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Why Women's Leadership is the Cause of Our Time

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WHY WOMEN'S LEADERSHIP IS THE CAUSE OF OUR TIME

*Rangita de Silva de Alwis**

ABSTRACT

Women continue to be underrepresented in leadership positions throughout the world. Yet, studies show that the exclusion of women from politics and public service negatively impacts the public good. Identifying women's leadership as the economic and moral imperative of our time, this Article explores the way in which greater representation of women in leadership positions yields beneficial results for both women and men, as well as social and economic progress. By examining the reasons for the substantial barriers women face in obtaining such positions, including the masculinization of politics, gendered caregiving responsibilities, and gender violence, this Article concludes that unless women have full and equal participation in policymaking, the full promise of development and democracy will never be fulfilled.

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“By making full use of half the world’s intelligence—the intelligence of women—we improve our chances of finding real and lasting solutions to the challenges that confront us.”

—Michelle Bachelet, former Under Secretary General and Executive Director of UN Women¹

INTRODUCTION

Historically, women have lagged behind in the fields of politics and public policy across the world. Even when women have headed social movements and civil society organizations that have shaped social change, there has been a marked gender gap in the political and decision-making spheres in public administration, arenas that usually hold the most sway. As

¹ Michelle Bachelet, Exec. Dir., United Nations Entity for Gend. Equal. & the Empowerment of Women, Advancing Women’s Political Participation (Sept. 19, 2011) (transcript available at <http://www.unwomen.org/en/news/stories/2011/9/advancing-women-s-political-participation>). Michelle Bachelet served as Chile’s first female president from 2006 to 2010. She is applauded for her successful handling of the 2008 financial crisis. Prior to her election, she worked as a medical doctor.

Zainab Bangura, the current Special Representative for Violence against Women in Armed Conflict and former Sierra Leone Minister has said, “[t]he real power isn’t in civil society; it’s in policymaking.”

Revolutions have been waged across the world in recent years, but the ongoing struggle for women’s rights remains unfinished. Although uprisings brought women to the forefront of change, protests alone were not enough to open the political sphere to women, and transitional governments have even threatened to roll back prior gains. The possibility of backsliding makes it all the more crucial that women have a seat at the table during this critical time.

The cost of women’s exclusion from the political and public service sphere is a heavy one, impacting not just women but their communities and countries. As the World Bank 2012 Gender and Equality Development Report states:

“[L]eveling the playing field—where women and men have equal chances to become socially and politically active, make decisions, and shape policies—is likely to lead over time to more representative, and more inclusive, institutions and policy choices and thus to a better development path.”²

This Article outlines the way in which greater representation of women in leadership impacts the public good. It also examines the barriers that keep women from participating in the public sphere and the mechanisms that are used to mitigate these challenges.

Women’s leadership in politics has been pivotal in developing laws on healthcare, childcare, and violence against women that have bolstered human security. In the economic sphere, increased women’s participation is paramount to growth and development at all levels, from agriculture to the top of the corporate ladder. The inclusion of women in conflict resolution can have a powerful impact on conflict transformation and can bring a more holistic response to constitution-making and law-drafting that advance issues such as post-conflict access to land, water, and education. In all areas, the presence of women in leadership roles serves as a powerful model to girls and has been shown to change societal views of gender roles. More women in leadership positions will not only break the glass ceiling but open wide

² WORLD BANK, WORLD DEVELOPMENT REPORT 2012: GENDER EQUALITY AND DEVELOPMENT 3 (2011), available at <http://siteresources.worldbank.org/INTWDR2012/Resources/7778105-1299699968583/7786210-1315936222006/Complete-Report.pdf>.

the pipeline for other women to follow in their footsteps.

This Article explores some of the barriers to women's leadership across the world that harm both women and men and their communities' social and economic progress. The masculinization of political and corporate culture often overtly and insidiously discourages women from seeking leadership positions. Gender-based violence also deters women from entering the public sphere. From Afghanistan to Zimbabwe, women political candidates face threats of violence and sexual abuse. Moreover, women's disproportionate caregiving responsibilities are often some of the greatest impediments to women's equal public sphere participation, and the nexus between gender discrimination in the home and subordination in the political sphere will require significant changes to policy and culture that facilitate greater male engagement in family care.

This Article also explores creative strategies that can unleash the potential of women's equal participation in leadership. Though quotas and other positive discrimination measures have been instrumental in achieving higher levels of women's participation, those mechanisms alone will not ensure women's active and effective leadership; political will and the support of male hierarchies are also necessary. Transnational networks, alliances with male leaders, and multidisciplinary social movements can equalize the playing field for women. Coalitions among women in politics and civil society have helped push open the door to greater participation by women and are helping shape new paradigms around the world. Women's rights campaigns have propelled women into decision-making positions, but more must be done to build a movement that locates women's leadership as the defining issue of the twenty-first century.

I. ADDRESSING THE PROBLEM

In one of her first appearances after stepping down as Secretary of State, Hillary Clinton called women's empowerment the unfinished business of the twenty-first century.³ Her powerful reminder that empowering women is not only a moral imperative, but a prerequisite for economic development, echoed her 1995 call that "[w]omen's rights are human rights."⁴ At the UN

³ Hillary Clinton, Keynote Address at the Women in the World Summit, *Helping Women Isn't Just a 'Nice' Thing to Do* (Apr. 5, 2013) (transcript *available at* <http://www.thedailybeast.com/witw/articles/2013/04/05/hillary-clinton-helping-women-isn-t-just-a-nice-thing-to-do.html>).

⁴ Hillary Clinton, Remarks at the United Nations Fourth World Conference on Women (Sept. 5, 1995) (transcript *available at*

World Conference on Women in Beijing fifteen years ago, she revitalized a new movement to amplify women's voices on all urgent causes of our times, but the work begun there is far from over.

During her time as Secretary of State, Secretary Clinton established women's leadership as not only a critical cornerstone of foreign policy but as the continuum of women's rights as human rights. In December 2011, furthering the agenda she had outlined in Beijing, Secretary Clinton launched the Women in Public Service Project in partnership with the Seven Sisters Colleges⁵ to inspire a new generation of women to leadership in public service. The first of its kind, this initiative has now grown to include over one hundred partners, including universities, women's colleges, ministries, agencies, and embassies around the world. The Women in Public Service Project (WPSP) is housed at the Global Women's Leadership Initiative at the Woodrow Wilson International Center for Scholars. By 2050, the WPSP hopes that its efforts will catalyze a more equal world where women will constitute at least fifty percent of decision-makers in public sector jobs.

However, fifty percent is still an aspirational target for most of the world. Globally, women are vastly under-represented in leadership positions across all sectors and regions. At the 1995 Fourth World Conference in Beijing, governments undertook to work to raise women's representation to a critical mass of thirty percent. To date, only 37 countries have reached the thirty percent mark recognized as the critical mass of change. Women are the majority of parliament in only two small countries, Rwanda and Andorra.⁶ Nine still have no women members at all. However, progress has been made: in 2013, the world average of women in parliament stands at

<http://www.columbia.edu/cu/augustine/arch/hrclinton.txt>

⁵ The key architects of the project are: Ambassador Melanne Vermeer, Former U.S. Ambassador for Global Women's Issues; U.S. Special Representative to the Muslim Communities, Farah Pandith; and five presidents of the Seven Sister Colleges. Honorable Jane Harman is the Chair of the Advisory Board, and former U.S. Secretary of State Hillary Clinton remains the Honorary Chair of the Board. The Women in Public Service Project (WPSP) was launched by Secretary Clinton in December of 2011 in partnership with the U.S. Department of State and the Seven Sisters women's colleges—Barnard, Bryn Mawr, Mount Holyoke, Smith, and Wellesley—and subsequently expanded to include Mills, Mount St. Mary's, Scripps College, and later a public university consortium led by University of Massachusetts, Lowell, and City College of New York. The WPSP is now a global presence including 70 government entities and academic institutes around the world.

⁶ *Women in National Parliaments*, INTER-PARLIAMENTARY UNION (Apr. 1, 2013), <http://www.ipu.org/wmn-e/arc/classif010413.htm>.

20.8 percent. In 1995, it was only 11.3 percent.⁷

David Rothkopf, editor of *Foreign Policy*, writes, “the underrepresentation of women in positions of power is proof not so much that men still dominate the top of the pyramid as it is of a system of the most egregious, widespread, pernicious, destructive pattern of human rights abuses in the history of civilization.”⁸ He argues that more women have lost their lives to discrimination and violence than any genocide in the world. Whether it be the “missing women” caused by male-biased sex ratios,⁹ inadequate healthcare and reproductive care for women that results in preventable death, or the countless number of women who are raped, beaten, and murdered because of honor crimes—these human rights violations have cost more lives of women than any casualty in war. He further points out that, of the most important persons in foreign policy identified in *Foreign Policy*’s “Power Issue,” only ten percent are women.¹⁰ Rothkopf is right when he says, “[t]he systematic, persistent acceptance of women’s second-class status is history’s greatest shame.”¹¹

We live in a world where injustices against women remain endemic in all countries, even though there is evidence that women’s empowerment leads to higher development. The absence of women in positions of power continues to minimize, marginalize, and ignore women’s interests. This not only holds back women but entire communities and countries.

Despite an increase in the number of women in decision-making positions, there is still a persistent and glaring disparity in the number of women who hold decision-making positions at various levels worldwide. Deeply embedded gender roles—including customs and traditions which confine women’s roles to the private sphere and exclude them from male-dominated traditional political systems—have been largely responsible for women’s underrepresentation in political processes. Without women present

⁷ INTER-PARLIAMENTARY UNION, WOMEN IN PARLIAMENT IN 2009: THE YEAR IN PERSPECTIVE (2010), available at <http://www.ipu.org/pdf/publications/wmnpersp09-e.pdf>.

⁸ David Rothkopf, *The Balance of Power*, FOREIGN POL’Y MAG., Apr. 29, 2013, http://www.foreignpolicy.com/articles/2013/04/29/the_balance_of_power.

⁹ Amartya Sen identified the phenomenon of “missing women” when studying the skewed gender ratios in Asia. In 1990 he estimated there were around one hundred million “missing” women as a result of cultural preference for boys that lead to the mistreatment and neglect of infant girls. Amartya Sen, *More Than 100 Million Women Are Missing*, N. Y. REV. BOOKS (Dec. 20, 1990), <http://www.nybooks.com/articles/archives/1990/dec/20/more-than-100-million-women-are-missing/>.

¹⁰ Rothkopf, *supra* note 8.

