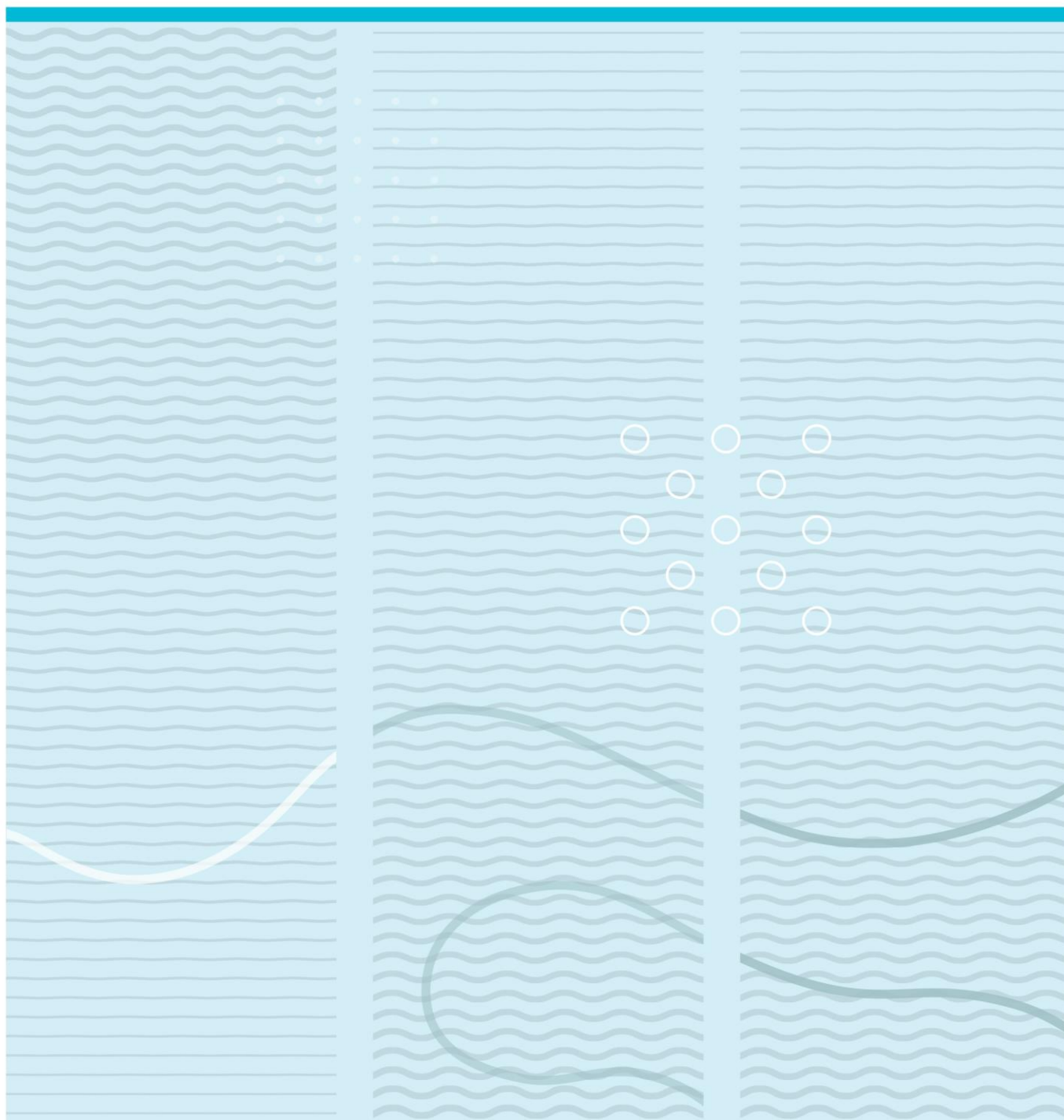Mergim Berishaj

Give them voice, don't speak for them

Women's right on decision-making: Study case of minority women in Kosovo

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Summary

Researchers, organization, and activists are advocating increasingly for the political representation of women and minority groups. However, few are considering the impact of laws and policies on minority women, or generally groups that identity traits intersect with each other. In this thesis, I examine the impact of the legal framework, the quota system, and the strategies of the Kosovar Government in integrating minority women, more precisely Roma, Ashkali and Egyptian women in the political decision-making. Generally, minority women face considerable barriers to political decision-making. In many countries, also in Kosovo majority women, and minority men are successful in getting the parliament seats, but not minority women. Therefore, this paper describes the struggles of minority women in getting to those seats, by illustrating with the example of Kosovo. Additionally, I will discuss about the reasons of having minority women in the parliament, and why their voice would raise different issues than those of minority men.

Keywords: Political empowerment, intersectionality, women's rights, minority rights, minority women's rights, decision-making

Dedicated to mom, in acknowledgement of your unconditional love, care, support and patience...

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Give them voice, don't speak for them

Women's right on decision-making: Study case of minority women in Kosovo

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1. Introduction

Political leaders take our money, lead us to war, and write laws that govern our lives. Must their ranks include men and women, rich and poor, masters and slaves? For most of the worlds history, the answer was no. Men rule, while women stay home, their interests would be represented by husbands and fathers. While the interests of subordinate ethnic groups would be represented by the civilized conquerors (Htun, 2004, p. 439). However, over the last 150 years, democratic regimes have started dismantling legal barriers to the political participation of women and minorities. Yet, some groups remain substantially underrepresented in high-level political positions worldwide (Hughes, 2011, p.1).

Legitimacy is considered to be the seed of democracy, which lies in the principle of people's power to make decision about their lives, their community, their society, and their country (Ginwala, 1998, p.1). For centuries, the foundation of democracy was not complete, there were certain groups that were excluded from their right of making choices, such groups were: slaves, those without property or education, not "civilized" or not part of the dominant culture or religion, people of different ethnic group or color, and overwhelmingly women (Ginwala, 1998, p.1).

In the 21st century however, political decision-making is still one of the most traditional, old-fashioned, exclusive, and estranged sectors of the society, by average only 22.9 percent of all Member of Parliament (MP) in the world are women (IPU, 2016), why is that? The women under-representation in politics is persistent phenomenon as well as a global one. Women have secured the legal rights needed to participate in the political arena, however the numbers of women in national parliaments around the world show that they lag far behind their proportion of the society, and they are under-represented at all levels of political decision-making (Rosen, 2011, p.306) (Leynaar, 2004, p.1).

With Article 1 paragraph 15 of the Law on Gender Equality (LGE) setting the bar of equality at 50 percent (Law on Gender Equality, 2004) Kosovo is ranked the first in the region when it comes to women's representation at high level decision-making with 33.3 percent of deputies being women, where women's participation is 21.5% by average in

Balkan countries[1] (Agency of Gender Equality, 2014). However, despite the *de jure* equality for men and women, *de facto* discrimination against women continues. Women tend to have less access to justice, realization of legal remedies guaranteed by law, and compensation for crimes suffered (Färnsveden, 2014, p. 1).

Women studies consider however that women are still underrepresented both quantitively and qualitatively at all levels. This is particularly true for women with ethnic minority background, and women with disabilities. How is this possible as the Government of Kosovo to ensure gender equality in decision making uses quotas? In addition, they guarantee seats for the minorities in the parliament, that tend to be filled with minority men, despite the gender quota (Färnsveden, 2014, p. 13).

The purpose of this research, is to illuminate the issue of minority women underrepresentation in the Kosovar Parliament. I will focus on the Romani[2] community or generally known as Roma, Ashkali, and Egyptians (RAE) in Kosovo. What interests me is, how the affirmative actions of the government, are affecting RAE women in entering the parliament, for this matter I will analyze the legal provisions and the strategies of the government.

1.1.   Thesis Statement and Research Questions

Why are there no Roma, Ashkali, or Egyptian (RAE) women in the Kosovar Parliament? While there is presence of women that belong to other ethnic groups including ethnic minorities in the parliament, with the help of gender quotas, and reserved seats for minorities. Article 3 of the Constitution of the Republic of Kosovo states that Kosovo is a multi-ethnic society, consisted of Albanian and other communities, that are all equal before law. Could it be that some are more equal than others?

The main aim of this research is to analyze the issues that hinder the participation of RAE women in the parliament. Kosovo is a post-conflict country where after the 1999 NATO intervention, it started making its first steps in becoming a democracy, with respects to its

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[1] While countries like Bosnia and Herzegovina 17.35%, Croatia 21.4%, Macedonia 30.9%, Montenegro 12.3%, and Serbia 32,4% (Agency of Gender Equality, 2014)

[2] Kosovo's Romani community is divided into three communities generally knows as Roma, Ashkali and Egyptians (RAE) (HRW, 2009)

multi-ethnic character. Kosovo is consisted of 92.9 percent Albanians, 1.6 percent Bosnians, 1.5 percent Serbs, 1.1 percent Turks, 0.9 percent Ashkali, 0.7 percent Egyptian, 0.5 percent Roma, and other unspecified 0.2 percent (CIA, 2017). To ensure the participation of minorities in the Parliament. Kosovo has guaranteed 20 out of 120 seats for the minority groups, 10 out of 20 are reserved for the Serb community, while the other communities share the other 10, with RAE communities as a group of communities having 4 altogether (Constitution of Kosovo, 2008. Article 148) more on this provision in the section 3.4.1.

Kymlicka considers that underrepresentation of various groups in a society is a critical issue. He notes that various groups in different societies remain seriously underrepresented in legislature, despite the absence of any legal restrictions on the political rights of their individual members (Kymlicka, 1995, p. 131). Underrepresentation is not a problem only for ethnic, national, or racial groups, but also for women. In this matter, we need to think about the fairness of the system, not only of specific group-differentiated rights, but also of the decision-making procedures by which these rights are defined and interpreted. A fair decision-making system is the one that "the interests and the perspectives of minorities be listened and considered" (Kymlicka, 1995, p. 131).

Reports regarding women and political decision-making in Kosovo, state that minority women's voices are not being heard in the Kosovar Parliament (NDI, 2015) (Färnsveden, 2014). However, none of those reports goes deeper than explaining superficially what is going on with minority women in decision-making, their focus is usually Albanian and Serbian women, or they consider women as one homogenous group. Therefore, I will attempt to create some insight into this issue, by examining laws, and policies that try to tackle this issue in Kosovo. I consider this issue serious, since this discrimination of full and equal participation in decision-making has many human rights at stake, such as:

- The human right to participate on equal terms with men in shaping and implementing decisions and policies affecting themselves, their families, communities, and societies, at the local, national and international levels.
- The human right to equal access to public service.
- The human right to equal access to education and information.

- The human right to freedom of expression and opinion.
- The human right to equality between men and women and to full and equal partnership in the family and society.

Examining the reasons of exclusion of RAE women from the political decision-making processes of the parliament is an exciting topic for me. Because. I will have the opportunity to research the reasons and the actions of the government in tackling this issue. Additionally, Kosovo is a very attractive case study for me, a newly formed country that is undergoing a process of multi-ethnic nation building with the help of the International Community (United Nations, European Union), where ethnic groups that showed hostility towards each other in the past, no with the new circumstances, need to learn to cohabitate in a multicultural and peaceful society.

1.1.1 Research Question

The aim of this paper is to operationalize those questions:

- Do the laws and the strategies of the Kosovar Government effectively increase the political representation of minority women in high-level decision-making?
- Which policies-gender quotas, national gender quotas, or minority quotas tend to benefit minority women the most?

1.2 Thesis layout

I start my first chapter by introducing my thesis, and the issue that I will research. In the next section of the first chapter I continue with the thesis statement and research question, next is the thesis layout where I explain the content of this paper. Continuing, is the second chapter, the methodology chapter, where I discuss about my positionality, why I chose the qualitative method, why did I choose case study and how does that help me answer the research questions, research sampling method, interviews, and data analysis.

The third chapter is where I present my case study, Kosovo, where I discuss about women's access in decision-making, the general context of RAE communities, the issues that RAE women face, the international legal documents that are related to the legal framework of Kosovo, and I end the chapter by presenting the laws and the governmental strategies on gender equality in decision making.

In the fourth chapter, the theoretical framework chapter, I introduce relevant theories for my research. First, I introduce on how a political system work by using David Easton's theory. Succeeding, I present theories on justice and deliberation, by presenting Habermas and Rawls's relevant theories. Following, I present feminist theory regarding decision making, by discussing the historical perspective, and the obstacles that women face. In the next section, I discuss minority group rights, since my thesis is about minority women I find it necessary to present theory on minorities group representation rights. The last section of the fourth chapter is where I present intersectional feminist theory regarding political decision making.

In the fifth chapter, I present the findings from my interviews, where I start by giving a summary of the discussions, with direct quotations from the interviewees, however avoiding repletion of statement. Following, I analyze the findings from my interviews and I link them with the theory, the legal framework, and the strategies of Kosovo. In chapter 6, I will give my conclusions on the research questions.

2. Methodology

"Early feminist researchers have shown how an epistemology founded upon men's experience, as an all-encompassing norm, introduced a powerful bias that discriminated against women." (Horrocks, 2010, p. 104)

The main research purpose of this thesis is to examine the reasons behind the lack of minority women from the RAE communities in the Kosovar Parliament. For this research, qualitative methods will be used to answer the research questions. I will analyze relevant literature, governmental documents, international strategies for the promotion of gender equality and intersectionality in the decision-making process, reports by international organizations, reports by NGO's that are engaged with women's rights and minority rights. To get a better perspective of the issue, and fill the gaps that occurred due to lack of secondary data in this matter, I will interview human rights experts who are concerned with women's rights and minority rights, governmental representatives from the governmental human rights office, parliamentarians who raise their voice for this matter.

2.1 Positionality

My positionality is another reason that this topic is so attractive to me sine by being a male I acknowledge that men are part of the problem as they systematically oppress women. However, gender equality should not be admired only by women, me can also be a part of the solution by not participating the systematic oppression.

