on some associations dealing with educational, social and health fields.

Whereas information concerning the beneficiaries of the council of ministers' grant was not made available for the researcher, interviewees have made it a point that the LCW associations benefiting the most from these funds are the confessional-based associations enjoying good relationship with the sectarian elites.[172] Hence and while receiving funds from state ministries, LCW associations have stood up against the state not to ask for the reform of the gendered laws but to oppose the state's decision in cutting down their budgets.[173] Only two years ago, former MOSA Mario Aoun decided to terminate the contracts between the MOSA and what he called "virtual associations" of which the LCW is one.[174] However, LCW board members mobilized their political connections forcing Aoun to withdraw his proposition.

Moreover, the LCW board of directors reiterates that the "only policy" that they would like to see changed is the introduction of a women's quota in the parliament while forgetting about other laws that hinder prospects for real women's empowerment.[175] In this regard, these associations are not willing to serve as mechanisms of accountability and transparency, as a check on the ruling cartel, or even as a meaningful source of civic mobilization as it risks depriving them from state patronage.

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[172] Interview with Bassam al Quntar, Beirut, 22 January 2010.
[173] Ibid.
[174] Bassam al Quntar, "Wazarat al Choun Touayed al Jamiyat bi Ilghaa Oukoudiha", *al-Akhbar*, 24 December 2008.
[175] Group interview conducted by Dr Janine Clark for the LCW administrative committee, Beirut, 26 May 2010.

4.4.2 Grassroots: Between Pragmatism and Radicalism

Associational leaders in KAFA, CRTD-A, and LWDG argued that the financial and human resources of the ministries (alluding mainly to the MOSA) fall short to meet basic women's needs. Hence, NGOs emerged as the actors supporting the state ministries rather than the other way around. The lack of public funding for women's rights issues forced associations to fill the gap of an absent state by training social workers in MOSA social development centers or by providing these centers with basic equipments. As one informant highlighted "there is no commitment from the state related to a gender-based violence budget. By the end of the day you feel that you are replacing the state. Whereas the state should make a plan and it should build centers and shelters for women victims of gender-based violence, this is something that they do not do. The state is becoming more of a burden to civil society."

This lack of public funding did not lead to a total independence from the sectarian cartel. In fact, these associational leaders were very much aware that their programs and agendas could not be implemented without the sectarian cartel's consent. Hence, independent grassroots women NGOs were divided over this issue.

Associational leaders in KAFA are pragmatically motivated. Despite the fact that they are not the staunchest supporters of the sectarian ruling cartel but, KAFA leaders realize that they were better off with the ruling cartel rather than being without them. In this regard, they have avoided antagonizing the sectarian elites and heads of confessions.

On the other hand, the LWDG and CRTD-A refused to compromise their stances in order to facilitate the implementation of their programs, pass their laws or achieve material rewards. As Joumana Merhi recalls, the LWDG tried to initiate cooperation with

the MOE headed by former minister Bahia al Hariri. The program entailed raising awareness among public school students about early marriage, however Hariri refused. According to Merhi "this will be the case for every minister because we refuse to swear allegiance to anyone. We label ourselves as being part of an efficient opposition and not part of the 8 March popular opposition. Those who label themselves as being part of the opposition today are the other side of the same coin. They both have the same program for the country which is premised on sectarianism."[176]

CRTD-A campaigners are also among the staunchest critics of the sectarian ruling elites. As Rola al Masri explains, the guiding principle for CRTD-A is a rights-based discourse premised on the principle of full equality without reservations. This led CRTD-A campaigners to launch a full-fledged war against sectarian leaders who could not translate their promises concerning the amendment of the nationality law.[177] As Rola al Masri notes:

> On the political level, we expressed our distress towards the deceiving politicians no matter in which camp they were … we named the things by their names and accused the leaders of being liars. In June we issued a press release in which we stated that those were your political stands and now this is what you are saying. Most of them, with the exception of two, Na'mat Allah Abi Nasser and Fouad Saad bluntly expressed that they were against the law. [178]

On another level, the appointment of Ziad Baroud, former lawyer of CRTD-A's nationality campaign, brought attention to the nationality issue. However, CRTD-A is keen to avoid being totally co-opted by the minister's propositions whenever the latter did not reflect full-fledged equality. As Rola al Masri stated: "we supported whenever we felt that we should support and opposed whenever we felt that it was necessary… We

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[176] Interview with Joumana Merhi, Beirut, 20 January 2010.
[177] CRTD-A press release on June 5 2009
[178] Interview with Rola al Masri, Beirut, 22 January 2010.

never fully agreed with him."[179] CRTD-A, as it will be argued in the next chapter, continues to adopt a rights-based discourse, one which refuses any law that is not premised on the principle of equality.

4.5 Conclusion

This chapter advanced a multi-level analysis of the failure of the women's movement to launch a counter-hegemonic movement against the post-war gendered order. Confessionalism, clientelism and international aid hindered women's movement from launching its 'war of position' against the post-war hegemonic order.

In particular this chapter investigated the impact of international aid agencies on women's agendas. With the globalized trend of advocacy networks and the increased dependence of local actors on foreign funding, international agencies shaped gender-based civic engagement, agendas and policy outcomes. By reviewing policy texts, this chapter proved that funding agencies focus on providing technical quick-fix solutions rather than negotiating the gender order towards inclusive forms of citizenship for women. Moreover, aid assistance strengthens sectarian and corporatist structures. The latter marginalized and silenced the grassroots women's organizations.

On the other hand, the political context polarized associational life into two different civic spaces: corporatist and elitist structures with strong political ties to the sectarian ruling cartel and grassroots women's organizing who adopted different stances vis-à-vis the ruling cartel. The former are part and parcel of the establishment. Their structures are either permeated by sectarian and confessional based organizations (LCW) or headed by a troika of first ladies (NCLW). These associations adopted a non-

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[179] Interview with Rola al Masri, Beirut,, 10 March 2010.

confrontational approach towards the political leadership and failed to articulate ordinary women's interests. Their belief in the sectarian and clientelistic system hindered the ability of the women's movement to form a counter-hegemonic society.

On another level, the more independent women's organizations failed to launch a Gramscian 'war of position'. In fact, the polarization of the grassroots sector between the voluntary-based associations and the professional NGOs impeded prospects for cooperative ventures and gender-based reforms. Despite the fact that these organizations addressed different women's needs, they failed to unify their claims and demands due to personality conflicts and generational problems. Moreover, the transformation of advocacy work from one premised by voluntary-based work towards one led by professional staff, weakens cooperative ventures even among the like-minded. Funds transformed the civil society sector into professional organizations that are overwhelmed with the execution of projects with little stakes in movement formation.

With this background, the next chapter analyzes the political debate around the Nationality campaign, the Personal status Laws and Child Custody, and The Campaign to eliminate all forms of violence against women. The discussion sheds light on the course of the political debate to show how law is transformed into a major instrument seeking social order that serves to protect the interests of the sectarian leaders and heads of confessions and consequently maintains the formal and informal pillars of political power.

CHAPTER FIVE

NEGOTIATING EQUAL CITIZENSHIP IN A SECTARIAN CONTEXT

5.1 Introduction

This chapter sets out to prove how struggles for domination over state power play a key role in defining sectarian elite strategies and policies vis-à-vis women and their agendas (Charrad 2000). Hence, the focus of the chapter is on the way the sectarian context shapes patterns of civic engagement and gender social policy outcomes. In the highly fragmented context of Lebanon, citizens' political participation can only take place through access to strongmen. In the context of weak state institutions, even the most independent NGOs need the sectarian cartel's consent to their programs and agendas.

As it will be argued, these patterns of civic engagement do not serve to consolidate democracy or yield to women's empowerment. Rather they are turned into instruments to strengthen the patronage and sectarian hegemony of the ruling cartel. In particular, the course of the political debate over each agenda provides valuable insight on political contestation and prospects for legal reforms in a sectarian context. It will therefore become clear that these hotly debated topics are held hostage to conflicts of interests among a highly fragmented sectarian cartel and the broader politics of compromises and alliances between heads of confessions and the ruling cartel. In such contexts, legal reforms are prevented from ensuring social justice and equality for women and their families whenever they challenge the underlying assumptions of the precarious power sharing agreement and the patriarchal alliances that cement this hegemonic

system. Hence, through various means, the sectarian cartel compromise women's rights to consolidate the formal and informal pillars of political power, namely confessionalism and clientelism.

Grassroots demands are not only fought by sectarian elites and heads of confessions but elitist organizations also play a key role in obviating prospects for the renegotiation of the post-war gender order. The appropriation and co-optation of some women's organization by the ruling cartel led to a situation where compromises over women's issues take place in the same arena that is supposed to provide alternative forms of organizing to the sectarian system, namely civil society. These associations' support and belief in the sectarian system foments the subordination of women. Their non-confrontational approach, the dissemination of non-democratic values strengthens the hegemony of the sectarian cartel rather than reflect women's interests and needs. Their attempts to divide the women's movement and to silence grassroots women are all indicative of their attempts to serve the interests of their patrons in undermining prospects for full-fledged reform of the post-war gendered order.

At the same time, grassroots associations were not able to agree on a common framework. Ageism, personalistic styles of leadership, and conflicting ideologies over what constitutes civic engagement also impedes prospects for the emergence of a counter-hegemonic movement thus fomenting the image of women being divided. This fed into the interests of those who have the greatest interest in women's subordination.

This chapter examines the impact of each of the aforementioned factors on civic engagement and social policy outcomes for the Nationality Campaign, the Personal

Status Laws and Child Custody Campaign and the 'National Campaign to eliminate all forms of violence against women'.