¹¹ *Id.*

at the negotiating table, urgent concerns affecting half of the world often remain silenced.

The most effective way to get attention and action on the very same human rights abuses that hold women back is to get more women into public office. Women's leadership has never been more significant than at this particular time in history, during an era of revolution, post-revolution, and transitional justice.

Of the almost two hundred national constitutions, over fifty percent have been drafted and revised since 1974, often as part of post-conflict and transitional justice.¹² States emerging from conflict or authoritarian rule have the opportunity to recast constitutions as well as the process of forming new constitutions. Political transitions such as the Arab Spring provide a window of opportunity to recast constitutions and legal systems. During transitions—perhaps the most vital time when the future course of the country is designed—women must be at the table. Democratic change calls for close examination of the causes and consequences of women's marginalization in high-level political decision-making. This is pivotal to the negotiations of constitutions and other legal system reforms as well as in peace-building. Today, the Middle East and North Africa (MENA) region is home to some of the most critical transitional justice processes in the world. It is important to ensure transitional justice measures do not further entrench the invisibility of gender-based abuses.

In Egypt, although women were at the forefront of the revolutions, they were marginalized soon thereafter by transitional processes and were shamelessly beaten back and subject to virginity testing when they reassembled on Tahrir Square on International Women's Day on March 9, 2011.¹³ The percentage of women in the Egyptian legislature fell to only two percent following the revolution.¹⁴ Tunisia has one of the highest percentages of women in the region, but women still make up only 27 percent of parliamentarians despite a parity law.¹⁵ In Libya, though women lobbied for a thirty percent quota in the election law, women only comprise

¹² Jolynn Shoemaker, *By the People and For the People: Constitution-Building, Gender and Democratization*, CRITICAL HALF, Summer 2005, at 9, available at <http://www.womenforwomen.org/news-women-for-women/assets/files/critical-half/CHJournalv3.pdf>.

¹³ "Virginity Tests" *Latest Crack in Egypt's Reform*, CBS NEWS (May 31, 2011), http://www.cbsnews.com/2100-202_162-20067507.html.

¹⁴ *Women in National Parliaments*, *supra* note 6.

¹⁵ *Id.*

17 percent of the General National Congress.¹⁶

When women are not represented in transitional justice mechanisms, their experiences are often ignored in the new narratives of nation-building. New constitutions must serve to rectify, not replicate, patterns of discrimination against women. For example, it was only because of women's mass mobilizing that the second draft of the Tunisian Constitution dropped language stating that women, rather than being equal to men, were "complementary."¹⁷ The Jordanian women's movement is building on the new awakenings in the Arab region to include gender as a prohibited category of discrimination.¹⁸

Women's representation in these processes of transitional justice has been unusually low in the MENA region. But even outside the MENA region, a review of the 24 peace processes taking place between 1992 and 2010 shows that female representation was as low as 2.5 percent of signatories to peace treaties and 7.6 percent of negotiating parties.¹⁹

Women's participation in decision-making processes is critical to moving toward more gender-equal societies. For women to inform reform and for their voices to be transformative, their voices need to be heard. They need to serve in parliaments, village councils, and school boards. They need to serve as judges and police officers. Kim Campbell,²⁰ the former Prime

¹⁶ Law No. 4 of 2012 (Election of the General National Congress), Interim National Transitional Council (Libya), art. 15, 17; *Women Face Challenges as Libya Moves Toward a New Constitution*, GLOBAL POST (May 31, 2013, 8:02 AM), <http://www.globalpost.com/dispatches/globalpost-blogs/commentary/libya-women-constitution-gender-discrimination-politics>.

¹⁷ Borzou Daragahi, *Term Used for Women in Tunisia's Draft Constitution Ignites Debate*, WASH. POST (Aug. 16, 2012), http://articles.washingtonpost.com/2012-08-16/world/35492683_1_ennahda-officials-draft-constitution-islamist-ennahda-party.

¹⁸ EQUAL RIGHTS TRUST, PARALLEL REPORT SUBMITTED TO THE 51ST SESSION OF THE COMMITTEE ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN IN RELATION TO THE FIFTH PERIODIC REPORT SUBMITTED BY THE HASHEMITE KINGDOM OF JORDAN, *available at* http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/TheEqualRightsTrust_for_the_session_Jordan_CEDAW51_en.pdf

¹⁹ PABLO CASTILLO DIAZ ET AL., UNITED NATIONS DEV. FUND FOR WOMEN, WOMEN'S PARTICIPATION IN PEACE NEGOTIATIONS 3 (2010), *available at* http://www.unifem.org/attachments/products/0302_WomensParticipationInPeaceNegotiations_en.pdf.

²⁰ Kim Campbell was the first female Prime Minister of Canada and served for several months in 1993. Prior to being sworn in as Prime Minister, she was the first woman appointed Minister of Justice and the Attorney General and the first female Minister of National Defense and Veteran Affairs.

Minister of Canada, argues that when women lead, men can be more of the things they want to be.²¹ She points out that when more women began to be elected to the House of Commons, the House stopped night sittings, and most men relished the opportunity to spend more time with their families. She writes: "It was the presence of women that began to push against the way the institution was created. Institutions are created by the people who inhabit them and have a voice in creating their structure."²² Women cannot shy away from power, however much it has been defined in male terms or tarnished. As Campbell contends, "[p]ower is essential. Women cannot afford to shy away from the leverage that will change society."²³

II. WHY IS WOMEN'S LEADERSHIP TRANSFORMATIVE?

*"Nothing, arguably, is as important today in the political economy of development as an adequate recognition of political, economic, and social participation and leadership of women."*²⁴

—Amartya Sen, Economist and Nobel Laureate

Increasing women's participation in politics and the public sphere is not only an issue of justice; it also makes economic sense, and the plurality of perspectives strengthens national security, efficiency, and transparency in government. Moreover, women in policymaking have an intergenerational impact on societies' attitudes towards women and girls.

There is an apparent cause-and-effect process initiated by increased women's empowerment that has positive repercussions in many areas. The following studies have revealed clear intersections between women's agency and a variety of other positive development metrics. Research shows that in China, increasing adult female income by ten percent of the average household income raised the number of surviving girls by one percent as well as the years of schooling for both boys and girls.²⁵ In India, expanded access to income and education for women improved educational outcomes

²¹ Interview by Art Kaufman with Kim Campbell, Chair, World Movement Steering Comm. (Jan. 10, 2011) (transcript available at <http://www.wmd.org/about/democracyvoices/kim-campbell-canada>)

²² Kim Campbell, *Different Rulers—Different Rules*, in THE DIFFERENCE "DIFFERENCE" MAKES 125, (Deborah L. Rhode ed., 2003).

²³ *Id.*

²⁴ AMARTYA SEN, DEVELOPMENT AS FREEDOM 203 (2001).

²⁵ WORLD BANK, *supra* note 2, at 5.

of children.²⁶ In Sri Lanka, reductions in maternal mortality helped to increase female literacy.²⁷ This trickle-down can also be seen in Pakistan, where children whose mothers have even one more year of education have higher test scores.²⁸

Studies show that women's agency in the marketplace leads to an improvement in economies.²⁹ Ensuring equal decision-making for women farmers would augment maize yields by 17 percent in Ghana.³⁰ In India and Nepal, giving women a bigger say in managing forests significantly improves conservation outcomes, increases women's property rights, and advances productivity participation by 18 percent.³¹ The Food and Agriculture Organization argues that equal access to resources could increase outcomes in agriculture in developing countries by 2.5 to 4 percent.³² Reducing gender inequality in leadership results in more women-friendly legislation, high dividends in economic sectors, increased security, and an overall shift in societal attitudes toward women and girls.

a. Women and Policy-Making

Across the world, when women are at the table, legislatures enact policies and measures that advance the development of women, their families, and their countries. Rwanda boasts the highest proportion of women parliamentarians in the world.³³ Working across party lines, Rwanda's Forum of Women Parliamentarians helped pass a law combating violence against women.³⁴ When the number of women in the Costa Rican parliament reached a critical mass of over thirty percent, a General Law on the Protection of Adolescent Mothers was promulgated to provide free health services and education to young women.³⁵ In Tanzania, a gender

²⁶ *Id.*

²⁷ SEEMA JAYACHANDRAN & ADRIANA LLERAS-MUNEY, NAT'L BUREAU OF ECON. RESEARCH, LIFE EXPECTANCY AND HUMAN CAPITAL INVESTMENTS 2 (2008), available at <http://www.nber.org/papers/w13947>.

²⁸ WORLD BANK, *supra* note 2, at 69.

²⁹ *Id.* at 366.

³⁰ *Id.* at 237.

³¹ *Id.* at 6.

³² JACQUES DIOUF, FOOD & AGRIC. ORG. OF UNITED NATIONS, WOMEN – KEY TO FOOD SECURITY (2011), available at <http://www.fao.org/docrep/014/am719e/am719e00.pdf>.

³³ *Women in National Parliaments*, *supra* note 6.

³⁴ Law on Prevention and Punishment of Gender-Based Violence No. 59 (2008) (Rwanda).

³⁵ L. 7735, diciembre 19, 1997, General Law on the Protection of Adolescent Mothers, as amended through L. 8312, septiembre 30, 2002 (Costa Rica).

quota was enacted to ensure that women held no less than twenty percent of the seats in parliament.³⁶ Because of their presence, an amendment to the Land Act grants women equal access to land, loans, and credit.³⁷

In the United States, women leaders have helped pass bills that make women and families more secure. This legislation has included the Violence Against Women Act of 1994³⁸ and the Family and Medical Leave Act of 1993.³⁹ Other measures have increased assistance for survivors of domestic violence, increased penalties for batterers, supported federal rape-shield laws to protect rape victims, and furthered policies on payment of child support by non-custodial parents. In many cases, it was only after women took their place in Congress that critical issues such as healthcare, childcare and support, sexual harassment, domestic violence, and gender-based wage differentials were given priority.⁴⁰

Because women were present at the process of negotiating the new constitution in South Africa, its preamble contains a clause explaining gender oppression and its impact on society, in addition to an equality clause, a provision to protect women from cultural practices that discriminate against them, and a recognition of reproductive rights.⁴¹

In India, gender quotas at the local government level increased the percentage of women elected leaders from less than five percent in 1992 to over forty percent by 2000.⁴² Evidence shows that women in elected office in India are more likely to invest in public infrastructure—particularly safe drinking water—and are less likely to feed into corruption than their male counterparts.⁴³ At the local level, women-led village councils approved

³⁶ Constitutional Amendment, May 1992 (Act 4 of 1992) (Tanz.).