My Albanian origin is an aspect that makes it very interesting and at the same time very challenging to write about this topic, since all these identity aspects that make me an "outsider" on analyzing the gender equality in the decision-making process in Kosovo for non-Albanian minorities. Acknowledging that all those aspects may influence my task as a researcher, I will try to be as objective as possible in conducting this research, in presenting the investigation and in answering the related research questions.

2.2 Qualitative Method

My topic is such that I will give more emphasis on the literature, research reports, and document analysis. Qualitative method fits this profile, since it gives more emphasis to the

words rather than quantification in the collection and analysis of data (Bryman, 2012, p. 380). Qualitative method predominantly emphasizes an inductive approach to the relationship between theory and research, in which the focus is placed on the generation of theories and in the way individuals interpret their social world. Plus, it embodies a view of social reality as a constantly shifting emergent property of individual creation (Bryman, 2012, p. 36).

To answer my research questions, I will use feminist theory on intersectionality in political decision-making, to show the numerous ways of discrimination that women have been experiencing in this field. The method I have chosen seems to be the most appropriate method since as Bryman notes "qualitative method is associated with a feminist sensitivity, since quantitative method is viewed by many authors as incompatible" (Bryman, 2012, p. 410). Qualitative method is favored by feminist theorists since: first, it allows women's voices to be heard; secondly women are not treated as objects controlled by researcher's technical procedures by letting the emancipatory goals of feminism to be realized (Bryman, 2012, p. 411). Hence, I hope that qualitative method will work as a useful tool for this thesis, since feminist theory will be used to analyze the lack of RAE women in the Kosovar Parliament.

2.3 Case study research design

Case study design is the research method design I have chosen for my topic, I will analyze a sole case which is the minority women's rights in decision-making in Kosovo. There are many debates in the literature over the clarity of what a case study is, part to imprecision in terminology and part on disagreements by scholars. However, authors like Bryman define it as "the detailed and intensive analysis of a single case", where the study research is concerned with the complexity and the nature of the case in question (Bryman, 2012, p. 66).

This research design fits best my research topic since as a research method, the case study is used in many situations, to contribute to our knowledge of individual, group, organizational, social, political, and related phenomena (Yin, 2014, p. 4). Whatever the field of interest, the distinctive need for case study research arises out of the desire to understand complex social phenomena (Yin, 2014, p. 4) or, as in my case, where I examine

why RAE minority women are not part of the political decision-making procedures in Kosovo. For this reason, the case study will allow me to investigate the case, and retain a holistic, and real-world perspectives by the professionals of the field of human rights, women rights, and minority rights.

To get a clear understanding of the issue, I will analyze relevant documents, and governmental strategies that aim to integrate women and minority women in the political decision making. This is also one of the reason that I choose the case study research design since as Yin notes, "the essence of a case study…is that it tries to illuminate a decision or set of decisions: why they were taken, how they were implemented, and with what result" (Yin, 2014, p. 15). A case study is an empirical inquiry that, investigates contemporary phenomenon (the case) in depth and within its real-world context, especially when the boundaries between phenomenon and content may not be clear (Yin, 2014, p. 16).

However, there are also concerns by theorists for this research design. There are cases where case study research has been sloppy, has not followed systematic procedures, or has allowed equivocal evidence to influence the direction of the findings and conclusions (Yin, 2014, p. 19). Generalizing from case studies is a common concern about case study research. Also, there are concerns about case study research that it can take too long and that it can result in massive, unreadable documents (Yin, 2014, pp. 19-20).

2.4 Designing Case Studies

Articulating a "theory" about what is being studied and what is to be learned helps to strengthen a research design when doing case study research. Good theoretical propositions also lay the groundwork for generalizing the findings for the case study to other situations, by making analytic rather than statistical generalization (Yin, 2014, p. 26). In my case, I have articulated that I will be researching the lack of RAE women in the Kosovar Parliament, and what is to be learned is, how the current laws and strategies are affecting their access in decision-making.

Critical to the design will be to define the "case" or unit of analysis to be studied, as well as to set some limits or bounds to the case (Yin, 2014, p. 26). The "case" in my topic, is RAE women in political decision-making in Kosovo, as a unit of analysis to be studied.

The limitation is that my findings can't be generalized, since every case has a distinct context.

2.5 Research sampling method

To answer my research question, I will be sampling everything relevant to me topic. This includes literature on justice and democracy, feminist theories on intersectionality and decision-making, theory on minorities and decision-making, reports from international organizations and NGO's that show the current situation of women's access in political decision-making and more. Bryman defines this as purposive sampling where everything that is relevant to the research question is sampled (Bryman, 2012, p. 418).

The form of purposive sampling that I intend to use is the theoretical sampling which is the process of controlled data collection by the emerging theory (Bryman, 2012, p. 419). The chief virtue of theoretical sampling is that the emphasis is upon using theoretical reflection on data as the guide to whether more data are needed (Bryman, 2012, p. 420).

Theoretical sampling is more appropriate for qualitative method, and it's done to discover categories and their properties and to suggest the interrelationship in theory (Bryman, 2012, p. 420). What distinguishes theoretical sampling from other sampling approaches is the emphasis on the selection of cases and units regarding the quest for the generation of a theoretical understanding (Bryman, 2012, p. 420). Bryman notes that in grounded theory you carry on collecting data through theoretical sampling until we reach theoretical saturation (Bryman, 2012, p. 420). This means that in my case, I will continue collecting data for my topic until the new data no longer stimulates new theoretical understanding.

2.6 Interviews

"If you want to know how people understand their world and their life, why not talk to them?" Kvale (Horrocks, 2010, p. 7)

After collecting and analyzing the data for my study case, I have realized there is no data that explains the exclusion of RAE minority women from political decision-making in Kosovo. For this reason, I am using interviews to get answers regarding this issue by professionals from the government, and civil society. Interviewing may be defined simply as a conversation with a purpose (Berg, 2009, p. 101). In qualitative research, interviewing

is one of the most frequently used methods when generating data, and its flexibility makes it so attractive (Horrocks, 2010, p. 7) (Bryman, 2012, p. 469).

Interviews are crucial for my research topic, since I will get valuable information from my informants about the research questions. More precisely they will share their valuable experience in the process; and hopefully help me answer my research question regarding why there are no RAE minority women in the parliament; what is going on with the gender equality law; and how the state is implementing the human right provisions by focusing on the minority women's right on decision-making.

For this research, semi-structured interviews will be conducted. This means that the questions that are being asked to every interviewee in a systematic and consistent order, but the interviews can digress (Berg, 2009, p. 102). This is extremely useful subsequently when I get different answers from the participants, I will have the possibility to ask different questions and get an insight in different perspectives of this problem. This is also confirmed by Bryman since he states that "the researcher has a list of questions or specific topics to be covered, often referred as interview guide, but the interviewee has a great deal of leeway in how to reply. Questions may not follow on exactly in the way outlined on the schedule. Questions that are not included in the guide may be asked as the interviewer picks up on things said by interviewee to interviewee" (Bryman, 2012, p. 471).

Another aspect that makes semi-structured interview so attractive for me is that fact that I will research women's rights and semi-structured interviewing has become extremely prominent method of data gathering within the feminist research framework. In part, this reflects the preference for qualitative research among feminist researchers, but it also reflects a view that the kind of interview with which qualitative research is associated allows many of the goals of feminist research to be realized (Bryman, 2012, p. 491).

The sources that I have interviewed are five (in case where theoretical saturation was not reached the number would have increased) and they are, as you will see in the analysis chapter:

- Lule Demolli, she is the director of the Kosova Gender Studies Center, has been working for six years with the women of RAE communities. The interview lasted

57 minutes, and in the discussion the guidelines were followed. The content of the interview was rich, she focused on the general situation of RAE women, the poverty, lack of education, the role of the civil society in Kosovo regarding RAE women, policies, laws, and about their access in decision making.

- Ilir Deda, has an extensive experience with the democratization process of Kosovo, ex-director of the Kosovar Center for Policy Research and Development (KIPRED), and currently one of the 120 MP's of the Kosovar Parliament. The interview lasted 42 minutes, while following the guidelines. The content that Deda focused included insight on the general context of RAE communities, government, policies, and laws regarding minority women.

- Vetone Veliu, has long experience with women's empowerment in decision making, works closely with RAE women in the region of Mitrovica, is part of the Community Building Project, has previously worked with projects regarding Human Rights education for active citizenship in Western Balkans. The interview lasted 35 minutes. The content that she focused included insight on RAE women and decision-making, policies, laws, and education of minorities.

- Nevenka Rikalo, is a women's rights activist, and director of the NGO Ruka Ruci. The interview was held in Serbian, since Nevenka is part of the Serbian minority in Kosovo, the duration was approximately 38 minutes. The points that she focused were RAE women, the implementation of laws and policies, and minority women in decision-making.

- Judith (codified name) preferred to remain anonymous, however, she agreed on this description. Active women's rights activist in Kosovo. The interview lasted 29 minutes, issues that she focused on were civil society and minority women, laws, policies, and patriarchal values.

Even though I had an interview guide, and question I allowed each participant to give me his perspective, this can be seen also in the different points that each participant focused. Bryman articulates what is crucial is that the questioning allows the interviews to glean the ways in which research participants view their social world and that there is flexibility in the conduct of the interviews (Bryman, 2012, p. 473).

Questions during the interviews have been directed with the recommendations of authors such as Kvale, by using introducing questions, following up questions, probing questions, specifying questions, direct and indirect questions, structuring questions, while when needed allowing informants to reflect in silence, and interpreting questions (Kvale, 1996, pp. 133-135). During the interviews, I made sure that the setting had privacy, and was as comfortable as possible, for the interviewee and me. Since as Horrocks states the physical comfort and psychological comfort are essential in an interview (Horrocks, 2010, p. 43).

When the interviewing process ended, I had in my possession approximately 202 minutes of recorded material. What followed up was, a "cutting" and "coding" method. With the cutting method, we cut the data into segments. Cutting can occur at the level of word, phrase, sentence of full transcripts (Claire.M., 2013, p. 421). The hint behind this method is to simply break the text apart or reduce information to identify crucial phrases. After the cutting method, the coding procedure will follow. The overall purpose of coding is to develop a series of researcher-generated constructs that symbolize and thus attribute interpreted meaning to each individual datum for later purpose of pattern detection, categorization, theme and concept development, assertion-building, theorizing and other analytical practices (Claire.M., 2013, p. 423).

2.7 Documents as a source

Except interviewing, to answer my research question, documents have been used as a source of data. The term "document" covers a variety of different kind of sources, for my research I will use a wide range of sources such as official documents deriving from the state, official documents deriving from organizations, mass media outputs, and virtual outputs.

Every state nowadays has a great deal of sources concerning human rights, women's rights etc. Those are of a great significance for every researcher. In addition, the state is the source of a great deal of textual material of potential interest, such as Acts of Parliament and official reports (Bryman, 2012, p. 549). The state documents that I aim to analyze are policy documents for gender equality and minority rights, legal provisions, and implementation strategies for the Convention on the Elimination of All forms of Discrimination against Women, Law on Gender Equality in Kosovo etc.

Documents deriving from private sources are of a great significance for my topic, they tend to give a critical approach towards certain issues, and while analyzing them I will get a clearer outlook for my research question. In Kosovo, there is a great deal of organizations that work on human rights, women's rights, and minority rights. These documents are crucial for my research since they will give me a critical view on the governmental implementation and the socio-cultural aspects of the society.

Newspapers, magazines, and other mass media are a potential source for this analysis since there are always reports on gender equality issues and especially for minority rights violations. Since we live in the age of internet virtual documents will be a huge boost for my research since I will have the opportunity to examine documents that are available in the web.

To interpret the documents, I will use the qualitative content analysis. Per Bryman this is the most prevalent approach to the qualitative analysis of documents. It comprises a searching-out of underlying themes in the materials being analyzed and can be discerned in several of the studies referred to earlier (Bryman, 2012, p. 557). However, for this aspect I will elaborate more in the next section.

2.8 Qualitative data analysis

Bryman notes one of the main difficulties with qualitative research is that it very rapidly generates a large, cumbersome database because of its reliance on prose in the form of such media as field notes, interview transcripts, or documents (Bryman, 2012, p. 565). I can confirm this since after analyzing all the relevant literature, documents, reports, and after conducting all the interviews I had gathered a large corpus of unstructured textual material, that were not easy to analyze.

To analyze and structure the large corpus of data, I used the grounded theory which has become by far the most widely used framework for analytical qualitative data. This theory was developed by Glaser and Strauss (Bryman, 2012, p. 565). Grounded theory has been defined as theory that was derived from data, systematically gathered and analyzed through the research process. In this method, the data collection, analysis, and eventual theory stand is in close relationship to one another (Bryman, 2012, p. 387).

Grounded theory has helped me analyze and connect the data with my research question. This was done with theoretical sampling, coding, theoretical saturation, and constant comparison which referrers to a process of maintaining a close connection between data and conceptualization, so that the correspondence between concepts and categories with their indicator is not lost (Bryman, 2012, p. 568).

After this procedure, the outcome helped me answer my research questions by getting the key elements of the grounded theory which are the concepts and categories. As Bryman notes it is sometimes suggested that, as a qualitative data analysis, grounded theory works better for generating categories than theory. However, concepts and categories are at the heart of the approach, and key processes such as coding, theoretical sapling, and theoretical saturation are designed to guide their generation (Bryman, 2012, p. 573).

2.9 Interview data analysis

When I was done with the field work I had 202 minutes of raw data recorded from my interviews. The next logical process was transcription, which is the procedure of converting recorded materials into text, and, as such, is usually a necessary precursor to commencing the analysis of my interviews.

Descriptive coding is the first stage of the process, my goal at this part is to identify the parts of the transcript that are helpful in addressing my research question. In descriptive coding Horrocks notes that the emphasis is on trying to describe what is of interest in participant's account, rather than seeking to interpret its meaning (Horrocks, 2010, p. 152).

Stage two of the analysis is to group together descriptive codes that seem to share some common meaning, and create an interpretive code that captures it (Horrocks, 2010, p. 154). While stage three of my analysis was to define overreaching themes, at this stage of coding, I identified several overreaching themes that characterize key concepts in my analysis. Per Horrocks these should be built upon interpretive themes, but are at higher level of abstraction than them (Horrocks, 2010, p. 157). At this stage, I drew directly on any theoretical ideas that support my study, as long as they were supported by the analysis.