5.2 Negotiating Equal Citizenship: Mission Impossible

5.2.1 Sectarian Politics, a Divided Women's Movement and a Nationality Law in a Gridlock

The following section sheds light on the political debate that evolved around the nationality campaign. The course of the debate from its inception provides valuable insight on political contestation and law-making in Lebanon's sectarian context. But first, the analysis opens with a discussion about the schisms in the women's advocacy community leading the nationality campaign.

Three Campaigns and the Impossible 'War of Position'

Women's right to pass their nationality became an issue of public debate in Lebanon due to the large attention that CRTD-A's campaign, "My Nationality is a Right for Me and My Family" received in the media and in public discourse. In 2002, CRTD-A, supported by UNDP-POGAR, conducted a study on the aspects of gendered discrimination in Lebanon, Egypt, Syria, Morocco, Jordan, Tunisia and Yemen. The research findings led CRTD-A to the conclusion that the nationality issue was never formally addressed by women's associations in the aforementioned countries. In Lebanon, besides a memorandum sent by Laure Moughayzel in 1994 to the parliament, the nationality issue never figured in associational programs and agendas. This compelled CRTD-A to address the gendered provisions of the nationality law. [180]

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[180] Interview with Rola al Masri. Beirut, 18 January 2010.

Regional partners were invited to conduct a study to assess the status of women married to non-nationals and a legal review shedding light on the gendered provisions in the nationality laws. With the research and documentation phase drawing to an end, CRTD-A presented the findings to Lebanese women's associations and invited them to reflect on prospects for their potential cooperation in the awareness raising and lobbying process.[181]

Almost all of the Lebanese women's associations agreed to join the CRTD-A coalition. The latter held meetings and followed a collective decision-making process.[182] However in June 2005, the League for Lebanese Women's Rights broke away from the CRTD-A coalition and launched a parallel nationality campaign. The LLWR demand is consonant with Article 9 of CEDAW which stipulates that women should be awarded the right to pass their nationality to their children only. Linda Matar and Marie Debs, from LLWR, argue that their demand is easier to achieve since husbands need a naturalization decree whereas newborns are stateless and therefore in dire need for their mother's nationality. [183] However, this radical feminism overlooks the fact that the 1925 nationality law gives Lebanese men the right to pass their nationality to their non-national spouses which devoid the LLWR argument from its content. On another level, the LLWR demand withstands prospects for maintaining family cohesion as men will continue to face the risk of being expelled from the country. For CRTD-A campaigners, the LLWR demand is

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[181] Ibid.
[182] The following associations joined CRTD-A's coalition: LCW, CFUWI, WWL, LWDG, LCRVAW, LWN, KAFA, LLWR. Interview with Rola al Masri, Beirut, 18 January 2010.
[183] Interview with Linda Matar, Beirut, 3 March 2010. Interview with Marie Debs, Beirut, 24 February 2010.

an unjustifiable compromise that seeks to achieve whatever can be achieved in the sectarian context of Lebanon.[184]

Others explain the schism by personalistic styles of leadership that have been briefly discussed in the previous chapter. In this regard, conflicts over who started to address the nationality issue first and who claim the success for her own can come to the fore thus leading to rivalry, competition and duplication of work.[185] Yet despite the schism, CRTD-A pursued the activities aimed at closing the gender gap by raising awareness on this issue, increasing effective communication with decision-makers and the media and gathering public and political support for the amendment of the nationality law.

In April 2008, another schism occurred in the ranks of the same coalition. UNDP (Lebanon) invited women's organizations for a meeting to study prospects of cooperation concerning its "newly" launched project: "Women's Right to Nationality in Lebanon." [186] The US$ 270,000 project did not complement CRTD-A's work, it rather reiterated the same objectives that had been accomplished.[187] Lina Abu Habib, CRTD-A's executive director, argued that the new project fails to respond to pressing local needs which were focused on lobbying and advocacy rather than research and training on advocacy. [188]

Besides the work duplication, UNDP succeeded in fomenting the schism in the women's movement. This has been ensured through the delegation of the coordination and execution of the project to the CFUWI at a time when it was clear that the CFUWI

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[184] Interview with Rola al Masri, Beirut, 18 January 2010.
[185] Interview with journalist in *al-Akhbar*, Beirut, 8 January 2010.
[186] For information concerning the UNDP parallel campaign please check the UNDP website : <http://www.undp.org.lb/ProjectFactSheet/projectDetail.cfm?projectId=89>
[187] Bassam al Quntar, "US$ 270 000 USD Li Masharai Mounafaza", *al-Akhbar*, 10 October 2008.
[188] Ibid.

was part and parcel of the CRTD-A campaign. This competition over funding provided fertile ground for the UNDP to spoil the divisions in the women's movement and promote itself as the one championing the reform of the gendered laws. For Rola al Masri, this is not new for the UNDP who is trying to project itself as a mentor teaching local actors, state and civil society actors, the basic principles of local development in their country.[189] The CFUWI was not only patronized by UNDP funds but it also managed to patronize other associations by channeling small amounts of funds. In this regard, the LWDG, the LWC and the LCRVAW have all left the CRTD-A coalition and joined the UNDP-CFUWI. This work duplication led to an awkward situation that confused public opinion and those who followed up on the campaign's activities. At a time when the newspapers covered about a sit-in organized by CRTD-A or a press release issued in response to some politician's statement concerning this issue, the CFUWI was holding a workshop on "how to partner with the media." [190]

All of these factors challenged the ability of grassroots organizations to launch a Gramscian 'war of position' against the sectarian ruling cartel. This schism promoted the

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[189] Interview with Rola al Masri, Beirut, 22 January 2010.

[190] It is worth noting that when I mention the campaigners in the following section, I mean the CRTD-A campaigners as they were the only ones to engage in the debate with sectarian leaders concerning the nationality campaign. The press releases and newspaper articles (2005-2010) that have been collected by the researcher throughout this period attest to this fact. There are two explanations for this issue. On the one hand, the LLWR is voluntary-based and therefore does not have a permanent staff following up on each and every detail. The 85 year old Linda Matar is the one following up on the advocacy work. Whereas in CRTD-A, a program coordinator and a responsible for the legal unit have been assigned the job to monitor the legal amendments, and the statements made by sectarian leaders. In this regard, this active team of young women leaders successfully engaged in the political debate and brought attention to this issue. The extensive media coverage for CRTD-A statements and press releases attest to this issue. On the other hand, the CFUWI which is an elitist organization avoided entering into a confrontational approach with sectarian leaders. In the previous chapter, I have profiled the CFUWI associational leaders. One explanation can be that these women, driven by their personal interests, avoid antagonizing the sectarian cartel. Another explanation is that the CFUWI adopted the UNDP project and in this regard the demand is not CFUWI's. The image is that CFUWI is more of an executive agency for the UNDP and therefore lacks the appropriate human resources but also the necessary motivation to engage in the political debate concerning this issue.

image of the coalition as divided and strengthened the stigma of women's associations as unable to cooperate together. Moreover, it fed into the interests of those who are most concerned with women's subordination, namely sectarian leaders.

However, this is not the only factor that hindered prospects for women to amend the nationality law. I argued in Chapter 3 that women's right to nationality is a highly politicized issue. The declared position is that women will continue to be denied this basic human right to ward off prospects of Palestinian resettlement. By doing so, the Lebanese state claims to defend the Palestinian right to return to their homeland. However, this policy plays a central role in sustaining the political aspirations of the sectarian leadership in a country where political representation is premised on the demographic weight of the legally recognized confessional groups. In particular, since the greatest majority of the Palestinians are Sunnis the denial of women's right to nationality is thought to preserve the confessional demographic balance. However, these racist arguments do not only deny those who are most in need of the nationality, namely stateless people, from their basic human rights, it also harms the image of Lebanese women. In particular, it depicts women's wombs as Trojan horses that can easily be abused by "stateless" people to circumvent the Lebanese constitution.

The following section takes issue with the political debate that evolved around the amendment of the nationality law. The course of the political debate from its inception provides valuable insight on political contestation and law-making in a sectarian context. The political debate sheds light on the way "policies on women's rights are held hostage to broader conflicts and alliances. They become the outcomes and sometimes a tool of struggle among social and political groups fighting over state power" (Charrad 2000:

241). Hence, women's rights agendas are used as an effective instrument by sectarian leaders to check the power of political rivals. In the particular case of the nationality, the issue was turned into a showdown between Muslim parliamentarians who supported this claim as they think it bolsters their demographic weight and therefore their claims for increased political representation in the sectarian political system and a Christian Maronite leadership who saw in the law a threat that would tip the balance in favor of the Sunni community and deprive them of equitable representation, thus fomenting post-war feelings of Maronite marginalization. Moreover, the analysis of the political debate over the nationality law and the judicial practices, privileges the interests of sectarian leaders and the "super-citizens", the confessional communities, over women's interests.

Sectarian Myths, Confessional Demographics: The Nationality Law in a Gridlock

The nationality case provides valuable insight on how the political system shapes patterns of civic engagement and social policy outcomes. In the highly fragmented context of Lebanon, citizens' political participation can only take place through access to the strongmen. With the weakening of state institutions, the non-clientelistic grassroots NGOs needed the sectarian leaders' consent to their proposed laws. In this regard, CRTD-A campaigners started to address heads of the main parliamentary blocs in order to gather their support for the amended nationality law.