³⁷ Land Amendment Act of 2004, Apr. 2004 (No. 2 of 2004) (Tanz.).

³⁸ Violence Against Women Act, Pub. L. No. 103-322, tit. IV, 108 Stat. 1902 (1994) (codified as amended in §§ 8, 16, 18, 28, and 42 U.S.C.).

³⁹ Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654 (2011).

⁴⁰ JULIE BALLINGTON, INTER-PARLIAMENTARY UNION, EQUALITY IN POLITICS 43-46 (2008) available at <http://www.ipu.org/pdf/publications/equality08-e.pdf>.

⁴¹ S. AFR. CONST., 1996.

⁴² RANGITA DE SILVA DE ALWIS, WILSON CTR., POLICY BRIEF: NATIONAL ACTION PLAN ON WOMEN'S EQUAL PARTICIPATION IN PUBLIC SERVICE I (2012), available at http://www.wilsoncenter.org/sites/default/files/policy_brief_national_action_plan_on_women_s_equal_participation_in_public_service.pdf.

⁴³ P. D. Kaushik, *Panchayati Raj Movement in India: Retrospective and Present Status*, in *ENERGISING RURAL DEVELOPMENT THROUGH "PANCHAYATS"* 170 (Bibek Debroy & P. D. Kaushik eds., 2005).

sixty percent more drinking water projects than those led by men.⁴⁴ The correlation between women's leadership and development outcomes is made clear by Esther Duflo's research, which shows that there was less corruption and more access to public goods in India's villages where council head positions were reserved for women.⁴⁵

b. Women and Economic Empowerment

*"To achieve the economic expansion we all seek, we need to unlock a vital source of growth that can power our economies in the decades to come . . . By increasing women's participation in the economy and enhancing their efficiency and productivity, we can have a dramatic impact on the competitiveness and growth of our economies."*⁴⁶

—Secretary Hillary Clinton, APEC Conference in September 2011

*"Unleashing the potential of Womenomics is an absolute must if Japan's growth is to continue. Womenomics also holds the key to enhancing growth in Africa, an economic powerhouse in the making."*⁴⁷

—Shinzo Abe

The World Development Report 2012: Gender Equality and Development argues that closing gender gaps is both a core development objective in its own right as well as smart economics.⁴⁸ Greater gender equality can enhance productivity, improve development outcomes for the next generation, and make institutions more representative. The report argues that productivity gains will increase if women's skills and talents are used more fully. For example, maize yields in Malawi and Ghana will improve by one-sixth if women have the same access as men to fertilizers

⁴⁴ DE SILVA DE ALWIS, *supra* note 42, at 2.

⁴⁵ Lori Beaman et al., *Female Leadership Raises Aspirations and Educational Attainment for Girls: A Policy Experiment in India*, 335 SCI. MAG. 582-86 (2012), available at <http://www.povertyactionlab.org/publication/female-leadership-raises-aspirations-and-educational-attainment-girls-policy-experiment-india>.

⁴⁶ Hillary Clinton, U.S. Sec'y of State, Remarks at the Asia Pacific Economic Cooperation Women and the Economy Summit (Sept. 16, 2011) (transcript available at <http://www.state.gov/secretary/rm/2011/09/172605.htm>).

⁴⁷ Shinzo Abe, Op-Ed., *Unleashing the Power of 'Womenomics'*, WALL ST. J., Sept. 26, 2013, at A15.

⁴⁸ WORLD BANK, *supra* note 2, at 4.

and other inputs.⁴⁹

Most importantly, barriers, such as violence and bias against women, impede access to resources. Eliminating these discriminatory barriers will raise labor productivity by 25 percent.⁵⁰ Women's empowerment also has an important intergenerational effect. Greater control and input over household decisions can amplify a nation's growth prospects by affecting positive outcomes for children. Improvements in women's education have led to better outcomes for children in countries from Brazil to Senegal.⁵¹

Women's leadership makes a clear difference in the higher echelons of business as well. Although women make up just three percent of Fortune 500 CEOs, McKinsey studies show that because of women's work in the marketplace, America's GDP is now about 25 percent higher than it would have been without women.⁵² Goldman Sachs argues that eliminating the remaining gap between male and female employment rates could boost GDP in America by a total of nine percent, in the Eurozone by 13 percent, and in Japan by as much as 16 percent.⁵³ Recent studies show that higher numbers of women in executive positions can result in higher rates of corporate return on equity.⁵⁴

A number of studies reveal a strong correlation between significant numbers of women at the top of a company and its success in the marketplace. For example, in 2007, McKinsey studied over 230 public and private companies and non-profit organizations with a total of 115,000 employees worldwide and found that those with significant numbers of women in senior management fared better on a range of criteria, including

⁴⁹ *Id.* at 237.

⁵⁰ *Id.* at 5.

⁵¹ *Id.*

⁵² Joanna Barsh & Lareina Yee, *Unlocking the Full Potential of Women in the U.S. Economy*, MCKINSEY & COMPANY, 4 (Apr. 2011), http://www.mckinsey.com/client_service/organization/latest_thinking/~/_media/mckinsey/dotcom/client_service/organization/pdfs/110409wsj_executive_summary_final%2020110409.pdf.

⁵³ Kevin Daly, *Gender Inequality, Growth and Global Ageing*, WOMEN AND TECHNOLOGY.EU, 3 (Apr. 3, 2007), <http://www.womenandtechnology.eu/digitalcity/servlet/PublishedFileServlet/AAAATKMI/Gender-inequality-Growth-and-Global-Aging.pdf>.

⁵⁴ GEORGES DESVAUX, SANDRINE DEVILLARD-HOELLINGER, & PASCAL BAUMGARTEN, MCKINSEY & CO., *WOMEN MATTER: GENDER DIVERSITY, A CORPORATE PERFORMANCE DRIVER* 13-14 (2007), available at http://www.europeanpwn.net/files/mckinsey_2007_gender_matters.pdf.

leadership, accountability, and innovation.⁵⁵ Those companies were also strongly associated with higher operating margins and market capitalization. In addition, the McKinsey study examined 89 large European companies with high proportions of women in top management posts and found that their financial performance was well above average for their sector.⁵⁶

Corporate board leadership is an important cornerstone of leadership in the public sphere. For example, Norway's Corporate Board Quota Law (CBQ) shows the importance of legislatively mandated quotas in gender empowerment.⁵⁷ The CBQ mandated that all publicly-listed corporations in Norway include at least forty percent women by January 1, 2008.⁵⁸ Noncompliance was to result in dissolution of the corporation. Norway's attempt to increase women in corporate leadership has helped to build a nexus between the public and private spheres. Such policies, if universalized, would fundamentally shift both corporate and public governance. Bolstering women's roles in corporate governance increases gender equality by advancing women's contributions to the public economy. The rhetoric of the connection between gender equality and economic growth shaped the language used by Norway's Ministry of Children and Family Affairs to promote the CBQ, stating that the legislation will not only lead to "equality between the sexes" but also to "the creation of wealth in society."

c. Women, Peace, and Security

War and peace have historically been defined in terms of men who waged wars, signed peace treaties, and drafted constitutions, while women's varied roles, from victims to peacemakers, still remain largely invisible in history. Women's role in peacemaking has been largely ignored, and war's effects on women have not been acknowledged in peace treaties, post-conflict resolutions, resource allocation, or law enforcement. Through international tribunals and Security Council resolutions, acknowledgements of rape as a tool of war have helped to unmask the silence on gender violence in war and have pierced the veil of silence and impunity that shroud these crimes.⁵⁹

Even though evidence shows that critical security issues are often

⁵⁵ *Id.* at 12-14.

⁵⁶ Barsh & Yee, *supra* note 52, at 5.

⁵⁷ Norwegian Public Limited Liability Companies Act, § 6-11a.

⁵⁸ *Id.*

⁵⁹ S.C. Res. 1820, ¶ 3, U.N. Doc. S/RES/1820 (June 19, 2008).

highlighted when women are at the peace-negotiating table, women have been continuously underrepresented as mediators and negotiators to major peace processes.⁶⁰ The absence of women in negotiation processes and post-conflict reconstruction efforts threatens the possibility of sustainable peace. Rule of law processes must be shaped by and responsive to both women and men.

Women's leadership in national security is critical to the peace and conflict-resolution process. When women have a role in peace processes, gender-related issues such as support to victims of violence during conflict, and access to land, health, and education are addressed in peace treaties. For example, the Lome Agreement of Sierra Leone makes special provisions for conflict-affected women and calls for special attention to the needs of women in formulating and implementing programs for rehabilitation, reconstruction, and development due to their unique victimization during the conflict.⁶¹ The Good Friday Agreement in Ireland recognizes the right of women to full and equal political participation and promotes social inclusion, emphasizing the advancement of women in public life.⁶²

UN Security Council Resolution 1325 opened a new space for women's participation by reaffirming the important role women play in the peace-building and reconciliation process and urging member states to ensure increased input by women in all decision-making bodies.⁶³ However, as a recent UNIFEM study notes, no woman has ever been appointed Chief or Lead Peace Mediator in UN-sponsored peace talks, though some women have been included by the African Union in teams of conflict mediators.⁶⁴ Noting slow implementation progress at the national level, in 2004, the Security Council called on member states to implement Resolution 1325 (2000), including through the development of National Action Plans (NAPs) or other national-level strategies.⁶⁵ Making gender central requires inclusion at all levels, beginning with the peace process at the constitutional norm

⁶⁰ CASTILLO DIAZ ET AL., *supra* note 19, at 1.

⁶¹ Peace Agreement between the Government of Sierra Leone and the Revolutionary United Front of Sierra Leone, art. XXVIII, July 7, 1999, available at <http://www.sierra-leone.org/lomeaccord.html>.

⁶² Agreement Between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland, Rights, Safeguards, and Equality of Opportunity ¶ 1, U.K.-Ir., Apr. 10, 1998, available at <http://www.dfa.ie/uploads/documents/Anglo-Irish/agreement.pdf>.

⁶³ S.C. Res. 1325, ¶ 1, U.N. Doc. S/RES/1325 (Oct. 31, 2000).

⁶⁴ CASTILLO DIAZ ET AL., *supra* note 19, at 5.

⁶⁵ S.C. Pres. Statement 2004/40, U.N. Doc. S/PRST/2008/48, at 3 (Oct. 28, 2004).

apex and working its way down through legislative and policy routes.