I used thematic analysis since the aim is not merely to provide a descriptive summary of the content of the theme, but rather to build a narrative that tells the reader how my findings

have casted light upon the reasons of minority women underrepresentation in the Kosovar Parliament. Horrocks notes that its positive to choose quotes that highlight the nature of the theme vividly, that are easily understood and, where possible, give some sense of the character of the speaker – for instance, showing their use of humor, tone of pessimism, hope of stoicism, and so on (Horrocks, 2010, p. 165).

2.10 Difficulties in realizing this research

Generally, realizing this research was an enjoyable experience, since I could write about something really interests me. However, one of the first difficulties that I faced was on how to narrow down this topic, since I was not sure on how many minority groups should I take considering that the space to write is limited. When I finally managed to narrow it down properly the next difficulty was how would I find out about the situation of RAE women, since there were no reports that explained in detail why are those women out of the parliament.

Since finding the right secondary data was impossible, I knew that I had to conduct interviews, so I started researching the internet for the right candidates, I send email to approximately 40 organizations in Kosovo, it was pleasant to see that most of them responded positively, and with surprise, since my name indicates a male of Albanian origin. The difficult part here was setting up a concrete date on the interview, since most of them said come here and we will find the right time. However, when I went to Kosovo I was calling them every day until all the planed interviews were realized.

The biggest difficulty was finding the right literature on my topic, I searched everywhere, but I could not find something concrete on minority women and political decision-making. I thought of using only Kymlicka since he deals mostly with minorities and institutions, but then, I got the idea of emailing him personally and ask him about relevant literature and theory on my topic. Surprisingly, he answered me the next day, by recommending me Mala Htun and Melanie Hughes as the only two authors that he knows being involved in minority women and political decision-making theory.

2.11 Ethical Considerations

The purpose of this research is to portray the experiences and the perspectives of experts in the field of democratization and human rights. Research ethics is an important part for

this research and any other research. Ultimately research ethics is a codification of ethics of science in practice (NESH, 2006, p. 5). The Guidelines for Research ethics do not serve the same function as laws. The Guidelines are a tool for researchers themselves. They identify relevant factors that researchers should or ought to consider, but which must often be weighed against each other, as well as against other important considerations (NESH, 2006, p. 7).

As researchers, we all bring to the research process our own individual morality, which is an accumulation of understanding, feelings, positions and principles around particular issues. The moral outlook has been shaped by different experiences, events, social and cultural locations that constitute our lives (Horrocks, 2010, p. 104). For this reason, the ethical practice of social research with human participants is complex and demanding responsibility. Collecting my interviewees, I had to ensure the best ethical practice since in my research interviewees shared sensitive information with crucial details regarding my research question.

Interview participants have been asked to sign a free and informed consent form, which means that they can decide if their name will appear on my paper and which gives them the right to withdraw their interview anytime from my data. To ensure confidentiality and anonymity of my informants that have requested this, I have used coded pseudonyms and I have encrypted the data in my computer. Out of five informants, only one has requested to remain anonymous since that participant has been threatened in the past by the government, and fears that with the details that she will reveal the civil society might not be so welcoming for her in the future (this detail has been provided due to her consent).

Concerning the respect for persons demands, individuals participated voluntarily, having had adequate information about what involvement in the research will entail, including possible consequences. With regards to beneficence, relates to the researcher's responsibility to secure the well-being of participants. The principle is to avoid harm, although whether this means to avoid harm altogether or minimize it is much debated (Horrocks, 2010, p. 106). For this reason, professional codes of ethics have been followed as determined by the National Committee for Research Ethics in Norway which included as I mentioned before informed consent in participating, and right to withdrawal, respect

for integrity, respect for individual privacy and close relationship, obligation to respect values and motives of other, and the obligation of the researcher to define the roles clearly (NESH, 2006) . However, there are also other important aspects such as debriefing, where the researcher ensures that, after data collection, participants are informed about the full aims of the research. Ideally per Horrocks (2010, pp 107-108) another important detail is that participants should have access to any publication arising from the study they took part in.

3. Case Study: Republic of Kosovo

This chapter, presents the reality women in Kosovo face when aspiring in entering the arena of politics, but also the legal and strategical efforts of the government to help them achieve that. I will present the issues that women in Kosovo face in order to be part of public affairs, and I will continue by presenting reports that describe the social reality that RAE women face every day. In the next part I will present international documents that advocate for the inclusion of women in the political decision-making processes. While in the last part of this chapter, I will present the legal framework of Kosovo that is relevant with minority women's access in decision-making, and governmental strategies that aim the inclusion of women in the political sphere.

3.1 Women and the political decision-making in Kosovo

Gender equality is considered as a fundamental value in the Constitution of the Republic of Kosovo (Article 7). Additionally, the Government has had initiatives such as the Prishtina Principles that were developed at the International Summit on Women's Empowerment hosted by the first female President of Kosovo to promote the value of gender equality.

In the Prishtina Principles, the aspect of women's access in political decision-making was given significant importance, since issues of recruiting women into political parties were discussed (Prishtina Principles, 2012, p. 3). However, in this document women are being considered as one homogenous group, and there is a lack of intersectionality[3]. Since the challenges or the importance of including minority women in the decision making are not mentioned.

Kosovo is ranked as the 27th country worldwide when it comes to women's participation in decision making, with 32.5 percent women in the parliament (Demolli, 2016, p. 2).The National Democratic Institute (NDI) in Kosovo, considers that this country has made important progress in integrating women in political decision-making, thanks to the legislative gender quota (NDI, 2015, p. 8). However, the road for women's participation is

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[3] Intersectionality is the approach that recognizes the important differences among women. Feminist scholars argued that gender, race, and class are interconnected as "intersecting oppressions (Katherina Castiello Jones, 2017)

long with many barriers that start from the moment they decide to run, which was witnessed in the last electoral campaign where the support for them was low. This low support has become an everyday phenomenon for them, since they even struggle to cover their basic needs, they lack access to education, employment, healthcare, and political participation (Demolli, 2016, p. 2).

In 2014, parliamentary election was held for the first time in the whole territory of Kosovo. Nonetheless, like in the previous years, women were underrepresented in the campaigns, and the media coverage (EUEOM, 2014, p. 2). Though, eight years after the independence, the political system in Kosovo managed to appoint a woman President with the help of the International community[4] they reached consensus in the Parliament and appointed Atifete Jahjaga as a President (Demolli, 2016, p. 7). Her task was not easy, she had to deal with a society that does not approve women in leadership positions, and the constant targeting by media because of the way she was appointed to that position. Or as Demolli notes "*in Kosovo there is more respect for a bodybuilder figure that project fear, than for a hard working women that in the end of the day did excellent job representing Kosovo*" (Demolli, 2016, p. 7).

The legal framework, which was introduced by the United Nations Mission in Kosovo (UNMIK), is the cornerstone of the democracy in Kosovo since the end of the conflict in 1999. The actual Law on gender Equality, calls for 50-50 representation of men and women in the sphere of decision making (LGE, 2004, Article 3.1.15). However, the current government is being criticized by the civil society in Kosovo for achieving the lowest representation of women when it comes to gender equality in the governmental cabinet, since there are just two women ministers (Demolli, 2016, p. 4). In addition, the current government seems to have issues, such as respecting women, since there was an incident where the civil society and the PM were involved in an offensive exchange of words. The reason was that there was an incident where the police used violence against a female MP in the Parliament, the civil society reacted against that act, and the PM characterized the

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[4] By international community the media and the civil society in Kosovo refers to the presence of International Organizations, Embassies, and other foreign bodies in Kosovo.

women from the civil society that reacted as "cows that graze Western funds"[5] (Limani, 2016).

The barriers for women in accessing decision-making positions, start with the lack of willingness by the political parties to create space in their list for them. Parties never go beyond the legal requirement of 30 percent in their lists (Law on General Elections, 2008, Article 27), their nomination depends on the support of the senior male party leaders, and the value of their public profile. This, according to NDI has resulted in leaving aspirant women out of the lists (NDI, 2015, p. 12). Data shows that women consider the political arenas as biased against them, and the challenge of succeeding within male dominated parties, has an impact on their family's welfare. While the overzealous media can have a huge impact for women wanting to run for office, this was seen also by the reactions of the media towards the first female President (NDI, 2015, p. 12).

Kosovo has a *de jure* gender equality, but the *de facto* discrimination continues. Women in Kosovo have less access to justice, realization of legal remedies guaranteed by law, and compensation for crimes suffered. Women of Roma, Ashkali and Egyptian background face even more hardships when it comes to those issues (Färnsveden, 2014, p. 1). The progress of gender equality is affected to some extent by the patriarchal traditions, and by the weak implementation of the legal system. When it comes to political decision-making, women, and especially minority women and women with disabilities, remain underrepresented both quantitatively and qualitatively (Färnsveden, 2014, p. 2).

Concerning the minority rights in Kosovo, the Parliamentary Committee on Rights, Interests of communities and Returns has focused more on the Serb minority than other ethnic groups (NDI, 2015, p. 12). Women from minority communities face additional obstacles, since in many cases they live in small rural municipalities with traditional values that do not support women's political participation (NDI, 2015, p. 13). There is a general recognition that barriers for minority women do not end here, since there is a lack of party structures to recruit and prepare women for leadership roles, lack of the cultural context and financial support, and lack of family support (NDI, 2015, p. 13). However, there are

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[5] The term Cow in the Kosovar society is used in an offensive manner.

no reports on the reasons of minority women's exclusion from political decision making. Like I mentioned before this is a gap that I will try to fill in with my paper.

The exclusion from the political decision-making seem to be a general phenomenon for Kosovar women, whether they are Albanian, Serbian, or Bosnian, they face some of the same obstacles in becoming MP's. However, if we check the composition of the Kosovar Parliament today, we can see that there is a significant number of Albanian, Serbian, and Bosnian women, or as regulated by the law on general elections 30 percent. Despite the gender equality law and the law on general elections, there are no women with Roma, Ashkali, or Egyptian background in the Parliament. But who are those communities? What are the challenges that women of those communities' face? Do the Parliamentarians need to hear their voices? In the following section, I will present in detail the communities in focus of this study, and the social challenges that these women face.

3.1 The general context of Roma, Ashkali and Egyptian women in Kosovo

3.1.1 The Roma Community

Today Roma community is consisted of 8824 members in Kosovo (Mbogoni, 2011, p. 107), where they have traditionally lived. According to the 1991 census, 45.745 persons had been declared as Roma, but there are claims that many have registered under different ethnic categories. It is widely believed that this census data was not reliable, since the 1991 census was highly politicized and a subject to boycotts (OSCE, 2010, p. 188). They are believed to originate from India, where it is believed that they left between the 8th and the 10th century. Their mother-tongue is Romani, with different Romani dialects found within Kosovo, they also can speak Serbian and Albanian (OSCE, 2010, p. 188).

The Roma community is a vulnerable group, since it lacks effective integration into education, social, economic and political life. The community faces issues such as extreme poverty, lack of civil registration, lack of effective integration into the education, high rate of unemployment, and insufficient representation in public bodies at all levels (OSCE, 2010, p. 189).

3.1.2 The Ashkali Community

There are 15.436 individuals in Kosovo that identify themselves as Ashkali (Mbogoni, 2011, p. 107). During the 1980s and 1990s, many of them have emigrated to Western Europe in search of employment opportunities. The exodus continued during the 1999 conflict, we do not know the exact number of this community before the conflict since there is no data about the number of their population during those years (OSCE, 2010, p. 44).

Ashkali have their own community symbols, as well as some distinct traditions and cultural features, they have acquired Albanian as their mother tongue, while older generations are often able to speak Serbian. They are primarily of Muslim faith, and identify their origins to ancient Persia (OSCE, 2010, p. 44). Their historic and current situation is characterized by lack of integration into the Kosovar society. They are considered by the OSCE as among the most vulnerable communities in Kosovo and many live in extreme poverty. While Ashkali women and girls are the most disadvantaged group within the community (OSCE, 2010, p. 44).

3.1.3 The Egyptian Community

The Egyptian community in Kosovo consist of 11.524 members (Mbogoni, 2011, p. 107). They have lived traditionally in Kosovo, in the early 1970s, the community began declaring its identity as Egyptians, claiming ancestry in ancient Egypt, and initiating a campaign to secure separate entry I the census of the Socialist Federal Republic of Yugoslavia. The community identifies the Albanian language as their mother tongue, and they are predominantly of Muslim faith (OSCE, 2010, p. 124). The community is one of the most vulnerable in Kosovo with a relatively high number of Egyptians facing extreme poverty. Where women represent on the most disadvantaged groups in Kosovo, with low levels of education, and high rates of unemployment (OSCE, 2010, p. 124).

3.2 Roma, Ashkali, and Egyptian women in Kosovo

Roma, Ashkali, and Egyptian (RAE) communities are the most marginalized communities in Kosovo (Vuniqi, 2013, p. 37). They lack effective integration in education, social, economic, and political life. Women and girls of these communities' face additional

difficulties and barriers regarding schooling, access to healthcare, jobs, services, domestic violence, early marriages, poverty, economic empowerment, and access on decision-making (Vuniqi, 2013, p. 37).

The difficulties and the discrimination that RAE women face is a complex phenomenon, often based on ethnicity and gender. Those communities are considered to have culture, and living habits, very different from most population in the Balkans, for this reason they are subjected to negative perceptions and prejudice by the non-RAE population (Demolli, 2013, p. 3). Women from those communities must, additionally, cope with social exclusion by the female population, those difficulties are aggravated by example, Roma culture which is perceived as primitive that hampers the personal development of Roma girls and women (Demolli, 2013, p. 4). Based on this fact, I would question the ability of majority women to represent the interest of RAE women in the Parliament.