Muslim political blocs, namely Amal, Hezbollah, and the Future Movement, showed considerable support. For instance, Fouad al Seniora and Bahia al Hariri stated that they fully support what they called a "basic human right" and refused to present or even vote in favor of a law excluding Palestinians. Moreover, speaker of parliament

Nabih Berri, expressed full support and requested to put the issue on the parliament's agenda. Even Hezbollah, which is stigmatized as holding a conservative stance vis-à-vis women, declared through his former minister Mohammad Fneish, its full support for this claim and refused any forms of discriminatory laws. Moreover, MP Walid Jumblat confirmed that all ministers and parliament members of the Progressive Socialist Party will vote in favor of the draft law (CRTD-A 2009). [191]

On the other hand, the Maronite leadership adopted a rights-based discourse, one that projected women's right as apolitical on the eve of heated parliamentary elections. In this regard, some sectarian leaders started to project the issue of women's right to nationality as a human right that should be disaggregated from the naturalization of Palestinians. The first statements made by MP Michel Aoun to the campaigners concerning this issue provide fresh insight on this argument: "we should differentiate between human and women's rights and the ongoing political debate concerning the Palestinian refugees."[192] Aoun's statements gave hope to the campaigners despite the fact that some FPM parliamentarians refused any law that paved the way for women married to Palestinians or other Arab nationals to pass their nationalities to their husbands and children. In February 2009, Gilberte Zouein heading the Women and Children parliamentary committee presented a law premised on: 1) the exclusion of Palestinians under the pretext that it would undermine their right to return to their homeland; 2) and the principle of "reciprocity" which predicates this right based on the nationality of the spouse (rather than women's rights). Critics argue that if the "reciprocity" principle is

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[191] Interview with Rola al Masri, Beirut, 10 March 2010.
[192] Ibid.

applied it would mostly affect women married to men from the developing world who are currently suffering the most from the discriminatory nationality law.[193]

In a similar vein, the Lebanese Forces avoided to declare their real stances to the campaigners. According to Roula al Masri, Strida Jajjaa told them that the "LF is not against women's rights but that the issue is politically charged." [194] Furthermore, she referred them to Minister of Justice Ibrahim Najjar who was deemed more capable of expressing the LF's stance knowing that he is an expert in this field and among the first veterans to work on the amendment of the nationality law. However, Najjar reiterated Jaajaa's words and advised the campaigners to take Strida Jaajaa's opinion again.[195] The LF did not only avoid declaring its position but LF leaders also made up a sectarian myth to project themselves as the ones championing for women's rights versus a Muslim (namely Shiite) bloc trying to keep women in a submissive position. These sectarian myths echo the 14 of March successful electoral campaign in which they accused conservative Muslims (alluding to Hezbollah) of trying to Islamize the country. For instance, one of the journalists asked Ibrahim Najjar about his reluctance to submit his own version of the law. The latter pretended that the conservatism of Muslim parliamentarians and ministers discouraged him to do so

> He said that Muslims are not with gender equality and therefore they do not want a law that gives women their equal rights. The reason that we all know is that the Christians oppose Palestinian resettlement. Christians pretend that the Muslims do not want to achieve gender equality just to avoid saying that the Christians do not want Muslims to outnumber them. Now, this is a big lie and we all know it.[196]

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[193] Ibid.
[194] Ibid.
[195] Interview with Rola al Masri, Beirut, March 2010.
[196] Ibid.

Attempts to present Lebanese women's right to nationality as apolitical was an elite strategy used against campaigners to give the impression that they had won the ruling cartel's consent. By doing so, the sectarian leaders avoided antagonizing the women's electorate who constitute the majority of voters. The battle over who wins women's vote on election's day and its centrality for the highly competitive (especially Christian) leadership was clearly reflected in the billboard wars as elections drew closer.[197]

CRTD-A campaigners were thus given the impression that the issue would be addressed during the last session of the post-Doha Seniora cabinet. However, Baroud presented two contradictory nationality laws to Seniora. The two versions carrying contradictory stances, discrimination and equality, reflected the ambiguity of Lebanese politics. The first version gave women their right to pass their nationality premised on the principle of constitutional equality (Article 7), whereas the second version deprived women married to stateless men (alluding to Palestinians in the first place) premised on Lebanon's anti-settlement policies. Baroud thus left for the Council of Ministers the freedom of choice between the two versions.

In this regard, Baroud who was part and parcel of CRTD-A's "My Nationality" campaign did not push the reforms of the law forward. Rather he compromised his reformist stances for the sake of taming the fears of the sectarian (in this case Christian) communities in Lebanon. In fact, Ziad Baroud had drafted CRTD-A's amended nationality law and a legal study. The co-optation of the MOI by the sectarian system de-radicalized his stances and guaranteed his entrance once again in the Hariri cabinet, with

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[197] For information about the electoral campaigns see Now Lebanon's article: <http://www.nowlebanon.com/NewsArchiveDetails.aspx?ID=92021>

the blessing and the consent of the non-democratic forces in power. This proves that the sectarian system shapes values that do not yield to democratic consolidation but rather strengthen sectarian hegemony.

In Baroud's proposition, the racist stipulations encoded in the law received the constitutional legitimacy just like Palestinian anti-resettlement policies. More importantly, the two contradictory laws divided the women's movement irreparably. Whereas CRTD-A expressed in a press release that "any nationality law that comes with exceptions is unconstitutional,"[198] as it contravenes Article 7 of the Lebanese constitution, the CFUWI-UNDP led coalition did not react to the issue. However, Leila al Ali reveals that the latter supported what she calls negative discrimination, meaning discrimination against women married to Palestinian men:

> These associations were from the very beginning championing this issue even if they did not overtly declare it …The first draft law that they presented reflects this stance and if you enter in a debate with them they will immediately draw back to their initial positions.[199]

Moreover Baroud's bill dealt with all stateless cases as leading to the definite resettlement of Palestinians. What if the father is not a Palestinian, why would these people be deprived of their right to the nationality under the pretext of "naturalization"? Is it only because they are stateless? And if this is the case, are not stateless people the most in need for a nationality? Hence, the law confirms once again that the Lebanese official policy is to punish those who do not have a state as they represent a "threat" to national security simply because they are the ones in dire need for a nationality.[200]

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[198] CRTD-A press release on May 13 2009.

[199] Interview with Leila al Ali, Beirut, 1 April 2010.

[200] Nizar Saghieh, "Hina Yousbouhou al Hourman min Dawla Jourman"*, al-Akhbar,* 23 June 2007. The minister thus used the same racist wordings that figured in the law regulating the right of

Baroud's proposal was the biggest carrot for a deeply divided elite waiting for the ripe moment to start overtly expressing their instinctive fears concerning the confessional imbalance. The MOI thus opened a Pandora's Box in front of the sectarian leaders and the latter shifted from soft opposition towards bolder and more radical stances. Hence, their rights-based discourse gave way to statements that depicted women as second class citizens and the nationality issue as leading to the "naturalization of Palestinians" which "overburdens a small limited resources country" with "non-Christian communities." [201]

Moreover, Baroud's unjustified move gave the best pretext for Seniora to disregard the issue on the eve of heated parliamentary elections. It was clear for Seniora that the amendment of the law needs to be traded with the FPM's demand for the naturalization of Lebanese immigrants.[202] Although Aoun did not declare it for CRTD-A campaigners, but it became clear that Aoun would only agree to amend the nationality law if Lebanese immigrants are naturalized "because he believes that the FPM has a good number of supporters among them."[203] While trying to run away from his responsibilities, Seniora denied receiving any law from the MOI; whereas the latter proved that he sent it and Seniora refused to endorse it.[204] Hence, policies on women's basic rights are held hostage to the broader political conflicts among the sectarian ruling cartel.

This raised the ire of CRTD-A campaigners who held a press conference in which they launched a full-fledged war against the Janus-faced sectarian leaders who failed to

foreigners to own property premised by the assumption that the Constitutional Council adopted the law in 2001. By doing so, he totally ignores the criticism concerning the council's makeup. According to Saghieh, this process turned "the exception of being stateless" to a "required" addition to all laws dealing with foreigners in Lebanon.

[201] Rasha al Atrash, "Iktirah al Bitaka al Khadra li Abi Nasser" , al-Safir, 19 February 2010.

[202] An issue reiterated by PM Hariri in March 2010 when he brought the nationality issue back to political debate.

[203] Informal interview with CRTD-A campaigner, Beirut, 19 November 2009.

[204] Interview with journalist in al-Akhbar, Beirut, 8 January 2010. See also Rajana Hamieh, "Al Sanyoura natir Baroud wa al Qanoun fi Derjihi", al-Akhbar, 29 May 2009.

implement what they had promised concerning the amendment of the nationality law.[205]

At the same time, they called Lebanese citizens and women to use their voting right appropriately. Unfortunately, Lebanese women who continue to be divided along confessional lines contributed to the reproduction of the same clientelistic and sectarian ruling cartel whose legitimacy hinges on the perpetuation of gendered discrimination.[206] This shows that women's social movements have yet to successfully mobilize people for particular societal interests transcending sectarian identities and interests.[207]

However, only one man, Judge John al Azzi made a politically conscious decision.[208] In fact, Azzi ruled in favor of a Lebanese widow, Samira Soueidan, thus giving her the right to confer the Lebanese nationality to her minor children. Azzi's reading was based on Article 7 of the Lebanese constitution and Article 4 of the current nationality law which gives a non-national wife of a Lebanese man the right to pass the Lebanese nationality to her children if her husband passes away. It was illogical for Azzi to give this right for a "naturalized" woman and stubbornly deny it for Lebanese women. Azzi thus translated

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[205] CRTD-A press release on June 5 2009 and Madona Semaan,"Jinsiyati hawla Nouwab Wadou wa lam Yafou wa al Tatima Bad al Intikhabat", *al-Safir*, 5 June 2009.