When Senator Clinton was asked at her Secretary of State confirmation hearings to comment on the violence and the threat of harm that women face because of their gender, she responded:

“I want to pledge to you that, as Secretary of State I view these issues as central to our foreign policy, not as adjunct, or auxiliary or as any way lesser than all of the other issues that we have to confront.”⁶⁶

True to her words, during her tenure, the United States National Action Plan on Women, Peace and Security—as directed by the Executive Order signed by President Obama—entitled the United States government to accelerate, institutionalize, and better coordinate efforts to advance women’s inclusion in peace negotiations, peace-building activities, and conflict prevention, to protect women from sexual and gender-based violence, and to ensure equal access to relief and recovery assistance in areas of conflict and insecurity.⁶⁷ The National Action Plan places women at the center of peacemaking and articulates that not only must women’s lives be protected, but “their experiences [must be] considered, and their voices heard.”⁶⁸

d. The Intergenerational Impact of Women in Leadership

Having a woman in a seat of power can be transformative and can help inspire peers and a future generation of women. Studies show the positive effect of exposure to a female leader.⁶⁹ In communities where women leaders are more visible, fathers tend to send their daughters to school and to keep them in school.⁷⁰ In short, fathers have greater aspirations for their daughters in communities where women leaders are more visible, and female role models also impact fathers’ attitudes towards their girls.⁷¹

Research on the Panchayat Raj in India has shown that the role model effect reaches beyond the realm of aspirations into real educational

⁶⁶ Nomination of Hillary R. Clinton to be Secretary of State, Before the S. Comm. on Foreign Relations, 111th Cong. 46 (2009) (Response by Hillary R. Clinton).

⁶⁷ United States National Action Plan on Women, Peace and Security, WHITEHOUSE.GOV (Dec. 2011), http://www.whitehouse.gov/sites/default/files/email-files/US_National_Action_Plan_on_Women_Peace_and_Security.pdf.

⁶⁸ *Id.* at 1.

⁶⁹ Beaman et al., *supra* note 45, at 583.

⁷⁰ *Id.* at 583-84.

⁷¹ *Id.*

impacts.⁷² Role models can challenge prevalent stereotypes. Studies show that girls may be less likely to aspire to become scientists because there are few female scientists.⁷³ Exposure to women leaders can provide such role models, break stereotypes regarding gender roles, and improve individual women's aspirations and propensity to enter traditionally male-dominated arenas.

President Ellen Johnson-Sirleaf, President of Liberia and Nobelist, is an example of a woman in leadership making a big impact.⁷⁴ On the first day of her first term as President, she discussed the taboo issue of rape in her inauguration speech, placing women and the issue of violence against women at the forefront of her presidency and thus creating a new discourse on leadership.⁷⁵ Swanee Hunt quotes Bertha Amanor, a Liberian women working in a women's NGO, saying of Johnson-Sirleaf: "If you look today where the big house is, a woman is sitting there. And if she is there, we can be leaders here! Men — listen up — we no longer walk behind you."⁷⁶

In a poem dedicated to Shirin Ebadi in celebration of Ebadi's Nobel Prize for Peace, Paulo Coelho writes that women's leadership today is "so that the next generation will not have to strive for what has already been

⁷² *Id.* at 584-85.

⁷³ Jacob C. Blickenstaff, *Women and Science Careers: Leaky Pipeline or Gender Filter?*, 17 GENDER & EDUC. 369, 371 (2005).

⁷⁴ Ellen Johnson-Sirleaf has been the president of Liberia since November 23, 2003. Johnson-Sirleaf began her career in politics as the Assistant Minister of Finance under the William Tolbert administration in Liberia. When the Tolbert administration was overthrown in 1980, she went into exile in Nairobi, Kenya, where she worked for Citibank. In 1985, when she returned to Liberia, she spoke out against the military regime of Samuel Doe—the twenty-first President of Liberia—while running for Senate and was sentenced to ten years in prison. She again fled to Nairobi and served as Vice President of the African Regional Bank Office of Citibank. She stayed abroad and began working as Director for the UN Development Program Regional Bureau for Africa from 1992-1997. In 2003, she took over the Unity Party and decided to run again for President. On January 16, 2006, she was sworn in as the first woman President of Liberia.

⁷⁵ President Ellen Johnson Sirleaf of Liber., Inaugural Address (Jan. 17, 2006) (transcript available at <http://allafrica.com/stories/200601170106.html>).

⁷⁶ Swanee Hunt, *'Ma Ellen' is Delivering Liberia*, BOS. GLOBE (Mar. 8, 2007), http://www.boston.com/news/globe/editorial_opinion/oped/articles/2007/03/08/ma_ellen_is_delivering_liberia/. Swanee Grace Hunt, the Eleanor Roosevelt Lecturer in Public Policy at Harvard University's Kennedy School of Government, is the founding director of the Women and Public Policy Program (WAPPP) at the Kennedy School, and former United States Ambassador to Austria. An expert on domestic policy and foreign affairs, Hunt also chairs the Washington-based Institute for Inclusive Security, conducting research, training, and advocacy to integrate women into peace processes.

accomplished.”⁷⁷ More recently, in 2011 when Dilma Rousseff⁷⁸ was inaugurated as Brazil’s first woman president, she said: “I am here to open doors so that in the future many other women can also be President. . . .”⁷⁹

Women’s leadership is critical to debunking traditional stereotypes that women are politically naïve and weak, and lack authority. Indira Gandhi,⁸⁰ Prime Minister of India, who spoke on the liberation of women in inaugurating the All-India Women’s Conference Building Complex in India in 1980, stated:

I am reading a book titled *World and Women*. I learned from it what Ling White, the President of Mills College in the USA, wrote . . . that it is time to look at the thoughtless use of stereotypes . . . Man as leader, woman as follower, man as producer, woman as consumer, man as strength, woman as weak; this is the cosmography that has brought us to man as aggressor.⁸¹

Women in power can create a new discourse that can make gender matter in political discourse. President Sirleaf transformed and feminized the discourse of leadership when she referred to herself as “Ma Sirleaf” as a positive reference to power. President Sirleaf stated, “[y]ou . . . are the midwives.”⁸² She has drawn on maternity as a label of power when inspiring leadership. “As a mother, I understand what is needed,” she asserted. “As a grandmother, I’m thinking about our future.”⁸³ Rather than

⁷⁷ Paulo Coelho, *To Shirin Ebadi*, INT’L F. FOR LITERATURE & CULTURE OF PEACE, http://www.iflac.com/ada/html/coelho_ebadi.html (last visited Sept. 7, 2013).

⁷⁸ President Dilma Rouseff is the first woman to hold the office of President of Brazil. She was sworn in on January 1, 2011 and previously served as Chief of Staff to President Luiz Inacio Lula de Silva from 2005 to 2010. After two years of imprisonment (from 1970 to 1972) for her involvement in various left-wing and Marxist urban guerrilla groups that fought against military dictatorship, she was released and rebuilt her life in Porto Alegre with Carlos Araujo. Together they helped found the Democratic Labour Party (PTD) in Rio Grande do Sul.

⁷⁹ Dilma Rousseff, Inaugural Speech to Congress (Jan. 1, 2011) (transcript available at <http://www.itamaraty.gov.br/sala-de-imprensa/discursos-artigos-entrevistas-e-outras-comunicacoes/presidente-da-republica-federativa-do-brasil/address-of-dilma-vana-rousseff-president-of-the-republic-inaugural-speech-to-congress-english-version>).

⁸⁰ Indira Gandhi served three consecutive terms as Prime Minister of India between 1966 and 1977 and a fourth term beginning in 1980. She was assassinated by her Sikh bodyguards in 1984.

⁸¹ Indira Gandhi, *True Liberation of Women*, (Mar. 26, 1980) (transcript available at http://www.sojust.net/speeches/indira_gandhi_liberation.html).

⁸² Hunt, *supra* note 76.

⁸³ *Id.*

avoiding metaphors of gender, Sirleaf was unafraid to create a brand of leadership that is determinedly feminine.

Kim Campbell has said that women need a critical mass if they are to speak in an authentic voice. She argues:

“Often, when women in important positions disappoint us with their reticence, it is because they are in circumstances where they don’t feel they can speak in their own voices, when they know that wherever they are, they are there on sufferance.”⁸⁴

Campbell makes an impassioned cry to elect women to office. She asks women: “Do you want your daughters and granddaughters to live in a world in which 15 percent of the national legislators in your country are women?”⁸⁵ While role models are important to creating new narratives of leadership, more must be done to dismantle the barriers to women’s leadership.

III. INTERNATIONAL GUARANTEES ON WOMEN’S LEADERSHIP

A constellation of international conventions and norms calls for women’s leadership. These guarantees are recognized in many constitutions of the world. The Rwandan Constitution invokes the conventions ratified by the state party, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).⁸⁶

The Kenyan Constitution of 2010 enshrined the primacy of international guarantees.⁸⁷ Most recently, the Tunisian Draft Constitution called for compliance with international laws insofar as they do not violate customary norms and Islamic principles.⁸⁸ Compliance with the letter and the spirit of international conventions and norms is key to women’s empowerment and leadership.

The Universal Declaration of Human Rights provides that “[e]veryone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as . . . sex”⁸⁹ The International Covenant

⁸⁴ Campbell, *supra* note 22, at 123-24.

⁸⁵ *Id.* at 126.

⁸⁶ CONSTITUTION, preamble 9 (June 4, 2003) (Rwanda).

⁸⁷ CONSTITUTION, art. 21 (1992) (Kenya).

⁸⁸ DRAFT CONSTITUTION, art. 21 (Apr. 22, 2013) (Tunisia).

⁸⁹ Universal Declaration of Human Rights, G.A. Res. 217 (III), art. 2, U.N. Doc. A/RES/217 (Dec. 10, 1948).

on Civil and Political Rights (ICCPR)⁹⁰ similarly calls for recognition without distinction. It further provides that each State Party “undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such legislative or other measures as may be necessary to give effect to the rights recognized in the present Covenant.”⁹¹ The Vienna Declaration and Programme of Action provides that:

[H]uman rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex are priority objectives of the international community.⁹²

As the international bill of rights for women, CEDAW outlaws discrimination against women in all forms and provides that States Parties shall embody this principle of equality in their national constitutions and legal systems.⁹³ Article 7 of CEDAW provides that:

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right: (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies; (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government; (c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.⁹⁴

In 1995, these norms were reinforced in the Beijing Platform for Action as important women’s human rights that states, private sector bodies, and civil society organizations need to provide to ensure women’s human rights

⁹⁰ International Covenant on Civil and Political Rights, Mar. 23, 1976, 999 U.N.T.S. 14668.

⁹¹ *Id.* at art. 2.2.