Patriarchy is a term that defines the way that RAE families function, with strict rules, where the power belongs to the oldest male, the so-called "head of the house". Demolli also notes, that their daughters are raised with the knowledge that men make all the decisions, and their word is law. This usually results in marriages being mostly informal, based on the agreement of two families. Parents marry them at the age of 15 or 16, which results in women giving birth to the first child before adulthood (Demolli, 2013, p. 4).

Early marriages among RAE communities are very common and are usually justified by the fact that they are deeply rooted in their tradition. Although prohibited by the laws of Kosovo, these marriages are not reported, prevented and are not punished by the Kosovo authorities. However, this tradition "accepted" silently by the authorities and the community itself, and thus this practice continues to be an "internal" matter of the community. (Demolli, 2013, p.14).

Education of those communities is a major challenge according to Demolli, since there are low levels of school attendance, elevated level of dropouts, and illiteracy among girls of those communities is high (Demolli, 2013, p. 9). When asked about the reasons of the low education RAE women stress the lack of teachers, textbooks, and necessary materials that would enable them to learn in their own mother tongue. In addition, school violence,

prejudice against the communities by the majority, lack of clothing, family obligations, low employment opportunism were also listed (Demolli, 2013, p. 10).

Employment or rather unemployment of those communities is another issue, illiteracy, lack of professional skills or training, and obvious gender and ethnic discrimination have significantly influenced to grow even further barriers to the integration of RAE women, resulting in the higher levels of unemployment and low standard compared with majority population and other minorities in Kosovo (Demolli, 2013, p. 15). Women from those communities are forced to seek work at the informal economy sector. The dominant opinion is that they do not work, since it is more convenient for them to live on various forms of welfare such as children benefits, or unemployment benefits (Demolli, 2013, p. 16).

Housing is also one of the issues that those communities face, because of the conditions and the pollution environment they live in. Many settlers of RAE communities live as usually in non-urbanized areas, overcrowded on the outskirts of cities and under residing standards where there is a constant lack of drinking water, or electricity (Demolli, 2013, p. 17).

3.3 International legal documents on women and political decision-making

The feminist movement has shown that the international law is filled with inadequacies, both in conception and in the development of it, where masculine characteristics were inherited in the system (Doris Buss, 2005, p. 47). Men have adopted instruments such as international human rights, and legal instruments to protect women. This resulted in associating females with gentleness, emotions, and cooperativeness (Susan McCammon, 2007, p. 112). However, none of them considered that gender could be socially constructed, and while the difference of sexes is mainly defined by the biological differences (Charlles Zastrow, 2010, p. 372).

The portrayal of differences in our society based on the ideas of "femininity" and "masculinity", which are incorporated in the international legal framework, have helped in silencing women's voices and reinforcing the marginalization of women (Hilary Charlesworth, 1991, p. 618). In addition, they have resulted in emphasizing women's role

as mother and wife, which has kept them in the private sphere (Hilary Charlesworth, 1991, p. 636). For this reason, on September 1981, the Committee was formed and it received the 20 ratifications that the Conventions on the Elimination of All Forms of Discrimination against Women (CEDAW) entered force (OHCHR, 1995, p. 3).

The importance of women's political participation is recognized internationally, and CEDAW gave significant importance to this issue. The convention is organized in six parts with 30 articles in total. Part two outlines women's rights in public sphere with an emphasis on political life, representation, and rights to nationality. In the Article 7 the convention guarantees women's equality in political and public by focusing on equality in voting, participation in government, and participation in NGO's (CEDAW, 1979, Article 7). CEDAW conditions states to provide guarantee on women's equal opportunity to represent their Government at the international level and to participate in the work of International Organizations (CEDAW, 1979, Article 8).

The awareness that CEDAW created regarding women's participation in decision-making was witnessed, in September 1995, at the Fourth World Conference on Women in Beijing. Women in power was the main objective of this conference, which was constituted by two strategic objectives: One to take measures to ensure women's equal access to and full participation in power structures and decision making; Two, increase women's capacity to participate in decision-making and leadership. Those according to the Beijing Platform provide "balance that more accurately reflects the composition of society and is needed in order to strengthen democracy and promote proper functioning."(UNWomen, 1995).

To achieve those strategic objectives, the Beijing Platform recommends that certain action should be taken by the governments, political parties, and by the UN. Governments should: commit themselves to establish the goal of gender balance in governments; take measures that encourage gender equality in politics; protect and promote equal rights of women and men to engage in political activities; monitor and evaluate progress in the representation of women through the regular collection, analysis of data; support non-governmental organization and research institutes; encourage greater involvement of indigenous women in decision-making at all levels; encourage and ensure that government-funded organization adopt non-discriminatory policies and practices and more (UNWomen, 1995).

The Beijing Platform states that political parties should consider examining party structures and procedures to remove all barriers that discriminate women, develop initiatives to allow women to participate fully in all internal policy-making structures, and consider incorporating gender issues in their political agenda by taking measures ensuring that women can participate in leadership roles. The UN should implement existing and adopt new employment measures to achieve overall gender equality, develop mechanisms to nominate women candidates for appointment to senior posts in UN, and continue collecting data on women and men in decision-making and monitoring positions (UNWomen, 1995).

The United Nations Security Council Resolution 1325 (1325) was adopted on 31st of October 2000 recalls the commitments of the Beijing Declaration. This resolution was the first formal and legal document from the Security Council that required parties in a conflict to prevent violations of women's rights, support women's participation in peace negotiations and state building. UNSCR 1325 call upon member states to increase women's participation at all levels of decision-making in national, regional, and international institutions (1325, 2000).

3.4 Laws, Policies, and Strategies empowering women in political decision-making

The legal system and gender policies in Kosovo reflect the European Union integration efforts of Kosovo. Kosovo is involved in harmonizing its legislation with the *Acquis Communitaire,* the legal heritage of the European Union. Gender equality is one of also one of its objectives and duties as well as being an integral part of the EC Treaty and the EU Charter of Fundamental Rights. Kosovo's progress in gender equality and human rights is monitored in the annual progress reports published by the EU (Agency of Gender Equality, 2014, p. 21).

After the conflict, Kosovo entered the process of building a new legal infrastructure for its multi-ethnic society, in accordance with international and European standards. In this part, I will present the relevant laws, and policies that are meant to empower women in the aspect of political decision-making. This is important for my research question, since as we saw in the previous part (3.1 and 3.2), women, and especially minority women, still have barriers in entering the arena of political decision-making. So, what are the laws that

enable them? What are the strategies of the government to integrate those groups in decision-making?

3.4.1 Constitution of Kosovo

There are several legal mechanisms that ensure gender equality in Kosovo. Under the Kosovar Constitution, gender equality is protected by the state as proclaimed in the Article 7.2 "the Republic of Kosovo ensures gender equality as a basic value for democratic development of the society, equal possibilities for the participation of women and men in political, economic, social, cultural and other areas of social life". The Constitutions states that international human rights conventions including like CEDAW precede national legislation (Kosovo Constitution, Article 22). However, the implementation of this constitutional clause rarely is used (Färnsveden, 2014, p. 4).

Concerning my research topic, I need also to mention that the Constitution, in the Article 3 states that Kosovo is a multi-ethnic society, consisted of Albanian and other communities where all are equal before the law. While to ensure this equality in the aspect of political decision-making the Constitution guarantees 20 seats for the minorities, where the Serbian minority has 10 seats, while the Roma, Ashkali, and Egyptian minorities get one seat each with the opportunity to gain one additional seat to one of those communities with the highest overall vote.

3.4.2 The Law on Gender Equality (LGE)

The LGE prohibits all direct and indirect forms of gender discrimination. To ensure gender equality in political decision-making the law states "Equal gender representation in all legislative, executive and judiciary bodies and other public institutions is achieved when ensured a minimum representation of fifty percent (50%) for each gender, including their governing and decision-making bodies." (LGE, Article 6, Paragraph 8). While, for the government to ensure gender equality in areas where inequality exists, special measure shall be included. Those measures are specified in the Article 6 such as: quotas; and support programs to increase participation of the less represented sex in decision making and public life (LGE, 2004, Article 6.2).

Gender quotas are important per NDI, since it would be impossible to elect 39 women MP's in 2014 (NDI, 2015, p. 11).. Nearly 75% of women party members agreed that those

quotas should remain in place, and their implementation should continue (EUEOM, 2014, p. 8). However, male party members are using quotas against women during the election period, by causing distortion and convincing the electorate that casting votes on women means "throwing votes away" since they can get elected automatically (NDI, 2015, p. 11).

Related to my topic is the prohibition of gender based discrimination by the LGE stating that "the direct or indirect gender discrimination, including less favorable treatment of women for reason of pregnancy and maternity, marital status, nationality, race, disability, sexual orientation, social status, religion and belief, age or any other basis" is forbidden (LGE, Article 4, Paragraph 1). While Article 5 of the LGE mentions the general measures to prevent discrimination, and ensure gender equality, measures should be taken by all the public institutions in Kosovo.

3.4.3 Anti-Discrimination Law (ADL)

The Anti-Discrimination Law prohibits all forms of discrimination, including gender-based discrimination. ADL establishes three principles:1) the principle of equal treatment, which means that there shall be no direct or indirect discrimination of any person based on sex, gender, age, marital status, language, mental or physical disability, sexual orientation, political affiliation or conviction, ethnic origin, nationality, religion or belief, race, social origin, property, birth, or any other status; 2) the principle of fair representation of all persons and all member of communities to employment in the frame of public bodies of all levels; and good understanding principle and inter-ethnic tolerance of the citizens of Kosovo (ADL, Article 2). However, the law since its promulgation in 2004, has been followed by, weak and unclear procedures, and poor implementation (Färnsveden, 2014, p. 4).

3.4.4 Law on General Elections

The Law on General Election determines the respect of gender quotas as a fundamental principle, since all the political entities and election bodies are obliged to respect it (Law on General Elections, 2008, Article 2). The electoral law regulates the application of 30 percent gender quota for municipal and national assembly's seats "In each Political Entity's candidate list, at least thirty (30%) percent shall be male and at least thirty (30%) percent

shall be female, with one candidate from each gender included at least once in each group of three candidates, counting from the first candidate in the list.".

We see that the Law on General Elections is not in line with the LGE which raises the bar of minimum representation at 50 percent, the consequences of this law will be presented in the analysis chapter. While this article is not applicable to the lists consisting of one or two candidates. (Law on General Elections, 2008, Article 27). While the Central Election Commission is the one that ensures the application of gender quota when the seats are distributed in the Assembly (Law on General Elections, 2008, Article 111).

3.4.5 Kosovo Program for Gender Equality

Kosovo Program for Gender Equality (KPGE) was adopted in 2008, as a mechanism that addresses issues related to gender disparity in Kosovo. The objective of KPGE is to improve the living conditions of women in Kosovo by alleviating poverty and supporting a multi-ethnic state. The program aims to integrate gender equality in public policies and programs by focusing on six specific fields: women's integration in economy; women's integration into labor market and social care; women in decision-making processes; healthcare; education; and women's representation in media and culture(KWN, 2009, p. 40). Mechanisms of achieving those gender aims according to KPGE are the institutions of Kosovo such as the Office for Gender Equality, Office for Good Governance, Ombudsperson, and the civil society (KPGE, 2008, p. 115).

The achievement of equal participation of both sexes in decision-making is of significant important in KPGE, this is listed in the strategic objective number 8. This objective aims: to implement precisely LGE; to harmonize laws and other provisions with LGE and international standards that encourage gender equality in decision-making; draft strategies for increase in the number of women in decision-making from rural areas and women from ethnic minorities; encourage women to participate in decision-making (KPGE, 2008, p. 120). We can see that KPGE sets a general framework for integrating women's perspectives in politics, and a positive aspect is that minority women are also mentioned.

3.4.6 National Action Plan (NAP) on Implementing UN Securing Council Resolution 1325 (UNSCR 1325)

In 2002 Security Council began encouraging the development of National Action Plans as a tool that member states could use to detail steps that will take to fulfil the resolution's objectives. In 2014, Kosovo approved the National Action Plan (NAP) on implementing the UN Security Council Resolution 1325 on Women, Peace, and Security. The NAP calls for women's participation in decision—making processes and diplomatic missions. NAP is a concrete step in making gender mainstreaming more effective, and incorporating the provisions of UNSCR 1325 in policy (Färnsveden, 2014, p. 4).

The NAP acknowledges that Kosovo has a relatively good legal framework to promote the participation of women in political decision-making. Critical issue is the poor and slow implementation of these laws. While the ratification of international conventions is not accompanied by other measures supplementing domestic legislation (NAP, 2014, p. 26). However, while reading through this plan, which was supposed to address the needs of Kosovar women in Kosovo I did not spot a single line where there is consideration about minority women, and if they face additional obstacles in entering the public sphere.

3.4.7 The Republic of Kosovo Action Plan on the Implementation of the Strategy for the Integration of Roma, Ashkali and Egyptian Communities (RAEAP)

The Government of Kosovo acknowledges that the conditions that RAE communities live, require swift, and effective policies and actions to ensure a better life, and successful integration for them. Thus, RAEAP was drafted by involving all line ministries, executive agencies, non-governmental organization and organizations that work and represent the RAE communities (RAEAP, 2009, pp. 7-9).

RAE access on the public life is one of the objectives that RAEAP deals with, since RAE communities face deeply-rooted social exclusion, manifested through the lack of access to power to change their status. This can be done according to RAEAP by "removing formal and informal institutional barriers that foster exclusion or maintain the status quo, in both policy and system levels, enabling all society groups equal access to development opportunities without discrimination in any form" (RAEAP, 2009, p. 10). However, the plan does not specify what kind of barriers do RAE communities face, and there is no

consideration for women of those communities and their access in political decision-making.

Kosovo has strategies to specify and implement the legal obligations. However, the implementation of those strategies continues to be an issue in Kosovo, especially after the fact that the vacancy for the Head of the Agency of Gender Equality has not been filled, and this has hampered the implementation of the action plans such as the UN Security Council Resolution 1325 on Women, Peace and Security, and the role of the Agency needs to be strengthened in policy-making (Kosovo 2016 Report, 2016, p. 26). This issue will be discussed in detail in the analysis part, where I present my finds from the field work relating the laws and strategies of integrating RAE women in the political decision-making.