[206] Interview with journalist in *al-Akhbar*, Beirut, January 8 2010.

[207] Maha Zaraket, "Kay La Tabka Al Loubnaniya Amila ou Msawaye", *al-Akhbar*, 10 April 2009. "Hal Tandam 17.000 Imraa Loubnanya Intakhabat Fouad al Saad", *al-Akhbar*, 2 July 2009. In both articles, Zaraket argues that women are mobilized and act on the basis of sectarian considerations. For instance in the second article, Zaraket shows that 57.7% of women in Aley voted for Fouad al Saad. The latter made statements that humiliated women and used sexist connotations referring to women as *hourma* who can not be entitled the right to confer her nationality to her children. Zaraket further argues that women during the nationality sit-ins would be cheering for their political patrons Hariri, Berri, Jumblat.

[208]Reading the judgment of Azzi and CRTD-A's press release on the eve of the parliamentary elections one can draw many commonalities. One of the things that influenced Azzi the most is Lina Abou Habib's statements on the eve of the parliamentary elections. Anonymous, "Nass al Houkum al Kadi li Mahkamat al Daraja al Oula fi Jabal Loubnan bi Itaa Awlad Kasirin li Loubnaniya Moutazawiga min Ajnabi al Jinsiya", *al-Safir*, 18 June 2009. On another level, Rola al Masri stated that Azzi told CRTD-A campaigners that he was influenced by Abou Habib's press conference in which she called women to make the appropriate choice on the eve of the parliamentary elections. Influenced by Abou Habib's speech His decision was therefore to award Samira Soueidan her right to pass her nationality to her children. Interview with Rola al Masri, Beirut, January 22 2010.

the aspirations of the civil society campaigners at a time when political leadership failed to do so.

Most importantly, Azzi's decision challenged the traditional functions of the judicial system that serves the interests of the ruling cartel and consolidates their hegemony. In fact, the reactions of PM Fouad Saad and MOJ Ibrahim Najjar, prove the latter. Saad immediately deemed Azzi's decision as illegal since it contravenes the Lebanese nationality law.[209] Imbued with patriarchal and sexist connotations, Saad's argument did not only refute Azzi's rule as it contravenes the gendered Lebanese nationality law but it was also a warning to other judges who may follow Azzi's lead by challenging their traditional positions as "servants" for the sectarian political system.

These warnings were followed by coercive measures against Azzi, who considered himself to be part and parcel of CRTD-A's nationality campaign.[210] Azzi was referred to a disciplinary council because he defied the common perception of the judge as making decisions consonant with the wishes of the sectarian cartel.

Moreover, MOJ Ibrahim Najjar was quick to state that the judgments from the Mount Lebanon Court of First Instance should be appealed by the Cassation Court. This demonstrates how sectarian leaders politicize the judiciary to serve their narrow sectarian interests and obviate prospects for social justice.

In the particular case of the Mount Lebanon Court, the Cassation Court left for the Court of First Instance the discretion to make binding judgments. This makes Azzi's rule legal and final. Moreover in these cases, the only body that can appeal the rule is nothing but the Higher Legal Committee (*hayat al kadaya)* and the latter should seek the approval

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[209] Maha Zaraket, "Hal Tandam 17.000 Imraa Loubnaniya Intakhabat Fouad al Saad", *al-Akhbar*, July 2009.
[210] Interview with Rola al Masri, Beirut, 22 January 2010 and 3 March 2010.

of the specialized ministry. For cases involving the nationality law, the Higher Legal Committee (*hayat al kadaya)* must solicit approval from the ministry of interior and not the ministry of justice. In this regard, it was Baroud's final decision on this issue that determined if Azzi's rule should be appealed. The Minister of Interior declared that he supports Azzi, however he once again avoided confrontations with the sectarian cartel and kept his commitment to social justice only rhetorical. One journalist suggests that Baroud could have stopped the court's appeal but he did not, claiming that the latter did not send him an official letter seeking his opinion on this matter.[211] The Higher Legal Committee surrendered to Najjar's pressure and ended up appealing the rule. Hence, state institutions and apparatuses thus failed to give Soueidan a basic right. [212]

The battle over the nationality law continued under the national unity government of Said al Hariri. Interior Minister Baroud disseminated information that within the council of ministers, which includes two women, only him and minister of information Tareq Mitiri acknowledged the need to amend the nationality law. The CRTD-A executive director also declared on a TV interview, that one of the female ministers confirmed that she supports the principle of reciprocity.[213] When the ministerial statement came out, Minister Jebran Bassil overtly stated that the nationality issue and the resistance were the most hotly debated topics. Concerning the nationality issue, Bassil stated that "it is not the ripe moment to discuss it as it steers the debate towards Palestinian resettlement which is a red line."[214] Hence, the new cabinet was committed to

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[211] Interview with journalist in *al-Akhbar* , Beirut, 8 January 2010.
[212] Saada Allaw, "Majles al Wouzara Youker Tadil Ikamat al Moujamala li Zawej wa Awlad al Loubnania", *al-Safir*, 14 June 2010.
[213] Future news, Tawasol, Episode of January 1 2010.
[214] Interview with Rola al Masri, Beirut, 10 March 2010.

implement the UNSCR 1701, yet it failed to fully implement international conventions such as the CEDAW that guaranteed gender equality.

Whereas Bassil closed the door for any discussion concerning the amendment of the nationality law, the publication of the UNDP parallel campaign turned the nationality issue into a showdown between Hariri and FPM (represented by Abi Nasser). Based on the UNDP study, eighteen thousand marriages were contracted between Lebanese women and non-Lebanese men between 1995 and 2008. The study shows that 8.2% of Muslim women married non-Lebanese men and 2% of Christian women married non-Lebanese men. Sunni women rank first with 51.5% of Sunni women married to non-nationals; whereas only 1% of Maronite women are married to non-nationals (Charafeddine 2009: 17-18). Moreover, the statistics showed that Syrians, followed by Palestinians, constitute the majority of husbands married to Lebanese women (Ibid: 20). Hence, the study was counter-productive in the sense that it confirmed the fears of the sectarian ruling cartel. Influenced by these findings, that favored the Sunni community, the Sunni prime minister declared from Paris in March 2010 his commitment to amend the nationality law.[215] Though Hariri was trying to present himself as a defender of women's rights, the timing of the declaration confirms that it was motivated by narrow sectarian considerations.

With the UNDP billboard invasion and statements made by Hariri, Abi Naser came out to express the instinctive fears of the Maronite leadership with respect to the nationailty issue. As a start, Abi Nasser accused the campaigners of compliying with the

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[215]Anonymous, "Al Hariri Ita al Imra al Jinsiya Sawfa Youdrag Doumna Sala Matlabia", *al-Safir*, 9 March 2010. In Paris, Hariri declares "we are aware that the current nationality law is in contravention of Article 7 of the Lebanese constitution, the Universal Declaration of Human Rights. But we also recognize the sensitivity of this issue, and we want to mitigate the negative reaction that may result from the misunderstanding.. It is important to raise this issue quietly away from politics. Therefore, we are working on this issue without forgetting our commitment towards national unity. In this regard, the reforms will come in a package that awards the women the right to pass on their nationality but also ensure the right to recover the nationality of the emigrants and reform the gendered law in general."

west. Thus when the goals of the funding community are at odds with the sectarian ruling cartel, the latter accused the recipient organizations of complicity with external actors leading to logical discrepancy. That sectarian leaders accuse civil society organizations of complicity with the west is astounding given that the western countries finace through international aid and the renewal and consolidation of sectarian patronage networks.

Abi Nasser also proposes a "Green card" and defended his project by invoking contradictory arguments. On the one hand, he argued that the country is small and overpopulated and that its limited resources can not meet the increasing needs of its growing population. This makes the amendment of the nationality law almost impossible. At the same time, he staunchly defended the right of Lebanese emigrants to reclaim their nationality by invoking a sexist argument, one that predicates this right on paternal blood linkage. Abi Nasser defends his argument saying that: "descendants of Lebanese origin are not granted Lebanese citizenship, but are restoring the nationality of their fathers and grandfathers, and this is a right that they should earn by virtue of paternal blood linkage. It is not a favor conferred to them by anyone."[216] Moreover, Abi Nasser overtly declared that any amendment to the nationality law tips the balance in favor of the Muslim communities.[217]

These contradictory stances are clearly exhibited in Abi Nasser's Green Card project. The so-called Green Card denies political rights for children and husbands, and awards them civil rights provided that Lebanese in the husband's country of origin

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[216] Abi Nasser quoted in Rasha al Atrash, "Iktirah al Bitaka al Khadra li Abi Nasser", *al-Safir*, 19 February 2010.
[217] In the same article, al Atrash quotes Abi Nasser saying that "If women are awarded this right, it would lead to a major demographic imbalance. This will allow some men from Arab nationalities, who are known to be "non-Christians", to marry Lebanese women and create families with a multitude of children and grandchildren!"

receive similar treatment. These conditions are also impossible to meet in any other country around the world. Moreover, the proposed law imposes strict conditions on the married couple, thus alluding once again that women's wombs can be used to circumvent the law.[218]

Baroud, who used to be the staunchest proponent and an eloquent speaker on behalf of the nationality campaign, concluded that it is "a thorny issue and at the heart of political life" (CRTD-A, February 16 2010). He thus issued an amendment to ministerial decree No. 10/955 that awards a free three years residency permit for husbands and children. By doing so, Baroud tried to tame women and campaigners by overcoming the paralyzing elements of sectarian politics.[219] However, without a law premised on the principle of full equality, women married to non-nationals continue to be punished for their choices in a country that claims to be a pioneer in the Arab world supporting freedom of choice and belief. Their children and husbands continue to be treated as strangers and face a set of restricted policies and administrative hurdles.[220] In a country where political representation is premised on the demographic weight of confessions, the legal system does not serve to protect individual human rights. It is rather turned into a tool that privileges the interests of sectarian leaders and their confessional constituencies.