⁹² World Conference on Human Rights, June 14–25, 1993, Vienna Declaration and Programme of Action, ¶ 18, U.N. Doc. A/CONF.157/23 (July 12, 1993).

⁹³ Convention on the Elimination of all Forms of Discrimination Against Women, G.A. Res. 34/180, art. 7, U.N. Doc. A/RES/34/180 (Dec. 18, 1979).

⁹⁴ *Id.*

are fully realized.⁹⁵ The Beijing Platform of Action states clearly that: "Without the active participation of women and the incorporation of women's perspective at all levels of decision-making, the goals for equality, development and peace cannot be achieved."⁹⁶

The Beijing Platform of Action provides that in order to ensure that women have equal access to and full participation in power structures and decision-making, actions must be taken to further the goal of gender balance in political parties, government, the judiciary, and international forums, including setting specific targets and taking positive action. It calls for women in elective and non-elective public positions in the same proportion and at the same levels as men, and it urges the inclusion of women leaders, executives, and managers in strategic decision-making positions. It also recognizes that shared work and parental responsibilities promote women's increased participation in public life. Additionally, it outlines the importance of developing mechanisms and training to encourage women to participate in the electoral process, political activities, and other leadership areas. It specifically states, "[t]he equal access and full participation of women in power structures and their full involvement in all efforts for the prevention and resolution of conflicts are essential for the maintenance and promotion of peace and security."⁹⁷

In 2000, at the dawn of a new millennium, 192 countries of the United Nations came together to agree on an overarching set of development goals to reduce poverty and improve the lives of people around the world. The mosaic of evidence-based research shows that without the overarching objective of women's empowerment, these goals cannot be met. Thirteen years later, it is not only important to measure countries over a decade-long commitment to the Millennium Development Goals but also to come up with innovative strategies to meet the 2015 development goals. Millennium Development Goal 3 on Promoting Gender Equality and Empowering Women is not only a concrete goal but also one that cuts across all other goals.⁹⁸ One of the indicators of this goal is the proportion of seats held by women in national parliaments.

⁹⁵ World Conference on Women, Sept. 4–15, 1995, Beijing Declaration and Platform for Action, U.N. DOC. A/CONF.177/20 (Sept. 15, 1995).

⁹⁶ *Id.* at 79.

⁹⁷ *Id.* at 57.

⁹⁸ UNITED NATIONS, THE MILLENNIUM DEVELOPMENT GOALS REPORT (2012), available at <http://www.un.org/millenniumgoals/pdf/MDG%20Report%202012.pdf>.

UN Security Council Resolution (UNSCR) 1325⁹⁹ reaffirms the important role of women in the prevention and resolution of conflicts and in peace-building, stresses the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and emphasizes the need to increase their role in decision-making with regard to conflict prevention and resolution. Other Security Council Resolutions call for the participation of women in peace processes and for the enhanced protection of women in conflict zones.¹⁰⁰

Peace agreements and reconstruction are more sustainable and effective when women are involved in the peace-building process; bringing women to the peace table improves the quality of agreements reached and enhances the chances that they are implemented. A critical mass of women, and not merely a token representation, is needed for this to work. Gender-sensitive approaches can help to ensure that women become important players in negotiation processes and are integrated in post-conflict rehabilitation and reconstruction efforts.

IV. BARRIERS TO WOMEN'S LEADERSHIP

Despite strong international conventions that are ostensibly agreed upon by most UN member states, low levels of women's participation remain the norm around the world. Structural and cultural barriers keep women from fully participating in the public sphere, and widespread social and political changes are necessary in order to eliminate them.

Recently, Sheryl Sandberg's¹⁰¹ book *Lean In* started a conversation

⁹⁹ S.C. RES. 1325, *supra* note 63, at 1.

¹⁰⁰ S.C. RES. 1960, at 1, U.N. DOC. S/RES/1960 (Dec. 16, 2010) (echoing the commitment to fulfill UNSCR 1325 and also is the second United Nations Security Council Resolution to acknowledge persons with disabilities); S.C. RES. 1894, ¶ 29, U.N. DOC S/RES/1894 (Nov. 11, 2009) (articulating the protection of civilians in armed conflict and for assistance with the social reintegration of victims of armed conflict); S.C. RES. 1889, U.N. DOC. S/RES/1889 (Oct. 5, 2009); S.C. RES. 1888, at 5, U.N. DOC. S/RES/1888 (Sept. 30, 2009) (connecting the prevention of sexual violence with the maintenance of peace and security); S.C. RES. 1325, *supra* note 62, at 1 (calling for peacekeeping missions to protect women and girls from sexual violence in armed conflict).

¹⁰¹ Sheryl Sandberg is the author of *Lean In* and currently serves as Chief Operating Officer at Facebook. She graduated *summa cum laude* in economics from Harvard University and holds a master's degree in business administration with highest distinction from Harvard Business School. She was a management consultant at McKinsey & Company and Larry Summers's research assistant at the World Bank. Ms. Sandberg worked as Larry Summers's Chief of Staff at the Treasury Department from 1996 to 2000. Before moving to Facebook, Ms. Sandberg was Vice President of Global Online Sales and Operations at Google and was

about women's leadership in the workforce and the need for women not to bow out of leadership roles. Though it is important for women to "lean in" women have been doing it for a long time with less than impressive results. What is needed is for men to lean in when women speak. Former Congresswoman Pat Schroeder¹⁰² recalls how she was invited to give a speech on Wall Street. She writes that halfway through her speech, "[o]ne of the men in the audience stood up and said, 'This woman must be stopped.'"¹⁰³ Merely leaning in is insufficient to dismantle deeply embedded patriarchy and its progeny. When we blame women for not leaning in, we are placing the blame on women and not on a system that makes it challenging to lean in. Inherent structural barriers to women's leadership must be dismantled.

Women must demand and men must accept an equal playing field. Male champions of change are needed for smart women to thrive. To assume that there is some internal barrier that holds women back misses out on both the external and subtler barriers that continue to thwart women's advancement in leadership.

a. The Masculinization of Politics

Deep-seated patriarchy in politics is one of the core barriers to women's leadership. Myriam Aucar writes that patriarchy in the family is often replicated in political parties. Men who drive political parties often determine the outcomes of the elections.¹⁰⁴

Even when electoral laws call for quotas or targets for women in

instrumental in launching Google's philanthropic arm.

¹⁰² Patricia Schroeder served 12 terms as the Representative from Colorado's First Congressional District (Denver). She is President and Chief Executive Officer of the Association of American Publishers since June 1, 1997. After leaving Congress undefeated in 1996, Mrs. Schroeder held the rank of Professor at the Woodrow Wilson School of Public and International Affairs at Princeton University from January to June 1997. After graduating magna cum laude in 1961 from the University of Minnesota, she earned her J.D. at Harvard Law School as one of 15 women in a class of over 500 men.

¹⁰³ Patricia Scott Schroeder, *Women's Leadership: Perspectives from a Recovering Politician*, in THE DIFFERENCE "DIFFERENCE" MAKES 88 (Deborah L. Rhode ed., 2003).

¹⁰⁴ Myriam Aucar, *Women's Participation in the Public Life of Lebanon*, WOMEN LEADING CHANGE, 60, 63-64 (Wellesley Ctr. for Women ed., 2010). Ms. Aucar is a practicing lawyer and active member of the Women's Democracy Network's Advisory Council, for which she conducts regional outreach. She has been involved in initiatives and organizations to promote political, judicial, social, and economic reforms in Lebanon and has extensive experience managing electoral campaigns for independent, reformist candidates to the Lebanese Parliament. She also serves as a board member of the Arab Women's Leadership Institute.

political parties, parties led by male hierarchies are reluctant to place women on top of their lists, thus limiting women's chances of getting elected. Cultural norms preserve and perpetuate a male-dominated political scene. Thus, even in countries emerging from conflict, where civil society is looking for a new type of political arrangement women continue to be excluded from politics. Christine Mango, the former MP of Kenya, explains that men who lead political parties drive the outcome of nominations. In her own words:

"I was nearly rigged out [of the elections], but I had to fight it out. Parties are dominated by men so you never know what they are up to, so you always have to have plan A and B."¹⁰⁵

Hayat Arslan of Lebanon, who declared proudly that women have both a right and a duty to run for office and that women must seize their natural position beside men in politics, was forced by familial and tribal pressure to withdraw her candidacy during Lebanon's last election.¹⁰⁶ Her story underscores the difficulties women face when breaking into male-dominated politics. When she ran as a candidate for the 2005 elections, Arslan's challenge at a personal level was her family. Along her sociopolitical march, she worked on awareness programs for both men and women to show that national roles complement rather than conflict with family. Although Arslan withdrew her candidacy in favor of her brother-in-law, she blazed a trail and opened doors for women in politics. She argues passionately that patriarchal forces are born in the family and are reinforced by social concepts and the law. Challenging patriarchal forces is not an end in itself but a means to achieving equality.

Male leaders can transform patriarchy by championing women in leadership as a public good. Strategic alliances with men are key to unleashing the potential of men as champions of women's empowerment.

¹⁰⁵ NYOKABI KAMAU, HEINRICH BÖLL FOUND., *WOMEN AND POLITICAL LEADERSHIP IN KENYA: TEN CASE STUDIES* (2010), available at http://www.ke.boell.org/downloads/Women_in_Leadership_Study.pdf.

¹⁰⁶ Ms. Arslan is the founder and current President of the Society of Lebanon the Giver and the Committee for Women Political Empowerment. She is also a founding member and coordinator of the Patriotic Allegiance Movement, director and owner of the New Generation School in Hasbaya, and Manager of the Hasbaya Women Infirmary. She is a member of the Lebanese-Moroccan Friendship Committee, a member of the National Commission for Lebanese Women, a member of the Lebanese Council for Women, and the president of the Administrative Council of the Lebanese Artisanal Co-operative.

b. Reconciling Work/Family Balance

Historically, male hierarchies drafted laws. During this time, work/family reconciliation and childcare issues were considered outside the ambit of lawmaking. With more and more women at the drafting table, laws are being created in the image of women, men, and children. Work/family reconciliation is now becoming a pivotal policy issue at the heart of gender equality in private and public life.

Frances Raday has argued that one of the most globally pervasive harmful cultural practices “is the stereotyping of women exclusively as mothers and housewives in a way that limits their opportunity to participate in public life, whether political or economic.”¹⁰⁷ As Raday rightly stated, the assumption that women are the primary or sole caregivers of children is often used to exclude women from the public sphere, especially with regard to political life, promotions, and high-profile employment opportunities.