4. Theoretical framework

When reading this paper, some questions arise such as: why does it matter if there are women in the parliament? Does the under-representation in national parliaments pose a problem? Does diversity in the parliament matter? Does it matter having RAE women in the Kosovar Parliament? To answer those questions, I will start this chapter by presenting David Easton's system theory on how a political system formulates its policies. I will continue by discussing the theories of Habermas and John Rawls on the matter of deliberation in democracy, and what makes a system just. Next, I will present feminist theory on how women are excluded from political decision-making, what are the causes, and how to over pass those barriers. In the last part I will discuss about the intersectionality of feminism related to political decision making, what are the hardships that minority women face in entering the public sphere, and what are the ways to enable them.

4.1 How decisions are made in a democratic system?

David Easton's theory of how a political system functions is important for my study, as I will demonstrate it shows on how feedback from the society impacts the decision-making processes and the strategies produced by the government. Relating it to my study, this theory shows that the absence of a certain group that represents a part of the society, will make it impossible to get feedback on laws and policies form that group. Easton states that "*The study of politics is concerned with understanding how authoritative decisions are made and executed for a society.*" (Easton, 1957, p. 383).

We can try to understand the political life by analyzing each piecemeal, we can examine the operation of political parties, interest groups, government, and voting. We can study the nature and consequences of such political practices as manipulation, propaganda, and violence. Or we can try to reveal the pattern of how those practices occur. By combining the results, we can obtain a rough picture of what happens in any self-contained political unit. However, it is implicit per Easton that "*each part of the larger political canvas does not stand alone but is related to each other part*" (Easton, 1957, p. 383). There is an implicit assumption that those activities derive their relatedness or systemic ties from the fact that they all more or less influence the way in which authoritative decision are formulated and

executed   for   a   society   (Easton,   1957,   pp.   383-384).
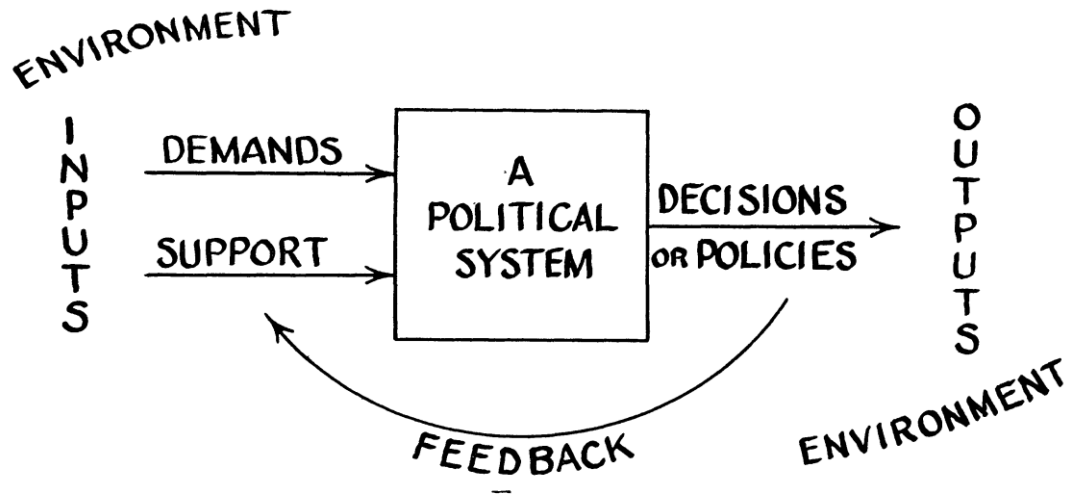

Figure 1 (Easton, 1957, p.384)

The very idea of the system per Easton suggests that we can separate political life from the rest of social activity, at least for analytical purposes, and examine it as though for the moment it were a self-contained entity surrounded by, but clearly distinguished from, the environment or the setting in which it operates. In the same way, astronomers consider the solar system a complex of events isolated for certain purposes from the rest of the universe. If we consider the system of political actions as a unit before our mind's eye, as we saw on the Figure 1 we can see what keeps the system going (Easton, 1957, p. 384).

To understand the decision-making process, I will try to explain the Figure 1 in a straightforward way with an example. Easton has a behavioral approach to politics, he states that a political system has no clear boundaries and its fluid when it comes to decision making. Analyzing the Figure 1 by Easton step 1 suggests that the social environment produces "*demands*" for a certain action, which are translated as "*inputs*" towards the political system, which give a political system its character (Easton, 1957, p. 387). For example, let's consider that there is demand for better healthcare system concerning pregnant women, those demands created an input to the government which suggests that they need to find a solution for this matter.

 Step 2, those demands stimulate competition in a political system, leading to the "*outputs*" or the decision produced by the political system (Easton, 1957, p. 390) So in this sense the

government decides to build a new hospital in the most populated areas. Step 3, after an "*output*": or a decision is made for a specific policy or issue it produces an effect in the environment, and this effect that is produced is the "*outcomes*" of the system (Easton, 1957, p. 395). Continuing with the example, after the debates in the parliament over the costs of the policy, they decide to proceed with the building of the new hospital. Step 4, when the new policy interacts with the environment it generates "*feedback*" on a new policy or on some related matter (Easton, 1957, p. 396). Step 5, feedback, leads back to Step 1 forming a new cycle.

Drawing from this example we can conclude that, roughly speaking, this is how a political system functions. In all these steps as we can see it is crucial to have all parties present in the deliberation, since what if there is an ethnic minority living far away from those hospitals, but there is no one in the parliament to give feedback on this issue, which is a vital matter for the women of that community. In the next section, I will introduce John Rawls and Habermas idea of what is justice in the political decision-making.

4.2 Justice in deliberation

4.2.1 Habermas: Theory of Communicative Rationality

The discursive deliberative democracy that Habermas elaborates extends from his faith in communicative action, in symmetrical communicative interaction played in an arena of communicative rationality. Communicative rationality is the base of the theory of communicative action, and it requires a strong ability of reasoning, possessing clear preference rankings and defendable rationales for their goals and values (Hook, 2006, p. 313). This theory is relevant to my research topic since it discusses the extent of the deliberation in the constitutional democracy, for example should all the groups be included in the process? Who is excluded?

In Habermas's theory, the individual plays a vital role in the modern understanding of law. And he considers that liberty is the natural right of every man to exercise its will. He notes that "*The exercise of natural rights of every man has no other limits than those which are necessary to secure to every man the free exercise of the same rights; and those limits are determined by the law*." Per Habermas law must do more than simply meet the functional requirements of a complex society. It must be also a tool of integration by satisfying the

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problematic needs of marginalized groups if those groups accept the democratic principles of the society (Habermas, 1996, p. 83).

However, Habermas excludes in a way groups that base their argumentation on natural law. Since the author states that there are two conditions that need to be met to make a rationally motivated transition from their state of permanent conflict to cooperation under forced law (Habermas, 1996, p.91). First, they must be familiar with the social contract and how it is used; second the parties that agree on the terms of the contract must distance themselves in yet another way from their natural freedoms. They must can assume the social perspective of the first-person plural (Habermas, 1996, p.92). In this sense groups that base their argumentation in religious comprehensive views are excluded.

4.2.2 John Rawls: The Idea of Public Reason and Overlapping Consensus

John Rawls is a theorist who deliberates the issue of reaching consensus in well-ordered constitutional democratic societies, his solution is called public reasoning. Public reasoning can help define the forms, and the content, that citizens should use to debate with one another. He argues that public reason in necessary since it has, and it will have, multiple conflicting religious and moral comprehensive philosophies. Those doctrines are welcome in the public reasoning, if they accept the pluralistic democratic regime, and its legal system (Rawls, 1999, p. 131).

Rawls considers that public reasoning is public since: it is a reason of the free and equal citizens; it is used to think about questions regarding the public good, and matters of the basic justice; and it has a nature and content that are public (Rawls, 1999, p. 135). While the actors that participate in it are defined by the concept of citizenship per Rawls, which is a relation of citizens within the basic structure of the society that is entered by birth and exited by dead, and the relation between equal citizens who exercise the ultimate political power (Rawls, 1999, p. 136).

What makes the citizen reasonable, is when they perceive on another as free and equal in a system of social cooperation, they are prepared to offer one another fair terms of cooperation, per what they consider just. They will have different opinions on which conception of political justice is the most reasonable one, but they will agree that all are reasonable, even if barely so (Rawls, 1999, p. 136). When the actors will decide on matters

of basic justice, if everyone acts from public reason, then the decision of the majority would be a legitimate law, and morally binding on him or her as a citizen. Political legitimacy says Rawls, is a matter of reciprocity, which is when the reasons we offer are sufficient and reasonable to the other citizens to accept them. The criterion of reciprocity if usually violated when basic liberties such as religion, liberty, and slavery are denied (Rawls, 1999, pp. 136-138).

In contrast to Habermas, Rawls clarifies that in the matter of religious doctrines we need a "*modus vivendi*" and agree that the public reasoning will be done inside the democratic framework. He adds that we don't expect that they should give up their religious doctrines, while they should give up forever the hope of changing the constitution to establish religious hegemony, or in other words democracy is the only way (Rawls, 1999, pp. 149-151). Rawls considers that a stable liberal society rests on an overlapping consensus. "In an overlapping consensus, citizens support the same basic laws for different reasons.", every citizen supports a political conception of justice for motives core its own comprehensive doctrine. A political conception is self-supporting: it is a "*module*" that can fit into any number of worldviews that citizens might have. In an overlapping consensus, each reasonable citizen upholds this common "*module*" from within her own perspective (Wenar, 2013).

As we see Rawls unlikely like Habermas agree an inclusive deliberation in the public sphere produces a legitimate political system that appeal to everyone. However, they disagree on how inclusive should the deliberation process be, Habermas considers that religious groups and extreme groups that base their argumentation on natural law (Habermas, 1996, p.91). On the other hand, Rawls articulates that all groups no matter of their beliefs, or background, should be present in the deliberation process to produce a legitimate public sphere (Rawls, 1999, p. 131). Reflecting those theories to my case study, I consider that if Kosovo wants a legitimate political system, that represents the views of all its citizens, women from communities such as RAE should be included in the deliberation process, even if their culture is considered primitive by the majority. More on this matter will be given in the next sections with the help of theorists such as Tajali, Leynaar, Ginwala, Hughes, and Kymlicka.

4.3 Women in political decision-making

4.3.1 The long struggle of women's participation in the decision-making process

The struggle begins with the demand for the right to vote by women. Voting was traditionally an exclusive right of men, based on the assumption that women are intellectually, psychologically, and physically inferior. This was evident even in the aftermath of the French Revolution, that enhanced the idea of human rights by promoting ideals such as liberty, equality, and fraternity. However, those ideals did not extend to women, even though they participated widely in the revolution, by demanding the citizenship rights as men (Tajali, 2011, p. 6).

Olympe de Gouges, a radical revolutionist who fought alongside her male peers, outlined the demands of the women that fought in a statement titled Declaration of the Rights of Women and the Female Citizen, calling for equal citizenship. She stated that, women's exclusion was not a mere oversight by the male elites of the Enlightenment, but rather an active attempt to dehumanize women. Her efforts to achieve women's citizenship rights including the right to political participation, resulted in her execution (Tajali, 2011, p. 6). However, this act did not silence women's voices or stifle their actions, since a century later the demands for legal reforms supporting equal rights were gradually recognized (Tajali, 2011, p. 6). As Hoodfar and Tajali note "*Olympe De Gouges' declaration not only serves as a testimony to women's long and difficult struggle, it also served as a model for other women's charters of rights created two hundred years later*" (Tajali, 2011, p. 6) (Leynaar, 2004, p. 229)..

The historical exclusion of women from politics is not an accident, or unintended, or due to a lack of interest on behalf of women. The exclusions were deliberately engineered by male political leaders at the "*dawn of democracy*", with the signing of the American and French revolutionary declarations of 1776, and 1787. Those declarations claimed equality amongst all human beings and citizens, and are considered to mark the birth of the first democracies, even though they did not grant rights for women and minorities. The reason was that women could hold duties only in the domestic sphere (Tajali, 2011, p. 7).

4.3.2 Women and political participation

Does women's exclusion from political decision-making matter? Why should it matter? How would it make a difference if women were present in political decision making? The debate of women's participation in decision-making often focuses on issues of justice, equity and human rights, the representation of women and the inclusion of their perspectives and experiences into the decision-making process will inevitably lead to solutions that are more viable and satisfy a broader range of society. This challenge goes beyond ensuring the election of larger numbers of women into the legislatures. Patriarchy, subordination of women, and the deep-rooted perception that the public domain is reserved for men and that the social contract is about the relationship between men and government and not citizens and government(Ginwala, 1998, p. 2).

The under-representation in national parliaments poses a problem in term of both the practice and the theory of politics. Equality between men and women in now a leading political principle all over Europe. The one-sided compositions of the legislature in terms of gender, poses a problem to the legitimacy of the outcome of political decision-making. Women, as a group in society, have interest that differ from those of men, women politicians articulate and defend their interests better than their male colleagues. Women as a group have been historically deprived of political rights, have lower participation rate in the labor force, and the capability to bear children (Leynaar, 2004, pp. 3-4).

Early empirical studies of gender differences in parliamentary behavior and in role and issues orientation confirm the existence of women's and men's specific interests, which is reflected in parliamentary behavior (Leynaar, 2004, p. 3). In general, given their experiences and interests, women politicians have expanded the scope of politics. Issues such as child care, sexuality and family planning, which were once confined to the private sphere, have only been, seen as political since a fair number of women have entered the political bodies. The women's interests can be also categorized, where the first category concerns matter of political equality: women's rights, equal decision-making, equal pay, equal education, individualization of taxes and social security (Leynaar, 2004, p. 3).