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[218] Ibid.

[219] Thaer Ghandour, "Al Amen al Am Yourahel Moutazawijin men Loubnaniyat", *al-Akhbar,* 14 May 2010. On the 21st of April, the Council of Ministers approved the amendment of decree No. 10188 Date 28/07/1962. The decree gives non-national husbands and children, whether working or not, a three years free of charge residency. The decree finally became effective in May 2010, after CRTD-A campaigners lobbied and women married to non-nationals protested against the compulsory expulsion and of their husbands. For more information Saada Allaw, "Majles al Wouzara Youker Tadil Ikamat al Moujamala Li Zawej wa Awlad al Loubnania," *al-Safir*, 14 June 2010.

[220] Ibid.

5.2.2   The Personal Status Laws and Child Custody

Despite the blatant forms of discrimination encoded in the personal status laws, calls for reforming these gendered laws in the post-war period have not yet emanated from the women's advocacy community. This stands in stark contradiction to the pre-war years, when leftist women's organizations, namely the LWDG and the LLWR, advocated for a civil code of marriage, part and parcel of a wider political agenda that called for the establishment of a secular Lebanon. The current talk about the personal status law has been confined to rhetoric rather than anything else. In other words, LWDG and LLWR actions have yet to challenge decision-makers by mobilizing supporters among which is a large number of youth organizations who endorse the claim.[221]

In the context of confessional and clientelistic politics, associations do not act as schools of civic virtue. Whenever associational leaders are not co-opted by the patronage networks of the ruling cartel, feelings of marginalization from the political regime dominate with deep implications to the democratizing potentials of civil society. These feelings of marginalization are best epitomized by Joumana Merhi, president of the LWDG :

> You can not abolish gendered laws in a confessional state without having a democratic social movement calling for the separation of "Church" and "State". In my opinion, this is a great barrier; the democratic movement totally disappeared. It is immobile and unable to make any movement. As an association, we are part of this movement that is suffocated. We are seeing no possibility to change anything as long as the political system is premised by sectarianism.

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[221] The most recent "Laique pride" which gathered more than 4000 participants and called for an optional civil marriage attests to the fact that there are a lot of supporters to this issue. However, this march was not organized by five independent young men and women who believed in this issue and wanted to show to their

In Lebanon's modern history, it was the LNM (Lebanese National Movement) who first called for the adoption of an optional civil marriage code and in the post-war period, it was former president Elias al Hrawi who adopted the same agenda. Although, Hrawi's proposal was supported by a coalition of intellectuals and civil society activists, women's organizations were totally absent. In fact, the only time that women took to the streets for this issue, they were fought by the sectarian ruling cartel, the heads of confessions and corporatist organizations in the good graces of the government.

In September 2000, the LECRVAW, emulating the Women's World March, gathered women's associations in a demonstration calling for the adoption of an optional civil marriage law (Bray Collins 2003: 112-113). Participating associations were all invited to discuss prospects for their cooperation. However, this approach did not work well for all NGOs. The current president of the LWDG recalls this event with dismay: "the LCW withdrew their participation at the last minute."[222]

In fact, on the day of the march, both the Hariri Foundation and the Lebanese Women Council withdrew claiming that "the march's demands challenged the traditions of Lebanese society" (Bray Collins 2003: 113). Doughan, the LCW president at the time, claimed that the structure of the LCW, which includes confessional organizations and women's committees from the sectarian political parties, impedes the adoption of a civil marriage proposal by the LCW as it risks dividing the "national umbrella" organization.[223] Furthermore, she added that Islamists organizations (alluding to Hezbollah) within the LCW will never accept an optional civil marriage code. However,

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[222] Interview with Joumana Merhi, Beirut, 21 May 2008.
[223] Interview with Iqbal Doughan, Beirut, 30 March 2010.

this obscures how the Sunni Mufti and the Prime have both pressured her to withdraw from the march.

In fact, some argue that Mufti Mohammad Qabani overtly instructed Doughan to withdraw, as if the council was only made of Sunni organizations (Bray Collins 2003: 114). On the other hand, Prime Minister Rafiq Hariri, through his foundation, exerted pressure by withdrawing the Hariri Foundation's participation on the last minute and divided the women's movement thus reinforcing the public stigma of women NGOs as unable to form a women's movement (Ibid).

Few years later, Doughan came to the conclusion that women "are being tortured in the personal status laws."[224] This made her launch the reform of the child custody law for the Sunni Community. However, it is worth noting that the campaign was launched by a Sunni women and a supporter of the Future movement. Moreover, the same woman wanted to run for the parliamentary elections with Hariri; she was not among the lucky ones to be nominated however.[225] In this regard, the issue of child custody for the Sunni community is a showcase for the associational leader, who sought to expand her popular base thinking that this may serve her one day to secure her entrance to the political arena. When asked why she decided to address this issue, Doughan argues that:

> They (political and religious leaders) will not accept a civil code for marriages not even an optional one. Women are humiliated in the personal status laws. We said let us eliminate forms of gendered discrimination in these religious laws. So we started with the child custody.[226]

Through her political ties to the Sunni leadership and her support for the Future Movement, her proposal won the support of the former Prime Minister Seniora as well as

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[224] Interview with Iqbal Doughan, Beirut, 30 March 2010.
[225] Interview with one of Iqbal Doughan's relatives, Beirut, 26 February 2010
[226] Interview with Iqbal Doughan, former president of the LCW (2000-2004) and current president of the Working Women's League and the Family Network, Beirut, 30 March 2010.

Mufti Qabani. In February 2009, Mufti Qabani as well as the Supreme Judicial Council approved the amendment of Article 242 of the Sunni Code. The main stipulation of the amendment was to increase the age of child custody to 13 years for males and 15 years for females rather than 7 years for males, and 9 years for females. After much lobbying, the Higher Judicial Council as well as the Mufti sent the draft law to the council of ministers. The prime minister, who had failed to implement pressing women's demands as outlined in the aforementioned sections, supported the only issue that served to bolster the interests of his Sunni community:

> Seniora helped us a lot to pursue our mission; he immediately issued a ministerial decree, sent it to Suleiman for signature and then back to the parliament.[227]

However, when Berri sent the law to the Administration and Justice Committee, the law was put on hold by a Future Movement MP, Samir al Jesser. The latter blocked the bill for a whole year, only to present in March 2010 a draft bill that overturned the amendments proposed by the Working Women's league.[228] In fact, Jesser's political legitimacy rested on his ability to represent the Salfi movement in the North. Hence, his opposition to the proposed law reflects a desire to co-opt the Sunni Salfi movement, an essential element for his sectarian legitimacy. "He is patriarchal and he mobilized the Salfi movement against us," states Doughan.[229]

Jesser's position shows that sectarian leaders strengthen their hegemony and legitimacy through the perpetuation of a gendered discriminatory discourse that reflects their alliances with conservative forces in society who provide them with the basis of political power.

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[227] Ibid.

[228] Radwan Mourtada, "Sijal Hawla Sin al Hadana", *al-Akhbar*, 1 April 2010.

[229] Interview with Iqbal Doughan, Beirut, 30 March 2010.

5.2.3   'Towards the Protection of Women from Domestic Violence'

The protection of women from domestic violence has always been a thorny issue as it touches to the private sphere, and the rights of state and religion to intervene in this domain. As argued in the third chapter, all issues related to the private family domain are delegated to religious courts in Lebanon. In this regard, domestic violence and personal status laws intertwine. In fact, a civil code for domestic violence calls into question the legitimacy that has been conferred on religious leaders to mitigate disputes at the family level. A civil code that criminalizes domestic violence raises the question concerning man's control over his wife and family.[230] It also might yield to legitimating woman's right to divorce her husband in cases of blatant violence exerted on her, and to protect and win guardianship over her children in such extreme cases.

In Lebanon, the debate over domestic violence gained momentum with Lebanon's participation in the 1996 Beijing conference. Some argue that when domestic violence was tabled for discussion, there were voices within the Lebanese delegation seeking to avoid addressing this issue. At that time, the NCLW, which brought together first ladies of the republic, argued that "it was only a problem in the west" (Bray Collins 2003: 95). These statements reflected the pressure exerted by heads of confessions over the NCLW to drop this sensitive issue. Moreover, corporatist structures supported the stances of the women's "troika". Aman Charani, then president of the LCW and the head of the NGO committee (CFUWI), was quoted saying that both the NGO committee and the NCLW "did not want to put themselves in a position to offend or challenge confessional leaders"

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[230] Men are considered to be the Head of the Household in all religious codes. For more information see Shehadeh (1998).

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(Ibid). Hence, this elitist non-confrontational approach silenced grassroots' women demands.

However, the issue of gender-based violence became a top priority for international aid agencies who pledged to double their support for anti-domestic violence campaigns and activities (AWID 2008). This signaled a shift in the stance of corporatist and elitist organizations vis-à-vis this issue. In fact, the NCLW is today among the staunchest supporters of the civil code to eliminate all forms of violence against women.[231] This local and international interest was also compound with increased grassroots activism. In fact, many civil society activists who worked since Beijing to mitigate the effects of the domestic violence for victims started to move beyond service provision towards the legislation of a law to that protects women from family violence. This has been the focus of KAFA, a civil society organization founded by a number of activists who have been working through the LECRVAW on the issue of Gender Based Violence.