The paucity of women in leadership positions in corporations, politics, the arts, health care, education, academia, and human rights work is mainly due to the disproportionate share of caregiving responsibilities women often carry. Women leaders across the world have identified their dual responsibilities in the public sphere and the family life as being one of the impediments in their advancement in public life. In a study done in Kenya by the Heinrich Boll Stiftung Foundation, support or lack of support by family played a major role in women’s ascendancy in politics.¹⁰⁸ This explained why a majority of the women in politics in Kenya were widowed, divorced, or never married. The married ones had to get the full support of their husbands before joining politics. On the other hand, male politicians had the full, unstinted support of their wives, and wives were expected both to support them and also to continue looking after the children. Nviya Mwendwa, an MP in the 9th Parliament, talks about the difficulties of balancing young children and a political career. As to how she managed with young children (aged eight and six when she joined politics), she notes, “[i]t was quite trying. Whenever I would leave they would say: ‘Mummy are you going again?’ but with a supportive husband, who could spend time with them, it was easier.”¹⁰⁹ Dr. Ruth Oniang’o, a former member of the Kenyan parliament, said, “I waited until my last born was a little bigger. I

¹⁰⁷ Frances Raday, *Culture, Religion and Gender*, 1 INT’L J. CONST. L. 663, 671 (2003). Frances Raday is the Elais Lieberman Professor of Labour Law at the Hebrew University of Jerusalem Faculty of Law in Israel.

¹⁰⁸ KAMAU, *supra* note 105, at 68.

¹⁰⁹ *Id.* at 65.

held back my career”¹¹⁰ The biggest gender inequality gap is in access to inputs, with the largest input gap being time, because women carry a disproportionate household workload.

The 2012 World Bank Development Report bears witness that women’s decision-making, both in the home and in public, impacts development outcomes.¹¹¹ The construct of the male head of household is often carried over and replicated in politics. When women are still legally disenfranchised as heads of household, how can they be heads of state? When women are shut out of equal ownership of property and land, inheritance and credit, how can the playing field be made equal for them? Women’s disproportionate share of family and caretaking responsibilities directly relates to the discrimination they face in the labor market and subsequent inequalities in their political, social, and economic progress.

Workplace regulations that support both fathers and mothers in taking more responsibility for caring for children are a key pre-determinant of gender equality in the public sphere. These family reconciliation policies are in fact the most critical determinant of gender equality. Both women and men should be able to advance in the public sphere and undertake traditional caregiving roles. Women long ago entered the job market, and men are increasingly playing an equal role in caregiving. Translating these realities into the language of law means to challenge the patriarchal and masculinized norms that frame the market. The provision of parental care is not only about equal opportunities in the workplace but also about equal caregiving opportunities for both men and women.

If men are given the opportunity and are required to carry an equal share of caregiving work, caregiving will be privileged and acknowledged in high-level careers. Sheila Wellington writes, “[h]alf of women in both law firms and in-house legal departments want reduced hour schedules, but fewer than 20 percent of men indicate that interest.”¹¹² When women in leadership are not invested in childcare, it affects the child, the father, and the long-term career prospects of the mother.

The question of the head of the household is also pivotal to employment

¹¹⁰ *Id.* at 66. Dr. Oniang’o is a founder of the Rural Outreach Program in Kenya and the Editor-in-Chief of the African Journal of Food, Agriculture, Nutrition, and Development. She formerly served as a member of the Kenyan National Assembly. Additionally, she chairs the board of the Sasakawa Africa Association and the Food, Security and Nutrition Thematic Working Group. She is also an adjunct professor of nutrition at Tufts University.

¹¹¹ WORLD BANK, *supra* note 2, at 6.

¹¹² Sheila Wellington, *Making the Case: Women in Law*, in THE DIFFERENCE “DIFFERENCE” MAKES 93 (Deborah L. Rhode ed., 2003).

benefits. The denial of agency, full citizenship, and decision-making powers in the home is considered one of the four major barriers to women's empowerment by the World Development Report of 2012.¹¹³ Because in many parts of the world men are considered head of household, women have no access to land. Often, the government's land tenure, credit, and employment benefits are given to male heads of household. The notion of a male as head of household is no longer consistent with rapidly shifting economic and social change.

Because of the male head of household construct, in many countries women face unequal workplace benefits that are provided to dependent spouses of male heads of household but not to the spouses of female heads of households. Even when women participate in public life, laws fail to recognize them in leadership positions in the domestic sphere. Subordination in the private sector is directly linked to women's inferior position in the public sphere.

c. Violence Against Women

Women's access to leadership cannot take place in an environment that subordinates and disempowers women. Women's leadership cannot be isolated from the general status of women in society. Violence against women both in the home and in public is one of the biggest impediments to women's agency and has enormous social, political, and economic ramifications on women and society. In 2005, the World Health Organization (WHO) established that violence against women caused more death and disabilities among women aged 15 to 44 than cancer, malaria, traffic accidents, and war.¹¹⁴

The threat of violence against women who run for elected office is used to subordinate women as well as to prevent them from running. Okiyah Omtatah notes that the threat of violence is often insidiously used by men who pretend to be advocating against it, as a way of discouraging women from participating in the electoral process.¹¹⁵ Likewise, Deborah Okumu asserts that violence or the threat of violence has traditionally been used

¹¹³ WORLD BANK, *supra* note 2, at 3-6.

¹¹⁴ Anna Diamantopoulou, *Violence Against Women: Zero Tolerance*, Closing of the European Campaign Lisbon (May 4-6, 2000) (transcript available at http://www.eurowrc.org/13.institutions/1.ec/ec-en/05.ec_en.htm)

¹¹⁵ DEBORAH OKUMU ET AL., HEINRICH BÖLL FOUND., *PERSPECTIVES ON GENDER DISCOURSE: ENHANCING WOMEN'S POLITICAL PARTICIPATION* 78-80 (2008), available at http://www.ke.boell.org/downloads/Perspectives_on_Gender_Discourse_6-2008.pdf

during electioneering periods to silence aspiring women leaders and women's activism in general.¹¹⁶ Okumu attributes gender-based violence to the patriarchy that is a large part of society. She notes, "it appears that the patriarchal hegemony provides dense institutional supports that socialize men for violence while also obscuring it from public scrutiny."¹¹⁷ Although electoral violence in Kenya in the past has targeted both male and female politicians, the threat is particularly ominous to women, who often have less protection and tend to be smaller and more vulnerable to assailants, a fact that seems to further embolden political goons to attack them. Violence against women in politics is a horrific act of violence aimed at controlling the power and agency of women. Christine Mango states:

Being from the border, you hear a lot of stories of those who want to gun you down and to kidnap you and make you disappear from the face of the earth until nomination is over so you have to be on alert. It's just that bad and it has happened to women aspirants. They banish you, and in my constituency last election, I was supposed to be kidnapped and vanish until elections are over and my opponent would have walked through. So what I did, I used to campaign during the day and where you sleep nobody knows. The day before the elections, nobody knows where you are sleeping, you just appear and vote and then start moving around.¹¹⁸

Violence meted against women takes various forms, including "physical, sexual and psychological violence occurring in the family, community and perpetrated or condoned by institutions and lack of laws."¹¹⁹ These forms of violence include, but are not restricted to, rape as a tool of war, female genital mutilation, domestic violence, sexual abuse, human trafficking, crimes against women in the name of family honor, acid crimes, kitchen crimes, dowry deaths, foeticide, and female infanticide—all of which are egregious forms of domestic violence.¹²⁰ Discriminatory customary and traditional practices affect the health of women and girls and are a serious violation of their human rights. These traditional practices

¹¹⁶ *Id.*

¹¹⁷ *Id.* at 79.

¹¹⁸ KAMAU, *supra* note 105, at 71-72.

¹¹⁹ OKUMU ET AL., *supra* note 115, at 78.

¹²⁰ RANGITA DE SILVA DE ALWIS, UNICEF, GEND., RIGHTS & CIVIC ENGAGEMENT SECTION, LEGISLATIVE REFORM ON SELECTED ISSUES OF ANTI-GENDER DISCRIMINATION AND ANTI-DOMESTIC VIOLENCE: THE IMPACT ON CHILDREN (2009), *available at* http://www.unicef.org/policyanalysis/files/Legislative_Reform_on_Selected_Issues_of_Anti-Gender_Discrimination_and_Anti-Domestic_Violence_-_the_Impact_on_Children.pdf.

include Sati (self-immolation on a husband's funeral pyre—the custom is now banned in India), Devadasi (offering to the temple to be used in sexual service), Kumari (the deification of a young girl before puberty), Chaupadi (the custom that calls menstruating women and lactating girls to sleep in cowsheds because of perceived lack of cleanliness), and others that violate the right to life and security of girls and women.

Arenas of war and conflict extend the continuum of violence to which women are exposed in peacetime but with heightened and distinct forms of vulnerability. The World Health Organization classifies these vulnerabilities as including random acts of sexual assault by both enemy and “friendly” forces and mass rape as a deliberate strategy of ethnic cleansing and domination.¹²¹ Around the world, armed conflicts have compelled women into military sexual slavery, forced prostitution, forced “marriages,” and forced pregnancies.¹²² These conflicts are scenes of multiple rapes and gang rape.¹²³ During wars, women are sometimes forced to offer sex for survival, or in exchange for food, shelter, or protection.¹²⁴ Young unaccompanied girls, elderly women, single female heads of household, and women in search of fuel, wood, and water are especially exposed to such attacks. Rape victims suffer profound and lasting physical and psychological trauma. For many, the transmission of HIV-AIDS from their violators is effectively a death sentence.¹²⁵ Ethnic conflicts are notorious scenes of such mass violations; some of the most abominable examples in recent times have taken place in the Democratic Republic of Congo, Rwanda, Uganda, Yugoslavia, Darfur, and Arab countries. Wartime assaults on women take place in a context of lawlessness, displacement, and armed clashes in which gender roles are polarized.

After much mobilization, rape and sexual abuse were defined as tools of

¹²¹ WORLD HEALTH ORG., *VIOLENCE AGAINST WOMEN: A PRIORITY HEALTH ISSUE* (1997), available at http://www.who.int/violence_injury_prevention/media/en/154.pdf.

¹²² UNITED NATIONS DEP'T PUB. INFO., *WOMEN & VIOLENCE* (1996), available at <http://www.un.org/rights/dpil/772e.htm>.

¹²³ Declaration on Preventing Sexual Violence in Conflict, Apr. 11, 2013, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/185008/G8_PS_VI_Declaration_-_FINAL.pdf.