The second category concerns matter such as the re-distribution of paid and unpaid labor, work-life balance and childcare facilities. A third group of women's interests follows from

the biological difference between men and women. Examples are matters such as healthcare, the banning of sexual violence against women, and the traffic of women and children. The idea is further that women will be more aware, for example of the need to have control over their bodies, and therefore of the need to access to family planning, of the need to proper provision in the care of children and others who physically dependent, and of the need for more protection against sexual violence and harassment(Leynaar, 2004, p. 3).

Women's participation in the political domain is a requirement of democracy, since if there is no deliberation of thoughts when designing policies that affect the society we have a system that is dominated by a group, in this case would be the male domain. Democracy must be inclusive of the opinions and perceptions of women as well as men. We cannot afford to have a gender-blind democratic system, taking into account different perspectives and involving women and men in decision-making is a "*sine qua non*" of any democratic system(Karam, 1998, p. 8).

4.4 Obstacles to women's participation in parliament

Women around the world at every socio-political level find themselves underrepresented in the parliament and far removed from decision-making. This exclusion limits the possibilities for entrenching the principles of democracy in a society, hindering economic development and discouraging the attainment of gender equality. When a certain group has the monopoly of the political processes, the laws passed through those institutions do not reflect the society at large(Shvedova, 2005, p. 33).

What are the obstacles that women face in entering parliament? In this section, I will present the obstacles that feminist authors that women who want to enter politics face when they want to enter politics, often these obstacles such as political, public, cultural, and social.

4.4.1 Cultural and Socio-economic barriers

Cultural and social barriers are an issue that women face in many parts of the world, not just in Kosovo as I discussed in the chapter 3. These obstacles discourage women from

entering politics in a variety of ways and degrees, but mostly include socialization, cultural, and religious attitudes that consider politics an exclusive public domain of males. Public opinion is of great importance in elections and thus how women are perceived in public. For instance, if in a society there is a common belief that women's voices should not be heard by unrelated males, or that women need their husband's permission to leave their homes, women's entry into politics will be constrained (Tajali, 2011, p. 12).

Traditional roles continue to emphasize women's primary roles as mother and housewives, and when societal norms suggest that women's roles should be limited to the domestic sphere as mothers and wives, then women acting in the public sphere may be viewed as rebels harming their families and undermining the fabric of society to fulfill their own ambitions (Tajali, 2011, p. 13). Patriarchal societies favor segregated roles, where the ideology of 'a woman's place' in which women should only play the role of the low-paid, apolitical mother (Shvedova, 2005, p. 44).

Socio-economic conditions play a significant role in recruiting women to legislatures, researchers point out that there is a correlation between women's legislative recruitment and the proportion of women working outside the home (Shvedova, 2005, p. 39). Shvedova continues by saying that we have a feminization of poverty and unemployment, since in many countries women's unpaid labor activity amounts to twice that of men. She calls it "*the dual burden*" since it is difficult for women to participate in politics when their major concern is survival, and the needs of the family (Shvedova, 2005, p. 43). In Kosovo, the participation rate of women in the labor force is one of the lowest in the world, with 21 percent, while the male participation rate is at 61 percent (ODK, 2015).

4.4.2 Political obstacles

In the 21st century, men continue to dominate the political arena, where they formulate the rules of the political game, and they define the standards for evaluation, even though over 95% of all international entities have granted women the most fundamental democratic rights (Shvedova, 2005, p. 34). The participation of women in European parliaments is 25.9 percent (IPU, 2016), Shvedova considers that those results are an violation of women's rights, and it signifies that women's underrepresentation is a reflection of a status quo (Shvedova, 2005, p. 34).

The masculine model of politics is one of the most prominent obstacles that women face. The political life is organized according to male norms and values, and in some cases even male lifestyles (Shvedova, 2005, p. 36). In times of campaigns women play a significant role, mobilizing support for their parties, yet they lack receiving support by their parties in getting decision-making positions in their structures. Political parties receive funds for elections campaigns, but women rarely benefit, since parties do not provide sufficient financial support for women candidates. In addition to that the nomination process within the political parties is biased against them, since 'male characteristics' tend to dominate the candidate selection criteria (Shvedova, 2005, p. 37).

The masculine model of politics is dominant also in Kosovo, where the barriers of women getting into the list are prominent. Parties in Kosovo lack willingness to create a greater space for women as candidates on party lists, while the women that manage to get in the lists are dependent on the support of the male leadership. This has caused women to be reluced to run, since politics seems to be a male only game (NDI, 2015, pp. 12-13).

4.4.3 Electoral System

A state's electoral system determines how often elections can be held, who can vote, who can run for office, as well as the structure of the ballots and how votes are translated into seats. The degree to which an electoral system is perceived as truly representing the views of the electorate and as translating votes into government policies and legislation reflecting the wishes of the majority greatly influences the degree of public support for the democratic system itself. The author notes that "If the public perceives that policy, government programs and legislation do not in fact represent their choices, government legitimacy, and voter support declines (Tajali, 2011, p. 24).

Kosovo's electoral system determines that 120 members are elected through an open-list proportional representation system to serve 4-year terms, of which 20 seats are guaranteed to political entities representing national minorities (IFES, 2016) Proportional system is the most women friendly, since the associated electoral elements district and party magnitudes, and the formula for the allocation of seats are more responsive in increasing women's access to political participation (Tajali, 2011, p. 33). The entry requirement for political parties is 5 percent, while for the minorities is 1 percent (Arifaj, 2012, p. 7,

translated in English from Albanian by me). The LGE determines that each gender should be represented by 50 percent of the seats (LGE, Article 6, Paragraph 8), while the Law on General Elections regulates the gender quota on 30 percent which is not in line with the LGE (Law on General Elections, 2008, Article 27).

4.4.4 Gender Quotas

Feminist critique of democracy is focused on the gap between what democracy theoretically advocates, and the actual absence of all groups in the exercise of political control. Since women are continuously underrepresented in decision-making, feminists have argued that quotas are one of the most effective ways to fight that discrimination (Tajali, 2011, pp. 42-43). For this reason, special attention will be given in this paper on gender quotas, since the gender quota helped to 39 women to be elected in the Kosovar Parliament. This tradition is continuing since in each successive election, more women are achieving that, in 2014 parliamentary elections, 20 percent of the top ten most-voted candidates on most parties' lists were women (NDI, 2015, p. 11). However, we cannot say the same thing for women of RAE communities since there are none in the parliamentary seats.

The use of quotas has always been viewed as an important explanation on why there relatively many women in the Scandinavian parliaments, where they started using them in 1970s. Applying gender quotas means that women must constitute a certain number or percentage of the member of a body. Quotas are transitional or temporary measures, the aim of which is to overcome current imbalances that exist between men and women (Leynaar, 2004, p. 218). The demand for gender quotas, either in political parties or as part of state electoral systems, has been one of the most prominent strategies, and gender quotas have been increasingly adopted, particularly following thee 1995 Beijing Conference, where governments agreed to act to increase women's presence in political decision-making (Tajali, 2011, p. 43).

Quotas are considered as one of the most commonly used methods of affirmative action. Legal candidate quotas are laid down in the constitutions, in electoral laws or in political party laws. Such quotas are enacted in legislation force and they force all political parties to recruit the required percentage of women (Dahlerup, 2005, p. 141). Reserved seat are

another aspect of the affirmative action, where a certain number of seats is set aside among representatives in a parliament (Dahlerup, 2005, p. 142). In Kosovo, reserved seats or guaranteed seats are used for the ethnic minorities such as Serbs, Bosnians, Turks etc.

Quota systems may, however, be constituted as gender-neutral. In this case, the requirement may be, for example, that neither gender should occupy more than 60 percent or less than 40 percent of the positions on a party list or in a decision-making body. Gender-neutral quotas construct a maximum limit for both sexes, with this strategy the arguments of opponents of quotas that they discriminate men are refuted (Dahlerup, 2005, p. 142). This is the case in the LGE in Kosovo that sets the limit to 50 percent on each gender (LGE, 2004, Article 6, Paragraph 8).

Quotas may have caused progress in women's participation in politics after a 50-year stagnation by finally enabling them to stand in equal footing with men. However, there are also critics of quotas since they claim that they are against the principle of equal opportunities for all. Quotas imply that politicians are elected because of their gender, not because of their qualifications, and that better qualified candidates are pushed aside (Dahlerup, 2005, p. 143). But what is not clear to the critics is that quotas for women do not discriminate, but compensate for actual barriers that prevent women from their fair share of political seats. Women experience is needed in political life, men cannot represent the interest of women. Election is about representation, not educational qualifications (Dahlerup, 2005, p. 144).

Generally, quotas represent the shift from one concept of equality to another. The classic liberal notion of equality was a notion of 'equal opportunity', where removing the barriers and giving women voting rights was considered sufficient. Following the pressure of feminist in the last few decades, a second concept of equality emerged the notion 'equality of result'. The argument is that just removing formal barriers does not produce real equal opportunity. Direct discrimination, as well as a complex pattern of hidden barriers, prevent women from getting their share of political influence. Quotas and other forms of active equality measures are thus a means towards equality of result (Dahlerup, 2005, p. 150).

4.4.5 Minority group rights

"No Amount of thought or sympathy, no matter how careful or honest, can jump the barriers of experience" A. Phillips (Kymlicka, 1995. P. 139)

Since the main issue examined in this paper is the underrepresentation of marginalized groups, such as minority women, I find it important to elaborate on why do we need minorities in the parliament? And why are personal characteristics of representatives important?

If we want to think about justice, we need to think about fairness, and fairness in decision-making procedures implies that the interests, and perspectives of the minority be listened and considered. Various groups remain seriously underrepresented in legislatures, despite the absence of any legal restriction on the political rights of their members, this is not just an issue for ethnic and racial minorities but also for women (Kymlicka, 1995, p. 132).

People vote as members of communities of interest, and wish to be represented on this basis. If disadvantaged or marginalized regions need special senate representation, why not disadvantaged or marginalized groups such as racial minorities. The diverse conditions and experiences of men and women, whites and blacks, immigrants and indigenous people, able-bodies and disabled, rich and poor give rise to different and sometimes conflicting interests, and the interests of smaller or poorer groups might not be represented under a system of majority rule (Kymlicka, 1995, p. 136-137).

The political domain has been dominated by the white middle-class men in most western democracies, and this fact does not represent the population at large. Kymlicka's claim that minority groups are not fully represented in the legislature, seems to presuppose that people can only be fully represented by someone that shares their gender, class, occupation, ethnicity, or language (Kymlicka, 1995, p. 139). Personal characteristics of representatives are important for several reasons, Kymlicka argues that people must share certain experiences or characteristics to understand each other's needs and interests (Kymlicka, 1995, p. 139). On this view, a white Albanian representative in the Kosovar Parliament cannot know what is in the interest of a Roma woman. Per Kymlicka the reason is not that men do not understand women's interests, but rather that at some point members of one

group, feel that someone belonging to another group, can have a conflict of interest that makes representation impossible (Kymlicka, 1995, p. 139).

Certain groups need group representation rights, there are two views on the number of seats that they should get per Kymlicka. One view is that the group should be represented proportionally to its population number, the second is that there should be a threshold number of representatives, sufficient to ensure that the group views and interests are effectively expressed. The first view follows naturally from a commitment to the general principle of mirror representation. But, most proponents of group representation wish to avoid the principle of mirror representation since it could endanger the number of seats they get (Kymlicka, 1995, p. 146). Group representation is not illiberal or undemocratic, it is an enforcement of democracy, we need to ensure the perspectives and interests of minorities are heard (Kymlicka, 1995, p. 150).

Mansbridge notes that representatives have three functions; descriptive representation, represent 'uncrystalized' interests, and pursue historically denigrated status. Disadvantaged groups may want to be represented by individuals with the same background or experiences, and outward manifestation of belonging to the same group. Subordinate groups need to put contemporary issues on the political agenda, these issues are 'uncrystalized', or simply issues that have not gone through a process of deliberation. Representatives who are members of one of the subgroups can change the social meaning of membership in that group through their action and presence in the executive (Mansbridge in Kymlicka, 1995, p. 99-100).

Group representation helps in changing the social meaning of group membership. Being a member of a social group that has been at some point in the polity's history excluded from the vote, or a group that has never been represented in the parliament, can change the embedded meaning that individuals from those groups do not rule, or people with their characteristic are not able to rule. For example, the absence of black women creates the meaning that black women cannot rule (Mansbridge in Kymlicka, 1995, p. 119-120). Descriptive representation comes in the increased empirical legitimacy of the polity. Seeing members of certain groups exercising responsibly their role in the legislature

enhances the de facto legitimacy, and historically excluded groups in this way can feel citizens of a certain society (Mansbridge in Kymlicka, 1995, p. 121).

Democratic justice towards minority disadvantaged groups requires that they are adequately represented in political decision-making. Without the active participation of groups in the policy making, are likely to be biased or incomplete. Justice towards marginalized groups requires deliberative process of political decision-making, deliberative democracies have argued that a full account of just and legitimate deliberative processes must give some attention to the place of marginalized-group needs and identities in discursive exchange (Williams in Kymlicka, 1995, p. 125).

Deliberative democracy theory offers a more inclusive and egalitarian approach to political dialogue and decision-making, and can help the political system learn on how to deepen the democratic character of the political institutions (Devaux, 2006, p. 19). To ensure the legitimacy and practical viability of proposals for evaluation and reform of cultural practices that appear to violate gender justice, we will need to deepen our democratic practices and foster broader inclusion of citizens in political deliberation and decision-making processes especially about venerable members of already marginalized cultural and religious communities (Devaux, 2006, p. 20). Practical dialogue and deliberative decision-making that includes cultural group members and representatives from the state and civil society can produce democratically legitimate solutions to cultural disputes that both protect and empower vulnerable group members, such as women (Devaux, 2006, p. 22).

The importance of having minorities in the parliament is acknowledged by the Kosovar Government, thus we have affirmative action to include those groups in the decision-making process. Minorities have 20 out of 120 seats guaranteed for their representation (IFES, 2016), and the threshold for entering the parliament is set at 1 percent, while for the parties that represent the majority is 5 percent (Arifaj, 2012, p. 7). However, the positive discrimination seems to benefit only certain groups from the minorities, and in the case of RAE communities, only men. The questions that are raised now are: Do we really need also minority women in the parliament? How do their interests differ from their men? Do democracies need distinct policies for minority women? An insight on those questions will be given in the next section.