In 2007, KAFA gathered a team of three judges (John al Azzi, Helene Eskandar, Joelle Fawwaz), two KAFA lawyers (Danielle Hoayeck and Layla Awada) and a representative from the internal security forces (Major General Elie Asmar) to draft the law. In March 2008, the campaign "Towards the protection of women from domestic violence" was launched paving the way for a number of associations to come together under the umbrella of the "National Coalition for Legislating the protection of women from family violence". The coalition, as the name indicates, brought together women's organizations, Palestinian women's rights associations (The Forum of Palestinian Women in Lebanon),

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[231] This is the result of the international pressure exerted on them through various funding agencies. The Italians have channeled considerable amounts of aid for the NCLW. This begs the question whether Italy had a clear role in making the NCLW adopt KAFA's domestic violence bill.

religious-based associations (the Sisters of Good Shepherd), sectarian-based associations (Hariri and Rene Mouawad Foundation), associations dealing with the Physical Handicapped (LPHU), youth associations and associations for Lesbians and Gays rights (Helem). In other words, it transcended confessional boundaries and included representatives not only from women's organizations but also from other underserved groups in Lebanon such as Palestinian refugees, handicapped, youth, and homosexuals. It was hoped that the wider the framework, the wider the range of disadvantaged people being involved in the coalition and the greater the impact. A KAFA campaigner argues that this is one of the advantages of the domestic violence coalition:

> It was not purely feminist. There are youth, Palestinian, and development-driven associations, etc. Domestic violence was not developed into a feminist issue. We are adamant to present it as a public development issue that touches on public health. That is what makes us successful and capable to convince the religious leaders.[232]

KAFA organized a round table for partners in May 2008 whereby every participating association was invited to present remarks concerning the draft law. For the president of the LWDG, the issue of domestic violence should not have been disaggregated from the personal status laws since the latter governs the domestic sphere and sanctions man's control over women.

> As much as the Domestic violence law is strong, what makes it stronger is that it can be supported by a civil code for personal status. This consecrates equality between men and women, husbands and wives. In this regard, we worked with the coalition but we warned them that at some point they will enter into a collision course with the personal status laws and this is what happened.[233]

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[232] Interview with Ghida Anani, Beirut, 18 January 2010.
[233] Interview with Joumana Merhi, Beirut, 10 January 2010.

In a similar vein, the director of Al Najdeh association, Leila al Ali, states that it is important to address the issue of domestic violence but what is more important is to address the violence practiced against women in the legal system:

> How can you talk about peace and security for women if by the end of the day there is clear violence exerted against them in the laws? GBV can not be eradicated if we do not look at it from a wider perspective and the central issue in Lebanon is the adoption of a civil code for personal status.[234]

A lawyer and civil society activist also declared that it would have been more appropriate to present a family law that addresses the needs of women and their children all together rather than a law that protects women only.[235] Despite these criticisms, KAFA's choice was to focus on domestic violence alone. This attests to the fact that the sectarian politics shape civic engagement in a way that strengthens the legitimacy of the sectarian and confessional leaders at the expense of democracy and social justice. The de-radicalization of an independent women's rights organization, such as KAFA, is a consequence of the post-war sectarian politics and its limited openness to political debate. In fact, the aforementioned cases attest to the high levels of anxiety that women's rights agendas trigger among sectarian and confessional leaders and how the latter impede reforms that undermine their sectarian hegemony or challenge confessional structures. All of these factors discouraged a secular independent organization such as KAFA to take into consideration the aforementioned remarks and address the domestic violence and personal status laws in a package deal. In this regard, KAFA's ideas and discourse avoided promoting a counter-hegemonic society, one that challenges the parameters of the pre-existing socio-political order. Through their recognition of the confessional leaders' prerogratives and their adoption of a non-confrontational approach, KAFA

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[234] Interview with Leila al Ali, Beirut, 1 April 2010.
[235] Interview with Nizar Saghieh, Beirut, 10 November 2009.

indirectly strengthened the hegemony of the sectarian leaders and the heads of confessions. This is best captured by Zoya Rouhana who overtly declares that KAFA's strategy was "to avoid challenging the prerogatives of the religious leaders with respect to religious and confessional courts."[236]

On the other hand, the KAFA case shows how citizens' political participation in a sectarian context only takes place through sectarian elites. In the particular case of KAFA, it is quite interesting to see how the latter won support for their bill by building connections with the women's committees in the sectarian political parties. In fact, among all campaigns KAFA was the only one to involve these committees in the lobbying and advocacy process. In this regard, KAFA's strategy was to dissipate fears among sectarian leaders concerning domestic violence by training and raising awareness among women in sectarian political parties. By proving to these women, that the law does not challenge the personal status laws and consequently the hegemony of the sectarian cartel, KAFA built partnership with the sectarian political parties and won their support through these women's committees.[237] Moreover, these women committees acted as mobilizing structures in the sense that they drew popular support from their confessional communities to the domestic violence law:

> They were present in all popular events that we have organized with the parliamentarians and in all workshops, they came as representatives from their own parties, they were present and also brought people with them … We expect that the cooperation deepens. If this year we have a sit-in in front of the parliament or in front of the presidential palace and since the channels of communication are still open maybe we can feel their impact more. As a first step we sought to raise awareness on the issues of women's rights and domestic violence because they are not so much aware of it.[238]

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[236] Interview with Zoya Rouhana, Beirut, 8 January 2010.
[237] Interview with Ghida Anani, Beirut, 17 February 2010.
[238] Ibid.

KAFA's move proves that in a sectarian context, a secular civil society sector underpinned by an interest-based agenda can not lead the change alone. The associational network that KAFA created became a representative mechanism that transmits the interests of the popular classes into the policy making arena. In this regard, this network might not have led to the consolidation of democracy per se but it has definetly led to less rigid inequality (Chamlers 1997). This combination of secular associational leaders from the civil society sector with representatives from the sectarian political parties "in an unstable, informal, yet salient network structure was therefore capable to promote incremental policy change within a context of a highly fragmented and exclusionary institutional context" (Kingston 2008: 11). However, the political success is conditioned by the principle of non-confrontational approach with the sectarian leaders. Hence, it is highly doubtful that these networks succeed in cases where the issues raised challenge the legitimacy of the ruling cartel, as is the case with the personal status laws and the nationality law.

The disagragation of the domestic violence law from the personal status laws facilitated its approval by Hariri's cabinet in April 2010, but it did not totally shield the law from political and religious intervention. In fact, during the last session of the Seniora Cabinet, the KAFA law was the first issue to be discussed yet it was not endorsed by the Parliament. Interestingly, the factions who opposed the amendement of the nationality law, the LF and FPM, emerged as the most avid supporters for the domestic violence bill. This shows how the imperative of competing for female votes in a parliamentarian system urges the sectarian leaders to endorse some gender agendas that do not challenge the interests of their sectarian communities as well as their sectarian hegemony. Their

moderation should be understood in light of their attempt to compete effectively for votes from the female electorate rather than an adoption of more progressive stances. In this regard the MOJ Ibrahim Najjar and MP Gilberte Zouein both played a key role in gathering support for the KAFA law. Heading the Women and Children Parliamentary Committee, Zouein adopted the law and discussed it thoroughly with her colleagues. Moreover, she overtly declared that the committee was ready to take the necessary action and present the law to the parliament if the cabinet fails to do so. [239]

On the other hand, Shiite ministers who supported the nationality campaign were slowing down the final ratification of the domestic violence law. For instance, Mohammad Fneish, stressed that the draft law "needs further discussion". In a similar vein, Ibrahim Shams al-Din, stated that the law needs to be reviewed as it might contradict with some articles in the religious personal status laws and that it is "incomplete in its current form, and needs to be reformulated more precisely so that it does not contradict with other effective laws."[240] Rouhana and Anani argue that these ministers did not give KAFA campaigners appointments to discuss the law. According to Rouhana:

> One of the ministers who opposed the law was given the draft bill 8 months ahead of time and we could not get any appointments. Saying that they did not have enough time to study it is only a pretext to obviate its final ratification.[241]

On the other hand, a journalist who investigated this issue suggests that it was KAFA who avoided visiting the aforementioned ministers because they were afraid from their reactions:

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[239] Faten Kobeissi, "Injaz lam Yasbak lahou Matheel", *al-Safir*, 7 April 2010.
[240] Maha Zaraket , "KAFA Toukate al Intikhabat wa Jinsiyati Tousaad", *al-Akhbar* , 4 June 2009.
[241] Interview with Zoya Rouhana, Beirut, 8 January 2010.

When I went to talk to the two ministers, they told me that they needed time to read the law because they received it two days before the council of ministers was convened and that they did not have enough time to read it…Nobody gave it to them.[242]

In the mean time, victims of GBV continued to suffer. The Seniora cabinet decided to form a ministerial committee that "will take into account the views of the religious courts and re-draft the law so that it becomes more consonant with the religious codes' terms of reference."[243] Ironically, the ministerial committee headed by Shamseddine, was made up of ministers visited by KAFA and who had declared their full support for the law including Ibrahim al-Najjar, Bahia Hariri, Khaled Qabbani and Mario Aoun.[244] The committee presented the law to heads of confessions and recorded their remarks with respect to the law. When KAFA campaigners were asked about the main reservations that were voiced by heads of confessions, they refused to answer, as if KAFA was afraid to antagonize heads of confessions. Rouhana noted that she can not overtly talk about the issue publicly:[245]

A religious leader, like everyone else, is part of this society. His stances depend on his background and the extent to which he carries with him this patriarchal mentality or on the other hand supports notions of human rights. In this regard, dealing with the issue of domestic violence becomes subject to the personal background.