¹²⁴ Jamie Dettmer, *In Lebanon, Syrian Refugees Resort to 'Survival Sex'*, VOICE AM. NEWS (July 29, 2013), <http://www.voanews.com/content/syrian-refugees-resort-to-survival-sex-in-lebanon/1711943.html>.

¹²⁵ G. E. Forster et al., *Letter to the Editor, Risk of AIDS after Rape*, 63 GENITOURINARY MED. 217 (1987), available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1194066/pdf/genitmed00063-0071b.pdf>.

war. The Rome Statute of the International Criminal Court classifies “rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity” as a crime against humanity when committed in a widespread or systematic way.¹²⁶ The International Criminal Tribunal for Rwanda (ICTR) also declared rape to be a war crime and a crime against humanity.¹²⁷ In 1998, the ICTR became the first international court to find an accused person guilty of rape as a crime of genocide.¹²⁸ The judgment against a former mayor, Jean-Paul Akayesu of Rwanda, held that rape and sexual assault constituted acts of genocide insofar as they were committed with the intent to destroy, in whole or in part, the Tutsi ethnic group.¹²⁹ More recently, a spate of women’s movements have called for an end to the use of brutal acts of sexual violence against women and girls as a tactic of war and an end to impunity of the perpetrators.¹³⁰ Violence against women and other inequities have been addressed by the mobilization of women and strong and dynamic women’s networks.

V. INCREASING WOMEN’S PARTICIPATION IN POLICYMAKING

A multitude of tools can be operationalized for the full participation of women in leadership roles. Many countries have legislation or electoral regulations that aim to increase women’s participation in politics. Women themselves, once elected, can open doors for others behind them. Women’s entrance into public leadership is often the product of a difficult fight, but through support from other women, coupled with laws and policies designed to promote women’s political participation, numerous women in politics around the globe have been steadily increasing over the past decade.

¹²⁶ Rome Statute of the International Criminal Court, July 17, 1998, 212187 U.N.T.S. 3, available at <http://www.refworld.org/docid/3ae6b3a84.html>.

¹²⁷ Statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, Nov. 8, 1994, 33 I.L.M. 1598, available at <http://www.ohchr.org/EN/ProfessionalInterest/Pages/StatuteInternationalCriminalTribunalForRwanda.aspx>.

¹²⁸ *Id.*

¹²⁹ *Prosecutor v. Jean-Paul Akayesu*, Case No. ICTR-96-4-T, Judgment, (Sept. 2, 1998), <http://www.unict.org/Portals/0/Case/English/Akayesu/judgement/akay001.pdf>.

¹³⁰ Edona Pici, *Kosovo Wartime Rape Controversy Sparks Protest*, BALKAN INSIGHT (Mar. 29, 2013), <http://www.balkaninsight.com/en/article/war-rape-issue-sparks-public-reactions>.

Women leaders are often their own greatest allies in the struggle for equal representation. When Michele Bachelet was newly elected, she used gender parity as a principle to choose high-ranking officials by appointing a cabinet composed equally of men and women, which brought to the forefront a number of women in high positions of government.¹³¹ Similar policies by singular women leaders like Bachelet can make a difference, as can the power of networking among women leaders in politics and civil society.

a. Building Bridges

One of the critical reasons for the rise in women's parliamentary representation is the impact of women networking both inside and outside political parties. Women policymakers play crucial roles in reaching out to male allies who are not aware of the intricacies of a policy issue but may have the political will to push for a given policy. The same theme of building bridges is carried over to other contexts. As the principal architect of the Anti-Female Genital Mutilation provision of revisions to Egypt's Children's Law of 2008, Moushira Khattab needed the deft alliances of both male religious hierarchies and grassroots in Egypt to garner support for the law.¹³² She wrote:

Men must be at the forefront, leading change to ensure women's rights. In a society where women's rights are perceived to be in zero sum relation with men's rights, everybody is a loser. Some defenders of women's rights have instigated polarization that harms the attainment by women of their basic rights. They portray the inter-gender relationship as a zero sum game, implying that women regaining their rights comes at the expense of men's rights.¹³³

¹³¹ *Women Get Half Chile Cabinet Jobs*, BBC NEWS (Jan. 31, 2006, 7:39 GMT), <http://news.bbc.co.uk/2/hi/4664574.stm>.

¹³² Law No. 126 of 2008 (The Child Law), AL-JARIDA AL-RASMIYYA, July 10, 2008 (Egypt), available at http://www.nccm-egypt.org/e7/e2498/e2691/infoboxContent2692/ChildLawno126english_eng.pdf

¹³³ Moushira Khattab, *The Reform of the Child's Law in Egypt*, in WELLESLEY CTRS. FOR WOMEN, WOMEN LEADING CHANGE: RABAT ROUNDTABLE PAPERS, VOL. II (2011), available at http://www.wcwonline.org/pdf/free/WCW_Rabat_Publication.pdf. The Hon. Dr. Moushira Khattab is currently a professor at the University of Perugia and is a former visiting scholar at the Woodrow Wilson International Center for Scholars. Formerly, she was the Minister for Family and Population, Egypt and Vice Chair of the UN Committee on the Convention on the Rights of the Child. In this capacity she drafted a groundbreaking Children's Law. She has served as an Assistant Minister for Foreign Affairs in Egypt as well as the Ambassador of

Networks like these have been credited with increasing women's political participation. Local, national, and transnational networks support, nurture, and protect women in times of political crisis and when women are on the front lines as human rights defenders. Former Secretary of State Madeleine Albright has spoken of her network of women ministers of state, saying she would never refuse a call from any of them.¹³⁴ Within her network, there was no hierarchy of nations. It was this network that raised the profile of these women. Around the world, when women human rights defenders are under threat, networks support and protect them. Mary Robinson, former president of Ireland, explained her ability to create a network for women in the role of president:

When I was nominated as one of three candidates for the Presidency, I was much an outsider because I was a woman, I was young, and I didn't come from a political background. . . . Shortly after I was inaugurated, I received invitations from many civil society groups to come and open their center, or . . . some other community activity. Written on the invitation was advice from my secretary: "This event is not of sufficient importance to warrant the presence of the president." [I ignored that advice.]¹³⁵

Networking is often referred to as the single most important cornerstone of success in political and public life and has resulted in increasing women's representation within legislative bodies. Margaret Dongo, Member of Parliament in Zimbabwe, said:

Egypt to the Czech and Slovak Republic and Ambassador to South Africa, where she received the Order of Good Hope from President Nelson Mandela.

¹³⁴ Madeleine Albright, Keynote Address at the Madeleine Albright Institute at Wellesley College (Jan. 25, 2010) (video recording of remarks *available at* <http://web.wellesley.edu/Albright/video/2010albrightkeynotevideo.html>).

¹³⁵ MAHNAZ AFKHAM I & ANN EISENBERG, WOMEN'S LEARNING P'SHIP FOR RIGHTS, DEV., & PEACE, LEADING TO ACTION: A POLITICAL PARTICIPATION HANDBOOK FOR WOMEN (2010), *available at* <http://www.learningpartnership.org/Ita>. Mary Robinson is the President of Realizing Rights: The Ethical Globalization Initiative. She served as UN High Commissioner for Human Rights from 1997 to 2002 and as President of Ireland from 1990-1997. She is a member of the Elders. She is chair of the Council of Women World Leaders, vice president of the Club of Madrid, chair of the International Board of the International Institute for Environment and Development (IIED) and the Fund for Global Human Rights, chair of the GAVI Fund Executive Committee, and a member of the GAVI Fund Board. She is Honorary President of Oxfam International and patron of the International Community of Women Living with AIDS (ICW). She is a professor of practice at Columbia University, member of the Advisory Board of the Earth Institute, and Extraordinary Professor at the University of Pretoria in South Africa. She serves as Chancellor of Dublin University.

As women parliamentarians, we need to share our experiences. This in itself will inspire women. We will not feel that we are alone in this game, and other women will not feel isolated from the process. At every opportunity, at every forum, each and every time we must share information, ideas, knowledge. We must make sure that women are the most informed people within society.¹³⁶

Given that the proportion of women in office often does not constitute a critical mass, one effective way for women to change laws is by organizing in the legislature as women's caucuses. In Brazil, for example, the women's caucus often votes as a bloc.¹³⁷ By doing so, it has promoted legislation to establish a gender quota for candidacies in all offices subject to proportional representation and a law on violence against women.¹³⁸ It also played a decisive role in ensuring that the 1988 Brazilian constitution included women's rights.¹³⁹ In Uruguay, the Bicameral Women's Caucus came together to approve a law against domestic violence and a law that would allow all Uruguayan women to take a day off from work for their annual gynecological exam.¹⁴⁰ In Colombia, the joint efforts of the Women's Caucus and grassroots women's organizations, along with the commitment and support of other women in parliament, were crucial to winning approval for a comprehensive law on women's right to a life without violence.¹⁴¹ The Uganda Women Parliamentarians Association has been instrumental in including gender equality clauses in the Ugandan Constitution.¹⁴²

Outside of parliament, women have mobilized around pressing issues.

¹³⁶ Nadezhda Shvedova, *Obstacles to Women's Representation in Parliament*, in INT'L INST. FOR DEMOCRACY & ELECTORAL ASSISTANCE, *WOMEN IN PARLIAMENT: BEYOND NUMBERS* (2005). Margaret Dongo is a Zimbabwean Member of Parliament. When she was 15, she trained to fight in the war of liberation against the Rhodesian government. In 1980 when Zimbabwe achieved independence, she worked for the ZANU PF party in various roles. In 1989, she co-founded the National Liberation War Veterans' Association to secure the rights of marginalized war veterans. In 1990, she became an MP for Harare East who was a strong advocate of democracy, human rights, and marginalized groups in Zimbabwe. She was removed from Parliament in 1995 but challenged the electoral system and reclaimed her seat. She is one of only three opposition MPs in a Parliament of 120 members.

¹³⁷ Ángela Castellanos, *Latin America: Women Lawmakers Find Strength in Unity*, INTER PRESS SERVICE NEWS AGENCY (Sept. 23, 2006), <http://ipsnews.net/news.asp?idnews=34852>.

¹³⁸ NAT'L DEMOCRATIC INST. FOR INT'L AFFAIRS, *WOMEN'S CAUCUS FACT SHEET*, available at http://www.iknowpolitics.org/sites/default/files/ndi-womens20caucus20fact20sheet_0.pdf.

¹³⁹ CONSTITUIÇÃO FEDERAL [C.F.] [CONSTITUTION] (Braz.).