4.4.6 Minority Women

If men can't represent women in politics, then why should we consider that minority men can represent minority women?

Authors like Melanie Hughes in her theory suggests that minority women experience oppression, and political exclusion, in diverse ways and levels from majority women. Gender discrimination and restrictive gender roles are barriers women face just because they are women. However, women also encounter political obstacles rooted in other identities, such as racism, ethnic prejudice, and religious intolerance (Hughes, 2013, p. 492). Minority women's power may be undermined though multiple channels has been articulated by feminists worldwide, they use terminologies such as "double burden", or "double disadvantage" (Hughes, 2013, p. 492).

To rectify persisting inequalities, countries have started adopting quotas-laws or policies requiring candidate lists or representative bodies to include; women, racial, ethnic, or religious minorities (Hughes, 2011, p.1). During the period 1960 to 2010, women's representation has increased in national legislatures worldwide. Yet, within countries, women are far from being a monolithic group. Differences such as race, ethnicity, and religion not only impact women's identities and interests, but from intersecting social hierarchies that shape women's access to power (Hughes, 2013, p. 489). For this reason, it is important to reflect on the achievements of the Kosovar Government, when it comes to their success of integrating women into the political decision-making, by having in mind ethnic minority women.

Theories of intersectionality, provide the most widely used framework for understanding the experiences and outcomes of minority women today, see gender as intersecting with race, ethnicity, religion, and other structures in complex ways. Intersectionality scholars argue that one cannot simply add together the disadvantages that come with being a woman, to those of being a minority woman. In some cases, or contexts, forces of oppression may compound or multiply one another, whereas in other situations minority women may experience advantages relative to majority women/or minority men. Empirical research across U.S. supports this perspective, finding that minority women's legislative representation varies widely (Hughes, 2013, pp. 492-493).

Having in consideration that women are not a homogenous group, but rather a diverse group, is part of the intersectional feminist scholarship. Grounded in black and multiracial feminist thought, theories of intersectionality conceptualize sexism, racism, and other forms of bigotry as interrelated systems that create multiple barriers to power. Intersectionality research also finds that minority women's dual identities can sometimes provide them with strategic opportunities. Minority women may be able to emphasize their gender or minority status in different institutions context to enhance electability (Hughes, 2011, p.1).

Integrating women into politics is important since it ensures that minority women's interests are represented. If we exclude minority women from politics, policies designed to benefit women or minority groups may fail to address minority women's interests. In some cases, empowering minority men with including women may even lead to policies that contribute to gender stratification within marginalized groups (Hughes, 2013, p. 490).

Including minority women in political institution produces a range of benefits. For instance, research suggests that minority women may be even more effective advocates for rights and interests of minority groups than minority men. Increasing the political representation of minority women may also have important symbolic effect. Political representation carrier a highly visible status and prestige, and this will enhance the views that those groups are fit to rule. Summing up, minority women in parliaments can alter the policymaking, improve minority women's self-worth and aspiration, and transform wider societal beliefs about minority women (Hughes, 2013, p. 490).

Having minority women in the parliament is essential, since that gives a political system legitimacy, while also integrating segregated ethnic minorities. However, in Kosovo while some minority women are part of the parliament (Serb, and Bosnian), other minority women like Roma, Ashkali, and Egyptians are not. This issue triggered my interest, however, while examining documents and reports on women's participation in political decision-making by NGO's and International Organization, there was no clear answer on why RAE women cannot access high-level decision making, this is the small gap that I aim to fill with the finding from my field work which I will present in the next section.

5. Field work findings and analysis

In this chapter, first I will present the data gathered during my field work, where my interviewees gave me the chance of seeing the situation with their eyes. In the second part of this chapter, I will analyze the finding of my interviews by linking them with my research questions, finally, in the last part of this chapter I will give my conclusions.

5.1 Interview findings

"They are avoiding telling people that they are part of the Roma community, they say that they are Muslims, or some other ethnic group ... they are tired of this situation" (Demolli L. , 2016)

What Lule Demolli means in this line, is that RAE communities are discriminated by other communities to the point where they avoid telling people that they are Roma or Ashkali or Egyptian. This is all due to the racist discrimination that occurs in regular basis against them (Demolli L. , 2016)

"RAE women are discriminated in every possible way from the communities in Kosovo, but also from their own community. Violence in the household is apparent in 80 percent of the women in RAE communities, and it is accepted as something normal that must be used to discipline them. " (Demolli L. , 2016)

The issue of domestic violence[6] in those communities is confirmed also by my other respondents Vetone Veliu and Nevenka Rikalo. In addition, reports on those communities, state that 85.5 percent agreed that women are the most often subject of domestic violence in the household (Nait Vrenezi, 2009, p. 132). While the levels of domestic violence on other communities are also not low, since approximately 53 percent of women in Kosovo have experienced domestic violence from a second person during their life (Farnsworth N. , 2008, p. 19)

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[6] Domestic violence is commonly defined as violence that occurs in private dwelling between spouses (Farnsworth A. Q.-M., 2009)

"Women of RAE communities have no access to education, they have difficulties attending primary schooling, they get barely registered in schools, even when they do so, most of them drop out. There are barely any examples of those girls managing to finish high school education, their main aim is marriage, preferably with someone from abroad, that is a life solution for them." (Demolli L. , 2016)

Traditionally, all three communities (RAE) have had high level of illiteracy, and research data shows that the current illiteracy rate is very high with approximately 19.93 percent of the respondents not having finished one year of education. Over 96 percent of the RAE population have not finished the obligatory level of education, while only 12 percent have managed to make it to the high school. Only 2 percent of the RAE population has managed to finish high schools, and enroll in Universities (Nait Vrenezi, 2009, p. 34).

There are major differences in the level of education when it comes to RAE women, while 11.2 percent of men have not finished a year of education, namely are illiterate, this percentage among women is three times higher, 30.2 percent of female respondents said they have never enrolled in school (Nait Vrenezi, 2009, p. 35). Those percentages are extremely low, compared to the general population literacy rates of Kosovo which is at 91.9 percent, where males rank at 96.6 percent and females at 87.5% (CIA, 2017).

Concerning RAE communities' racism is also a huge issue according to Demolli, and Veliu, with the first one giving an example that she witnessed:

"RAE women face discrimination in this society for the way they look, speak, or behave. I recall an incident last month in Prizeren where I was doing some research with women of those communities that have returned to Kosovo from the West Europe. In the end, I wanted to have a meal, and a friendly conversation, so we sat in a normal restaurant, after 5 minutes the manager came to us and told us to leave since he did not want his restaurant to be associated with people of RAE communities ... This is not the only incident, there are plenty of cases where a small Egyptian or Roma kid attends school with other communities, and it ends up being segregated, or the parents show up at school and demand the kid to be moved to another school ... we have a majority that is really backward thinking when it comes in accepting diversity in their surroundings" (Demolli L. , 2016)

In the social aspect, what also hinders their ability to participate in the public life, or have the aspiration of representing the women of their community in the parliament is poverty. RAE communities are the poorest communities in Kosovo (Demolli L. , 2016) (Veliu, 2016).

> *"I think that they want to participate in politics, but the living circumstances are the ones that hinder them, they are poor, they live collectively, they face an everyday struggle to survive. When your main concern is to ensure food for yourself, or your kids, thinking of future perspectives in politics becomes a distant dream ... the state has failed them in every way, practically no one cares about them." (Demolli L. , 2016)*

The living conditions of the three communities compared to other communities living in Kosovo are exceptionally low. In addition, the communities are displaying tendencies of further poverty. The level of income does not enable most families to live in normal conditions, by average each family of those communities has 5.60 members. Statistically, 20 percent of families have an average monthly income of up to 50 Euros/month, 20.06 percent have income varying from 50-80 Euros/month, 19.75 percent have income varying up to 120 Euros/month, 17.33% of families have income 120-180 Euros/month, and the rest live in an income higher of 180 Euros/month (Nait Vrenezi, 2009, p. 18). While by average all three communities live on 0.71 Euro cents daily per person (Nait Vrenezi, 2009, p. 21). In addition to this 57 percent of RAE families receive state social assistance (Nait Vrenezi, 2009, p. 22). Demolli states that this is a huge implication for women, to receive state assistance of 75 Euros, they need to have a kid that is under the age of 5, this results in them being forced to have a kid in to have an income for their kids and their family (Demolli L. , 2016).

During my interviews with my participants, the discussions took a turn also in the role of civil society in empowering RAE women in political decision-making.

> *"I am one of the loud voices when it comes to women's rights and I know that there is a lack of intersectionality in the feminist agenda of the civil society in Kosovo,*

also the agenda is usually determined by the international donors, and usually issues that affect RAE women are not part of the agenda ... but also another issue is that it is a taboo to address issues that concern those communities since they were cooperating with Serbs during the war, and they were responsible for many crimes ... in many meetings of the civil society issues that concern RAE women are not even in the agenda to be discussed.” (Judith, 2016)

“I am part of the Serbian community ... my goal is to protect mainly the rights of Serbian women ... there is no agenda for RAE women, even though I know that they face many difficulties I believe that there are NGO's in Prishtina that protect their rights” (Rikalo, 2016)

“I get really angry with our organizations when they do not show any interest in women of RAE communities ... generally RAE communities are really discriminated ... I remember when I brought some women in an organization that I was working a while ago, in order to teach them how to promote human rights, some of my colleagues in the organization were not happy with that ... you could see them feeling like there was a disease in the room. Also, I would say that the role of the civil society is being taken by the media now days, knowing that I sent one of the Roma women to speak in one of the national television about the difficulties that their community faces, this resulted in people calling and threatening her, and the TV station, just because they gave her some time to speak” (Demolli L. , 2016)

The NGOs are assumed to be part of the civil society, their role is to strengthen democracy and human rights through their activities, while keeping the governments accountable for their actions without excluding any of the groups in the society (Mercer, 2002, p. 7). However, in Kosovo we see that the civil society has a different approach on the issue of RAE women, with few exceptions, they do not seem to be concerned with their rights.

Concerning the legal framework of Kosovo and the affirmative action that it provides for women, generally all participants had similar views. They consider that the framework is generally good for the majority and some of the minorities such as Serbs and Bosnians.

However, my informants consider that the laws have not been designed adequately to include all groups in the political decision-making since RAE women are excluded. Regarding their views I have cut some parts of the interviews that support this claim.

Demolli considers that the Constitution and the legal system is not to that point yet, and she doubt that it will be anytime soon because of the values that characterize the Kosovar society. While regarding the laws, Demolli considers that they are not implemented properly, and that the current quota system does not help RAE women.

> *"Our constitution is good for marginalized groups, but it is not expanded to the degree that you are researching, and there is no interest to do so. We live in a patriarchal society that hardly accepts diversity, or new values. Concerning the effect of the affirmative action on RAE women it really has zero effect ... with the current system only the head of the party who is usually a male manages to get in the guaranteed seats of the parliament. The Law on Gender Equality states that there should be 50 percent of each gender in the seats of the parliament, but it is not enforced to the political parties since it's based on good will ... and of course the male leaders of the political parties do not want to follow that rule, they follow the Law on General Elections which regulates the quota on 30 percent. Quotas that could nominate RAE women are noon existent."* (Demolli L. , 2016)

Regarding the RAE political parties Demolli considers that they could make room for at least one women, however they do not. There was an example of a female representative from RAE communities, who happened to be the daughter of the party leader.

> *"There was a RAE woman in the parliament in the previous legislature, she was the daughter of Hagjimeqa the head of the party ... if the political parties were willing they would give that one seat to a RAE woman but they do not want."* (Demolli L. , 2016)

Ilir Deda who is a MP considers that there is formal representation in the Kosovar Parliament, however there is a lack of substantial representation, or women that raise discussions on women's rights. But, they are hindered by the patriarchal values and the male leaders that appointed them in the lists.

"generally, in Kosovo the formal representation is fulfilled through the formal obligation which constitutes 1/3 of the seats in the parliament should be women. If we analyze the formal aspect there are not many problems, however representing the needs of women is a huge problem … they are not heard in the parliament for issues concerning women because they are now allowed by the male party leaders who appoint them." (Deda, 2016)

Regarding issues concerning RAE communities, and their women, Deda states that none of the current representatives ever raised a discussion. Deda considers that the minorities are not active enough, they are physically present but they are not active enough regarding the rights of their communities.

"There is never an initiative in the parliament to discuss about issues that minorities such as RAE face … or generally there is barely any discussion about women's rights. The male representatives of RAE communities have never raised a discussion regarding issues in their communities, this is a pity since those communities are the most marginalized groups in Kosovo. Kosovar Government ignores RAE women completely and utterly … the political representatives of the minorities are just a décor of the multi-ethnic Kosovo … they were always victims of the Albanian-Serbian clashes, in the 80s they supported the Albanians, in the 90s the Serbs, and this resulted in them being marginalized and persecuted after the end of the war." (Deda, 2016)

Ilir Deda regarding the quotas went into more details than the other participants where he considers that even though the Constitution guarantees 20 seats for the minorities, from which 4 seats are for the RAE communities, the quota system as regulated by the Law on General Elections is not enough to get RAE women into the parliament. If they would have followed the guidelines set by the LGE with the quota being at 50 percent at least one women would be in those seats. But, according to him the system was designed as such to benefit some communities more than others, in this case, Albanians and Serbs.

"Our Constitution guarantees 20 seats for the minorities, 4 of the seats are guaranteed for the RAE communities the quota is set by LGE at 50 percent, but the Law on General Election that political parties follow sets the gender quota to 30 percent ... and that does not help them. Generally, when our political and legal system was designed with the help of the international community there was no concern about RAE communities ... not like they are concerned now about them, the main concern was the Albanian and Serb communities, for this reason we have 10 seats guaranteed for the Serbs ... which is as much as all the other communities combined. Simply the quotas system does not work for small minorities like RAE." (Deda, 2016)

The Law on General Elections is not in line with the Law on Gender Equality, this according to Deda is due to the reason that strong male figures need to put as many males as possible in the parliament, in order to stay in power. Male members of the political parties, and male public figures that get elected, have enormous influence in their local communities which helps them gather more votes in times of elections (Deda, 2016).