Despite the many attempts by KAFA leaders to present the remarks of the heads of confessions as "cosmetic", these reservations underscore that gender policy in Lebanon is held hostage to the broader alliances linking political leaders to heads of confessions. As argued in the third chapter, the sectarian ruling cartel engaged in political actions and policies that extended their sectarian hegemony and protected confessional

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[242] Interview with journalist in *al-Akhbar*, Beirut, 8 January 2010.
[243] Faten Kobeissi, "Injaz lam Yasbak Mithlouhou Matheel", *al-Safir*, 7 April 2010.
[244] Ibid.
[245] Interview with Zoya Rouhana, Beirut, 8 January 2010.

structures that provided them with the basis of their political power. For instance, Article 26 of the KAFA law was modified so that it reads "all terms and provisions contradicting this law shall be canceled except those that fall under the jurisdiction of the religious courts."[246]Moreover, the phraseology was altered in some paragraphs of the law based on the advice of heads of confessions. Marital rape was omitted from the texts, to be replaced by marital coercion. Confessional leaders also objected to the article which stipulates that anyone who witnesses a case of DV is entitled to report without the consent of the victim. An associational leader argues that KAFA campaigners have fought to reinstate this clause:

> The philosophy of the DV law is to make the issue a concern for the whole family not just for women. If the woman is beaten she will not be conscious enough to pick up the phone and report. We also know that sometimes women under pressure might back up from reporting.[247]

With the integration of these "cosmetic" amendments, the Hariri cabinet finally approved the domestic violence law in April 2010 and transferred it to the parliament for final ratification. In this regard, KAFA has made a breakthrough in mitigating the pain that a lot of Lebanese women from different confessional backgrounds continue to face in the domestic sphere. However, these praiseworthy efforts were not enough for many critics who continue to argue that this law "sooths the pain but it does not heal the disease. A religious-based law continues to haunt Lebanese women and without a civil code option, women will never feel fully empowered." [248]

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[246] Ibid
[247] Interview with Ghida Anani, Beirut, 17 February 2010.
[248] Linda Matar quoted in Faten Kobeissi, "Injaz lam Yasbak Mithlouhou Matheel", *al-Safir*, 7 April 2010.

5.3 Conclusion

This chapter argues that the struggles for the reform of the gendered order are compromised for the sake of extending the sectarian hegemony of the ruling cartel and preserving the interests of their allies namely the heads of confessions. In particular, the course of the political debate proves how law in a sectarian context, does not serve to protect individual human rights rather is turned into an instrument that protects the interests of the powerful sectarian leaders and the "super-citizens", confessional communities.

Moreover, the discussion in this chapter shows how state and civil society fail to act as platforms for citizens where they can claim their rights and hold sectarian leaders accountable. The chapter argued that compromises over women's rights are taking place at the civil society level. Corporatist associations contributed to divide and silence the grassroots women's movement in Lebanon. Moreover, citizens' political participation takes place through sectarian leaders who are only willing to support and represent particular agendas that do not challenge their hegemony and their patronage networks with deep implications on democratic consolidation and women's interests and needs. In this regard, women's rights agenda continue to be held hostage of a system premised by patriarchal coalitions that bring together those who have the highest stakes in subordinating women. Hence, women's rights are sometimes utilized to preserve the precarious sectarian system, protect the interest of heads of confessions and in most of the cases; they are compromised to achieve narrow sectarian interests.

CHAPTER SIX

CONCLUSION

6.1 General Conclusions and Findings

This thesis analyzed the impact of women's advocacy organizations on patterns of civic engagement and gender social policy outcomes in Lebanon's sectarian context. Four explanatory variables were advanced to study the utility of women NGOs in postwar Lebanon and their ability to reform the post-war gendered order: postwar state-society relations, donor agendas and money, women's advocacy community institutional makeup and their relationship with the sectarian elites, and the latter's strategies towards women's advocacy community and their agendas.

One of the central questions was why some associations successfully engaged the state in gender-based reforms while others failed to do so. This thesis argued that the fate of gendered laws is shaped by the nature of state-society relations and the degree of autonomy or embeddedness of states in societies. In Lebanon, gendered laws are held hostage to the precarious power sharing agreement and the patriarchal coalitions linking sectarian elites to heads of confessions and kinsmen. The latter acted as mobilizing and legitimating forces and therefore provided ruling elites with a basis for political power. Gendered laws protected the interests of these patriarchal structures and were used by sectarian elites as an efficient instrument to extend their hegemony and legitimate their rule. In this regard, the issue of women's rights in Lebanon is not only a feminist agenda. Rather it calls into question the power relations in Lebanon and intertwines with broader concepts of equality, citizenship and human rights all of which have been manipulated by

the sectarian elites in their quest for political legitimacy. Hence, the renegotiation of the gendered order leads to the democratization of the political system which makes gender-based reforms a Herculean task.

This centrality of the gender order to the reproduction of clientelistism and sectarianism raised the stakes for sectarian elites to neutralize prospects for gender social policy reforms. In fact, the close examination of the women's movement in Lebanon sheds light on the dynamics of sectarian upgrading. In this regard, this thesis debunks the political cultural myth stipulating that the Arab-Muslim culture and mindset is incompatible with democracy and that primordial sectarian identities fueled violence and instability, thus prohibiting prospects for democratization in Lebanon. Rather, this thesis shows that democracy's failure in Lebanon is shaped by the nature of state-society relations. In particular, sectarian leaders who invaded state institutions engineered successful strategies to upgrade and maintain their rule and impede prospects for democratic consolidation and gender social policy reforms.

This includes the appropriation of the NCLW and the co-optation of the LCW by the sectarian cartel and their confessional organizations. Moreover, the ruling elite channeled considerable amounts of money to these associations thus jeopardizing their financial autonomy. Through these strategies, the sectarian ruling elites insulated themselves from public accountability and transformed civil society into an arena where compromises over women's rights take place and where sectarian hegemony is consolidated.

Another elite strategy was to impede gender-based social policy reforms by mobilizing heads of confessions against women and their agendas. In this regard, this

thesis exposed the dynamic and inexorable relationship linking sectarian elites to religious heads of confessions. Confessional ties are therefore dynamic, structured, mobilized and influenced by the interests of the sectarian ruling elites rather than being static and primordial. This demonstrates how heads of confessions strengthen the sectarian hegemony of the ruling elites without leading to positive social policy changes for women. Mutual empowerment of the sectarian elites and heads of confessions happened in ways that were destructive for women.

Gender social policies are also held hostage to the politics of sectarian fragmentation and contestation. In particular, gendered laws are turned into an efficient instrument used by sectarian leaders to check the power of rivals and bolster their position among their sectarian constituencies. Hence and whenever a sectarian political faction provided representation and support for the amendment of the gendered provisions in one area, it was usually perceived as a challenge to the power of other sectarian leaders and their confessional constituencies. In this regard, Saad al Hariri's support for the nationality law can not be viewed as an increased commitment for gender equality rather an attempt to bolster the demographic weight of his Sunni community and their claims for political participation in the sectarian political system.

Moreover, the civil marriage bill turned into a showdown between a weak Maronite president that epitomized feelings of "resentment" with respect to the post-war political order and a powerful Sunni Prime Minister. Thus, gender social policies are the outcome and sometimes a tool of struggle among social and political groups fighting over state power.

In this deeply fragmented context that rests on the perpetuation of a gendered sectarian discourse, civic groups seeking gender equality and a greater democratization of the system are only allowed to raise issues that consolidate or, at best, fail to challenge the hegemony of the sectarian ruling cartel and their allies. This explains the passing of the domestic violence law and the rejection of the personal status and nationality law. The domestic violence bill does not challenge the heads of confessions and the legitimating sectarian myth of the sectarian elites. On the other hand, the nationality law and personal status remain in a gridlock as long as these laws sustain the aspirations of the sectarian leaders.

The broader implication is that the renegotiation of the post-war gender order in the sectarian context of Lebanon does not serve to protect individual human rights in general and women's rights in particular. Rather it is turned into an instrument that serves the interests of the sectarian leaders and the "super citizens", namely confessional communities. Hence, the persistence of non-democratic sectarian and clientelistic processes in Lebanon has less to do with culture and tradition than with the political elite's desire to preserve its rule.

This thesis also investigated the way institutions trump civil societies and reproduce their own images. Hence, the interactions of women's organizations with the sectarian and clientelistic system influence associational leaders' attitudes and shape patterns of democratic political participation. Subordinate classes and factions, as in the case of women, may support the maintenance of the political system. Hence, this system does not only foment the marginalization and oppression of a subordinate group like women, the latter also contribute to cement rulers' hegemony through their belief and

participation in this oppressive system (Ibid). These patterns of civic engagement greatly influence the health of democracy. Attitudes generated through civic participation in a clientelistic and sectarian context like Lebanon consolidate rather than undermine the status quo. Hence, this thesis provides a broader perception of sectarian hegemony which moves beyond the socio-economic dimension to shed light on its ideological dimension. This precludes women's movement from acting as a cohesive counter-hegemonic movement capable of launching a successful Gramscian 'war of position' against the sectarian elites. Civil society is no longer perceived as an arena where liberal democratic values take root but rather a place where sectarian and clientelistic hegemony is either contested or consolidated.