¹⁴⁰ Castellanos, *supra* note 137.

¹⁴¹ L. 294/96, julio 16, 1996, DIARIO OFICIAL [D.O.] (Colom.).

¹⁴² CONSTITUTION (Uganda).

The million-woman signature campaign in Morocco led to the groundbreaking Mudawana, or civil code, that made changes in personal status law and gave women equal rights in divorce, custody, and guardianship of children.¹⁴³ The one-million signature campaign in Iran is gathering support for a petition to the Iranian Parliament for reform of current laws that violate women's rights.¹⁴⁴ One of the goals of the campaign is to educate women about discriminatory aspects of these laws on women and their communities. The campaign was a direct face-to-face education approach to raise awareness of the laws.

We live in an age where women face unparalleled threats to their freedoms, their security, and their citizenship. It is also an age like never before, which also allows us to reach out and connect with women across the world.

b. Quotas for Women in Political Participation

Quotas are one of the most critically important tools to address the power imbalance and level the playing field for both men and women. Gender quotas are usually introduced in many countries to enhance the participation of women in politics. In general, quotas for women represent a shift from one concept of equality to another. The classic liberal notion of equality was "equal opportunity." Removing the formal barriers and giving women voting rights, for example, were considered sufficient. Following strong feminist pressure in the last few decades, a second concept of equality is gaining support: "equality of result," or substantive equality. The argument is that real equal opportunity does not exist just because formal barriers are removed. If barriers exist, compensatory measures must be introduced to reach equality of result.

Quota systems primarily set a minimum percentage of representation for both sexes to ensure a balanced presence of men and women in political and decision-making posts. The basic argument for the use of a quota system is that it addresses inequality engendered by law and culture. Proponents of the quota system argue for its implementation by contending that quotas provide women direct access to decision-making posts. Quotas open the gates of male-dominated legislative assemblies to all women regardless of

¹⁴³ Mudawana [Moroccan Family Code], Feb. 3, 2004, no. 70.03, available at <http://www.hrea.org/moudawana.html>.

¹⁴⁴ *One Million Signature Campaign Timeline*, HUM. RTS. FIRST, <http://www.humanrightsfirst.org/our-work/human-rights-defenders/iran/one-million-signature-campaign-timeline/> (last visited Sept. 22, 2013).

socio-economic status and political background. They serve as a catalyst, which nurtures the self-confidence of women particularly from the grassroots level to participate in politics.

Despite the lack of a systematic study assessing the impact of quotas, experiences of countries that use quotas suggest the positive. Quotas work to make women visible in the political arena, in parliament, and in political parties. This is a crucial first step towards the creation of a critical mass of women able to influence policy and decision-making effectively.

However, gender quotas are not without their critics. Birgitta Dahl, Speaker of Parliament in Sweden, objected to legislated quotas, favoring a voluntary model wherein organizations increase women's leadership internally at their own pace. She states:

One cannot deal with the problem of female representation by a quota system alone. Political parties, the educational system, NGOs, trade unions, churches—all must take responsibility within their own organizations to systematically promote women's participation, from the bottom up. This will take time. It will not happen overnight, or in one year or five years; it will take one or two generations to realize significant change.¹⁴⁵

Christine Pintat from the Inter-Parliamentary Union in Switzerland contends that quotas can even exacerbate the barriers of a masculinized political sphere if they are mandated before the political culture has accepted women on their own terms:

In some ways, quotas are a remedy to a disease, but in some cases they can lead to another disease . . . They have led countries to not develop a political culture whereby women are integrated into the political system.¹⁴⁶

Anna Balletbo, an MP from Spain, speaks about the difficulty of tokenism, where male political leaders will fill the necessary seats with women, but choose only women who will support and accept male

¹⁴⁵ Drude Dahlerup, *Using Quotas to Increase Women's Political Representation*, in INT'L INST. FOR DEMOCRACY & ELECTORAL ASSISTANCE, *WOMEN IN PARLIAMENT: BEYOND NUMBERS* (2005). Birgitta Dahl was a member of the Swedish Social Democratic Party. While active in politics she held several important posts within Parliament, including Minister for Energy Affairs, Minister for the Environment and Speaker of the Parliament. Additionally, she served as the Swedish delegate to the United Nations from 1980 to 1981.

¹⁴⁶ Louise Vincent, *Quotas: Changing the Way Things Look without Changing the Way Things Are*, 10 J. LEGIS. STUD. 71, (Spring 2004) (discussing the effect of India's gender quotas). Christine Pintat is the Assistant Secretary General of the Inter-Parliamentary Union.

dominance in politics:

Quotas are a double-edged sword. On the one hand, they oblige men to think about including women in decision-making, since men must create spaces for women. On the other hand, since it is men who are opening up these spaces, they will seek out women who they will be able to manage; women who will more easily accept the hegemony of men.¹⁴⁷

In February 2010, when the Lebanese cabinet finally approved a twenty percent quota for women in municipal elections after many decades of struggle by Lebanese women's groups, Farida Hajjar saw the downsides of such a policy. Though women's organizations celebrated the small step in the face of a mere three percent representation of women in local government, many saw the merits of her belief that a quota might lead to unprepared women being forced into a system they were ill-equipped to deal with:

Women in rural areas as well as in poor urban areas are ill prepared to enter the world of politics. The quota system will force them into politics and will result in having incompetent women in politics simply because they are women . . . A quota system is artificial and non-democratic. Women will enter politics when they are ready. There is no need for such measures.¹⁴⁸

Despite these critiques, the fact remains that quotas are the most effective tool to ensure a critical mass of women in decision-making capacities. The most important fact to understand is that quotas are temporary special measures as set out in the CEDAW's Article 4.¹⁴⁹ Moreover, these temporary special measures are to be established to ensure the equal representation of either underrepresented gender. For example, in the 2010 Kenyan constitution, Article 27 calls for not more than two-thirds

¹⁴⁷ Dahlerup, *supra* note 145. Anna Balletbo served as a Member of Parliament for the Socialist Party from 1979-2000. Following her time as parliamentarian, she taught at the Autonomous University of Barcelona from 2000-2007. She has also been the President of the Group of Women Parliamentarians for Peace, a member of the International Commission for the Reform of the United Nations, and a member of Parliamentarians for Global Action. She is currently president of the Olof Palme International Foundation and a member of the Governing Council of the Catalan Broadcasting Corporation.

¹⁴⁸ AFKHAMI & EISENBERG, *supra* note 135, at 61.

¹⁴⁹ CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN art. 7, Dec. 18, 1979, 1249 U.N.T.S. 13, available at <http://www.refworld.org/docid/3ae6b3970.html>.

of any one gender to be represented in parliament.¹⁵⁰ A similar provision was enshrined in the Kosovo Law of Gender Equality, which calls for gender-equal participation of both females and males in all institutions to the level of forty percent.¹⁵¹

CONCLUSION

Women remain largely unrepresented at the highest levels of government despite the widespread world movement towards democratization, a stronger focus on Security Council resolutions, and research-based evidence that unequivocally confirms that women's leadership is both the moral and economic imperative of our times. Around the world, much more must be done to achieve the target endorsed by the UN Economic and Social Council of thirty percent women in decision-making positions.

Women's leadership is not about ensuring women's advancement alone but about opening greater possibilities for both women and men to perceive the world differently and more fully.¹⁵² Thorbjørn Jagland, the Norwegian Nobel Committee Chairman, made a clarion call to action in 2011 when awarding the Peace Prize to women on the front lines of peace-building: "We cannot achieve democracy and lasting peace in the world unless women obtain the same opportunities as men to influence developments at all levels of society."¹⁵³

Transformational leadership is impossible without greater numbers of women in decision-making positions, and women's leadership in the public sphere is intrinsically linked with women's roles in the private sphere; the problems for women in both realms are connected.¹⁵⁴ A redefinition of the discourse on leadership is necessary to change attitudes towards women

¹⁵⁰ CONSTITUTION, art. 27 (2010) (Kenya).

¹⁵¹ Law No. 2004/2 of 2004, The Law on Gender Equality in Kosovo (Kosovo).

¹⁵² LEADING THE WAY: YOUNG WOMEN'S ACTIVISM (Mary K. Trigg ed., 2010).

¹⁵³ Alan Cowell, Laura Kasinof & Adam Nossiter, *Nobel Peace Prize Awarded to Three Activist Women*, N.Y. TIMES (Oct. 7, 2011), <http://www.nytimes.com/2011/10/08/world/nobel-peace-prize-johnson-sirleaf-gbowee-karman.html>. Thorbjørn Jagland has served as the Secretary General of the Council of Europe since 2009. He is a Norwegian politician for the Labour Party and served as the Prime Minister of Norway from 1996 to 1997, as Minister of Foreign Affairs from 2000 to 2001, and as President of Storting from 2005 to 2009. He currently heads the Oslo-based Nobel committee that awarded Ellen Johnson Sirleaf, Leymah Gbowee, and Tawakkol Karman the Nobel Peace Prize for 2011.

¹⁵⁴ Campbell, *supra* note 22, at 125.

inside and outside the home so that both men and women can lead. As leaders, women have the unique capacity to blaze a trail and pass on the torch to other women and serve as role models to children who aspire to follow in their footsteps.

Leadership by women is compelling now more than ever. While pressure from movements and allies is rising, women are dramatically underrepresented in positions of power. Women's progress is incomplete unless there is pressure and support from a vital source: men. To advance women's leadership, we need leaders of both sexes who make it their commitment.

When Nirbhaya, the fearless one, was fatally raped in a private bus in Delhi in December 2012, the indomitable courage she displayed mobilized and galvanized the women of India and the world to demand action now and forever to eliminate the impunity shrouding violence against women and the suppression of their agency.¹⁵⁵ What was so powerfully brought to the surface was that Nirbhaya was not a victim but a leader who raised her voice and spoke out against violence and injustice. As Hillary Clinton reminded us: "Women are not victims. We are agents of change. We are drivers of progress. We are makers of peace. We only need a fighting chance."¹⁵⁶ That is why women's leadership is the cause of our time.

¹⁵⁵ On December 16, 2012, a 23-year-old physiotherapy intern died after being beaten and gang-raped on a bus, while traveling with her male companion. In compliance with Indian laws, her name was not released to the press, so she has been referred to only as Jagruti (awareness), Amanat (treasure), Nirbhaya (fearless), Damini (lightning), and "Delhi braveheart." Though she was rushed to a hospital in Singapore, Nirbhaya never recovered from her injuries. Six men were arrested in connection with the incident.

¹⁵⁶ Clinton, *supra* note 3. .