The fieldwork showed that some women's associations are part and parcel of the establishment. Their structures are either permeated by sectarian and confessional based organizations (LCW) or headed by a troika of first ladies (NCLW). Hence, elite women with strong familial and ideological ties to the sectarian ruling elites colonized the civic space and adopted a non-confrontational approach vis-à-vis the political leadership. This is reflected in their discourse, project design, issues raised and targeting strategy. In such cases, the associations either served as a showcase for their leaders to expand their power base (LCW) or were turned into rubber stamp bodies (NCLW) that addressed safe agendas. However, these associations also muffled the more radical voices and agendas. This has been achieved by dividing the women's movement whenever the nationality, personal status and quota based on a non-confessional law were raised. This support, belief and participation in the hegemonic system prove that compromises over women's agendas take place not only in the political arena but in the civil society sector.

Patronized by their close relationship with the sectarian elites, these associations reproduce non-democratic norms, values and practices and therefore consolidate the sectarian hegemony through their non-confrontational approach and participation in the sectarian and clientelistic system.

On another hand, the post-war sectarian status quo and its limited openness for political debate de-radicalized grassroots women's rights organizations and prohibited them from acting as a counter-hegemonic force. In this regard, the associations that adopt a confrontational approach may try to affect public policy but their efforts may not bear fruit as they challenge the underlying assumptions of the hegemonic order. Those who seek welfarism and refuse to be co-opted by the sectarian cartel were not only deprived from sectarian leaders' rewards but their ability to affect social policies and democratic outcomes were downsized.

Hence, the polarization of the civil society sector between clientelistic and non-clientelistic associations, confrontational and non-confrontational associations impedes the creation of a cohesive alternative civil society sector where the contestation of dominant ideas paves the way for a counter-hegemonic order. The sectarian and clientelistic system of Lebanon generates attitudes and behaviors that either reinforce the status quo or distance citizens from the political regime. Clientelistic and sectarian systems trump civil society organizations and reproduce their own images (Jamal 2007). In this regard, the extension of this hegemonic sectarian system is not only dependent on sectarian elite strategies devised to silence subordinate classes, the latter also cement this hegemony through their belief and support in this hegemonic system.

Furthermore, this thesis demonstrated that international aid agencies focus on achieving whatever can be achieved in the sectarian context of Lebanon. In this regard, women's rights agendas are often presented as apolitical, and projects are designed to mitigate women's social problems and to increase women's public and political participation. This makes women more visible but not necessarily empowered. These quick-fix solutions for complex problems do not yield to a renegotiation of state-society relations towards more inclusive forms of citizenship for women. Funders' projects are designed in a rush and are usually short-lived complying with international standards rather than being a response to local needs.

Moreover, aid agencies strengthen the ideological legitimacy of the sectarian elites through their belief and support in this sectarian system. This is best captured in the way, international aid institutions avoided to address or support local actors in their quest to reform personal status laws. At the same time, the funding community channels important amount of aid to these corporatist structures and consequently strengthens the same organizations that have the highest stakes in marginalizing women and their issues.

Furthermore, this thesis investigated the influence of international aid on the rise and proliferation of professionalized advocacy networks thus leading to a de-politicization and de-radicalization of the women's rights movement. This international trend polarized the grassroots sector between voluntary-based associations and professional NGOs thus impeding prospects for cooperation. Although these organizations have addressed different women's needs, they failed to unite their claims and demands. On the one hand, professional NGOs expressed their disenchantment with the ageism and personalism of voluntary-based associations, whereas the latter argue that

the NGOs' professional structure impedes real reforms. The focus on the transformation of advocacy work from one premised on voluntary-based work towards one led by a professionally paid staff has weakened cooperation even among like-minded associations. Moreover, the international lingo focusing on "women's empowerment" turned these associations into professionalized institutions that are preoccupied by the execution of their projects with little stakes in movement formation. In this regard, advocacy NGOs have increasingly incorporated the neo-liberal trend of disassociation which leads to more fragmentation and prohibits the advocacy community from renegotiating the gender order.

6.2 Theoretical Implications and Prospects for Gender Reforms

The theoretical framework developed in this thesis calls attention to the impact of the process of state formation, the strategies of the sectarian elites, and the implications that these have over social policies and democratic procedures. In theoretical terms, the thesis argued that the integration of confessional and kin structures into the nation-state "as mediated by the political conflicts and alliances of the political leadership shaped the development of gendered laws" (Charrad 2000: 239). The questions raised are important for the analysis of state policies on women's rights in different contexts, but can be best applying to countries where ethnic identities play an important role in political legitimization and mobilization.

This thesis has also sought to bring the issue of gender politics back to Lebanese comparative politics. It therefore suggests contextualizing the study of states and their policies, and the examination of social structures that shape underserved groups and women's rights in third world countries.

In the highly contested and fragmented context of Lebanon, it is interesting to ask whether women's rights organizations hold any potential to move beyond mitigating social distress towards real empowerment of Lebanese women. One of the central implications suggested by this thesis is that the renegotiation of the gender order can only transpire through the reform of the sectarian system.

In this regard, if the women's advocacy community is willing to reform the post-war gendered order rather than winning small battles, they should exhibit a real commitment to reform personal status laws, the sectarian-based social systems and electoral laws. In other words, grassroots women's organizations should move beyond being issue-based towards engaging in a comprehensive yet long-term socio-political agenda that leads to the renegotiation of the post-war gender order.

The reform of the personal status laws leads to positive change for women on different levels and it also promises a greater democratization of the political system. As long as women remain subject to the religious codes of their sect, and as long as this is the basis of their citizenship, women will be systematically excluded from political rights and individual rights constitutionally guaranteed to them.

To achieve these long-term objectives, grassroots women's organizations should move beyond their personalistic styles of leadership. Issues rather than personality problems should become the driving force for the women's social movement. Schisms within the women's organizations only feed the interests of the sectarian leaders who want to keep women in a subordinate position. Moreover, and since women's rights intertwine with broader notions of citizenship and rights, women's organizations should engage more with other civil society actors and marginalized groups such as Palestinians,

handicapped, youth, etc. These partnerships should not only be short-lived, serving the immediate implementation of particular projects, but should be accompanied by a long-term strategic alliance among people affected by these gendered laws.

Only by doing so, will the women's movement be able to bring about positive change, not only for women but also for cross-confessional and non-clientelistic groups and movements.

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AWID	: http://www.awid.org/
European Union	: http://www.almustaqbal.com/
Global Fund For Women	: http://www.globalfundforwomen.org/
Heinrich Boll Foundation	: http://www.boell-meo.orgust/
Institute for women studies	:http://www.lau.edu.lb/centers-institutes/iwsaw/index.html
KAFA	: http://www.kafa.org.lb/
Kvinna Till Kvinna	: http://www.kvinnatillkvinna.se/
Lebanese Council for Women	: http://www.lcw-cfl.org/
LKDG	: http://lkdg.org/
LWDG	: http://www.rdflwomen.org/
Mama Cash	: http://www.mamacash.org/
MEPI	: http://www.medregion.mepi.state.gov/
NDI	: http://www.ndi.org/lebanon/
OXFAM Quebec	: http://oxfam.qc.ca/fr/accueil/
UNDP POGAR	: http://www.pogar.org/
UNDP Lebanon	: http://www.undp.org.lb/
UNIFEM	: http://www.unifem.org/
UN-GEAR	: http://www.gearcampaign.org/
USAID Lebanon	: http://www.usaid.gov/lb/
Women's Rights Monitor	: http://www.lnf.org.lb/windex/index.html

APPENDICES

Appendix I: List of Interviews

1. Informal interview with field manager at CRTD-A, Beirut, 3 March 2010 and 19 November 2009.
2. Informal interview with journalist in *al-Akhbar*, Beirut, 8 January 2010.
3. Group interview with LCW board of directors, conducted by Dr Janine Clark, Beirut, 26 May 2010.
4. Interview with Leila Al Ali, executive director of Al-Najdeh association, Beirut, 2 April 2010.
5. Interview with Rola al Masri, CRTDA My Nationality campaign coordinator, Beirut, 18 , 22 January and 10 March 2010.
6. Interview with Bassam al Quntar, journalist in *al-Akhbar*, Beirut, 22 January 2010.
7. Interview with Ghida Anani, KAFA program coordinator, Beirut, 18 January and 17 February 2010.
8. Interview with Marie Debs, LLWR vice-president, Beirut, 24 February 2010.
9. Interview with Iqbal Doughan, former president of LCW and president of the WWL and FN, Beirut, 30 March 2010.
10. Interview with Nayla Madi Masri, CFUWI nationality coordinator, Beirut, 8 March 2010.
11. Interview with Linda Matar, LLWR President, Beirut, 3 March 2010.
12. Interview with Joumana Merhi, LWDG president, Beirut, 21 May 2008, 11 and 22 January 2010.
13. Interview with Joumana Moufareg, NCLW executive director, Beirut, 31 March 2010.
14. Interview with Zoya Rouhana, KAFA executive director, 8 January 2010, Beirut, Lebanon.
15. Interview with Nizar Saghieh, lawyer, Beirut, 10 November 2009.
16. Interview with Elena Zambelli, IDC Gender Program Manager, Beirut, 1 April 2010.

Appendix II: Women NGOs, Type, Demands and Relationship with Sectarian Elites[249]

NGO	NGO Type	Demands	Relationship with Elites
LCW	Corporatist	Political Participation	Cooperative
NCLW	Corporatist semi-official body	CEDAW implementation Political Participation	Cooperative
LLWR	Grassroots voluntary-based leftist	Personal status laws Penal codes Nationality Law Political participation Economic empowerment	Critical
LWDG	Grassroots leftist	Personal status laws Penal codes Nationality Law Political participation Economic empowerment	Critical
KAFA	Grassroots professional	Domestic Violence Nationality law	Pragmatic
CRTDA	Grassroots professional	Nationality Law Economic Empowerment Domestic Violence	Critical

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[249] Based on fieldwork and data analysis from Chapter 4.