"They know that the law on general elections is not in line with the law on gender equality ... they don't want to change it, 30 percent is the most they can give, they need to accommodate their friends, who bring votes and they help their political parties achieve the numbers that they need ... which holds them to power ... they don't have any interest from the women" (Deda, 2016)

Deda considers that if the Law on Gender Equality was implemented, and the Law on General Elections was in line with it by raising the quota to 50 percent then we would manage to in the best case one women from RAE communities in the parliament. He considers that the whole constitution was designed in a way that does not really produce a just system for small minority groups (Deda, 2016).

"The Law on Gender Equality is barely implemented there is lack of vision by the government, and there is lack of funding ... you asked if it would eventually change something regarding RAE women, I think that it could but not significantly, you know that they have one seat each guaranteed with the biggest parliamentarian group of RAE communities getting one additional seat would nominate one RAE

women with the quota being on 50 percent as the Law on Gender Equality says …
but the issue is deeper the constitutions is not developed to this extent in order to
have proportional representation the share of guaranteed seats would have to
change and redistribute the seats to minorities by having in mind gender equality"
(Deda, 2016)

Concerning the quota system Vetone Veliu considers that we need it, since it's the only way to get enough women in the parliament, but, not enough RAE women. She considers that the quota system should change in order to benefit also RAE women, even though they lack education, they could represent their needs in the parliament, she notes that, you do not need to be highly educated to be a part of the parliament to represent the needs of your community.

"I have worked a lot on empowering women in decision-making and I consider that
we need quotas, some women feel bad since they get them with way less votes than
men, but there is no other way. The downside to this is that when a man appoints a
woman on his party lists he expects obedience from her. When it comes to
minorities, Serbs were always a priority for our institutions, no one really cares
that quotas are not functioning for other minorities. I think that it is necessary to
create some space for RAE women in the parliament, they lack education, but you
do not need to be highly educated to represent your group in the parliament, when
I was working with the European Parliament I met a nurse from Sweden that was
representing her people, so you do not need a PHD to be in the parliament." (Veliu,
2016)

Regarding the Strategy for the integration of Roma, Ashkali and Egyptian Communities that aims in creating effective policies and actions to ensure a better life, and successful integration, while also having in mind that RAE communities face exclusion from the public life (RAEAP, 2009, p. 10), where as I explained in the section 3.4.7 there is no mention about RAE minority women and political decision making. Demolli who has monitored the implementation of the strategy considers that it was made just as a formal document for the European Union integration process. But, it offers no real solution for the most marginalized communities in Kosovo.

"I have monitored the implementation of the Strategy for the Integration of Roma, Ashkali and Egyptian Communities … a strategy with no concrete purpose, no financial cost, no financing, and of course not implemented at any point. It was just a formal thing they needed to do for the European Union integration process, and it was a copy paste from other strategies, there was no plan on any of the issues regarding the RAE communities" (Demolli L. , 2016)

5.1.1 Short summary of the findings

1. Findings suggest that RAE women face discrimination from all the communities in Kosovo. They face issues such as racism, exclusion, poverty, and domestic violence (Demolli L. , 2016) (Deda, 2016) (Veliu, 2016).

2. A considerable number lacks access to education, approximately 30.2 percent of RAE women do not have the ability to read. While most of the girls that enroll education, end up dropping out, due to harsh economic conditions, racism, and marriages (Demolli L. , 2016) (Veliu, 2016).

3. Findings suggest that RAE women would like to participate in politics, however, the reality that they face every day such as poverty, patriarchal values in their community, and the legal system, make it impossible for them to even consider it (Demolli L. , 2016) (Deda, 2016) (Veliu, 2016).

4. Findings suggest, that a considerable part of the civil society in Kosovo is not concerned with the rights of RAE women for two reasons, one there is no agenda on their issues by the international donors, and two, it is considered a taboo to fight for the rights of RAE women in Kosovo. In addition, activists and organizations care only about their communities, there is no intersectionality in their agenda (Demolli L. , 2016) (Rikalo, 2016) (Judith, 2016).

5. The Government of Kosovo seems to not care about the rights of RAE women, there are no real strategies or initiatives to integrate them, or as Ilir Deda states, "The government ignores completely and utterly RAE women". While also issues concerning RAE communities are never raised in the discussions of the parliament, not even by RAE representatives (Deda, 2016) (Demolli L. , 2016).

6. The quota system, is not effective when it comes to RAE women, since the Law on General Elections regulates that 1/3 of the lists (30 percent, every third candidate)

should be women, while when there are 3 political parties running from the three communities (RAE) and there are only 4 seats for them available the quota system does not help them (Deda, 2016) (Demolli L. , 2016).

7. Regarding the Strategy for the integration of Roma, Ashkali, and Egyptian Communities, my participants consider that the strategy was just a formal document made for the purpose of EU integration, with no clear purposes or objectives (Demolli L. , 2016) (Deda, 2016) (Veliu, 2016).

5.2 Analysis

5.2.1 Analysis of the legal framework

International documents, such as the United Nations Security Council Resolution 1325, which is based on the commitments of the Beijing Declaration proclaims that integrating women in the political sphere is essential in every democracy and especially in the peace building processes. The Government of Kosovo took the responsibility to draft a NAP for the UNSCR 1325 and involved various stakeholder in the process, including representatives from women-led organization. The main aims of the NAP are: 1) increase the participation of women in decision-making and peace building processes; 2) integrating gender perspectives and increased participation of women in security structures; and 3) justice for the victims of sexual violence during the war in Kosovo (Farnsworth, 2013, p. 36).

However, the NAP on UNSCR 1325 is facing many challenges in Kosovo such as: ensuring adequate funding for the implementation of the NAP; the indicators are not clear, they have no targets and times frames; integrating women into peace processes and negotiations; lack of consideration on diversity among women (intersectionality); ensuring relief and redress for persons who suffered sexual violence; and insufficient support from high level officials (KWN, 2015). The lack of consideration that gender is simple one axis of difference which intersects with many other forms of identity and experience such as: nationality; ethnicity; disability; religion etc. is one of the issues that the United Nations in their global study on the UNSCR 1325 and its implementation, urges the Governments to take into consideration worldwide (UN Women, 2015, p. 34).

The lack of intersectionality regarding minority women in Kosovo can be seen in the Constitution. The constitution states that gender equality is a value protected by the state, as a democratic value that contributes on the development of the society (Article 7.2). While also in the Constitution states that all are equal before the law, without any discrimination (Article 24). When it comes to minorities, the Constitution guarantees 20 seats for the ethnic minorities of Kosovo (Article 64). But was there any consideration regarding women from minorities in the guaranteed seats?

Deda claims that when the constitution was designed, there was no concern about the representation of minority women, RAE communities were awarded three seats with the perspective of getting four. However, in order to get to the point where all groups can participate in the deliberation some constitutional provisions should change, including the way that guaranteed seats are divided (Deda, 2016).

Concerning the guaranteed seats and their proportionality, if we have in mind the general population where 92.9 percent are Albanians, 1.6 percent Bosnians, 1.5 percent Serbs, 1.1 percent Turks, 0.9 percent Ashkali, 0.7 percent Egyptian, 0.5 percent Roma, and other unspecified 0.2 percent (CIA, 2017). While we have 20 seats reserved for the minorities, where 10 of those are reserved for the 1.5 percent of Serbs, where the other communities share the other 10 seats, with RAE getting 4 seats (Constitution of the Republic of Kosovo, 2008, Article 64). However, it should be kept in mind that a considerable number of Serbs did not participate in the census (Mbogoni, 2011, p. 17)

The RAE communities as a community group take a share of 4 guaranteed seats out of 20, for 2.1 percent of the population combined, each community gets a seat, while the one that gets most of the votes from the three getting an extra seat. As Ilir Deda and Lule Demolli noted, we can see that when the international community assisted Kosovo in drafting the constitution, indeed they did not consider the issue of having equality of the sexes in the parliament for all ethnic minorities, or that women have diverse needs from majority women or minority men. The guaranteed seats system benefits mostly Serbian and Bosnian women for the moment (Deda, 2016) (Demolli L. , 2016).

The LGE prohibits all direct and indirect forms of gender discrimination, it ensures gender equality in political decision-making where the it is stated that gender equality is reached

when we have 50 percent representation of each gender, in all governing decision-making bodies. Additionally, in areas where inequality exists, special measures such as quotas shall be taken to ensure gender equality (LGE, 2004, Article 6). The positive aspect of this law is that it sets a 50 percent goal on gender equality in the decision-making, and it ensures that measures can be taken in areas where inequality exists. However, as my informants noted this law cannot be forced, it lacks implementation, budgeting, and intersectionality, since it considers women as a homogenous group, and at any point it does not address issues about minority women in political decision making (Deda, 2016) (Demolli L. , 2016)

The Law on General Election which determines the way that elections should be held, states that the respect for gender quotas is a fundamental principle, since all the political entities and election bodies are obliged to respect it (Law on General Elections, 2008, Article 2). Gender equality in the election process is regulated with the application of a 30 percent gender quota for municipal and national assembly's seats (Law on General Elections, 2008, Article 27). The enforcement of the legal provisions is ensured by the Central Election Commission (Law on General Elections, 2008, Article 111).

Ilir Deda and Lule Demolli noted that the Law on General Elections is not in line with the LGE, since it does not set the bar of gender equality at 50 percent. This law in addition with the provisions of the Constitution (share of guaranteed seats) are hindering minority women from entering the parliament. If the Law on General Elections was in line with the LGE we could at least have one female from the RAE communities in the parliament. This was witnessed when one of the party leaders of RAE communities managed to open way for his daughter in entering the parliament (Demolli L. , 2016) (Deda, 2016).

Regarding the reason that the quota is remaining at 30 percent, Demolli considers that the patriarchal values are hindering it, she also made a similar statement with that of Deda, that, the political system is governed by strong male figures that do not want this to change, since they need to accommodate as many male party members as they can in order to remain in power, and by changing the quota many of them will be left out of the parliament (Deda, 2016). In simple words, the stronger male figures that bring votes they can accommodate, the more chances they have in winning the elections.

The European Commission's Framework Strategy for tackling discrimination and promoting equal opportunities for disadvantaged ethnic minorities, calls for the establishment of strategies by the governments that aspire to be part of the EU, to integrate those groups in the social and labor markets. In addition, they need to identify and fight the barriers that prevent members of disadvantaged ethnic minorities in achieving full social and labor market inclusion (ENAR, 2007, pp. 1-2). The Situation of ethnic minorities such as Roma, are highlighted in this framework as ethnic minorities with substantial risk of exclusion from the social life (ENAR, 2007, p. 3). In the case of Kosovo, the European Commission addresses that the situation of RAE communities is challenging, and recommends the Kosovar Government to take initiatives in including those communities in the social life (Commission, 2016, p. 29).

To meet the goals set by the European Commission, the Kosovar Government created the RAEAP (Look section 3.4.7 for more). Concerning political decision-making RAEAP states that, its aim is the removal of all formal and informal institutional barriers, to foster the participation of RAE communities in the public life (RAEAP, 2009, p. 10). However, this plan according to Demolli has no concrete purpose, no financial cost, no financing, and has not been implemented at any point. It was just a formal obligation that the Government needed to do for the European Union integration process. In addition to that there is no concern about the access of RAE women in decision-making (Demolli L. , 2016).

When it comes to RAE women, we can see that having representatives in the parliament is necessary, since they are discriminated by every factor in the Kosovar society. They lack inclusion in the job market, poverty levels are extremely high, they do not attend schooling with women of those communities being extremely vulnerable in the aspect, other ethnic groups in Kosovo discriminate them, they do not have access in proper healthcare, and early marriages are a prominent phenomenon (Veliu, 2016) (Demolli L. , 2016).

While in many countries the civil society would stand for the rights of the minorities and minority women, we see that this is not the case in Kosovo. Most the NGO's and activists are concerned with the women's rights in their own community, in addition to that, there

is no interest to do so, since the agenda that is determined by the international donors does not include RAE women (Demolli L. , 2016) (Rikalo, 2016) (Judith, 2016).

The legal system does not help RAE women in accessing political decision-making, to raise their voice on issues that concern their community. The LGE raises the bar of gender equality on 50 percent, however, the Law on General Election sets the gender quota on 30 percent which is not enough to nominate those women in the parliament. In addition, the NAP on UNSCR 1325 which has the aim of gander mainstreaming in the policy making does not have any consideration about minority women, and their struggle which as we saw is different compared to the majority and other ethnic minorities. While RAEAP is just a formal paper with no concrete plan of action. (Deda, 2016) (Demolli L. , 2016).

5.2.2 What does it mean not to be part of the parliament for RAE women?

When thinking about justice, we need to think about fairness. Fairness in political decision-making implies that the interests, and perspectives of minorities be listened in the deliberation process (Kymlicka, 1995, p. 132). The diverse experiences of men and women, whites and blacks, immigrants and indigenous people, Albanian and Roma, could have sometimes different and conflicting interests, and in a system where diverse groups are not represented their voice will not be heard (Kymlicka, 1995, p. 136-137).

Gender discrimination and restrictive gender roles are usually the barriers that women face. Additionally, minority women encounter obstacles such as racism, ethnic prejudice, and religious intolerance. Hughes calls this a "double burden", or "double disadvantage" (Hughes, 2013, p. 492). Analyzing the reports, and the findings during my interviews, we see that RAE women are characterized by this "double burden", they face poverty, racism and discrimination, and in addition to that they cannot deliberate on those matters in the parliament since they are absent.

When your voice is not heard in the parliament, the policies that are designed to benefit certain groups of the society, or the group that is not present in the parliament, may fail, may not be applicable, or may not be adequate for the needs of that community (as I explained in the section 4.4.6). This is especially important in the case of RAE women in Kosovo, where there is no one left to protect their rights, or present their needs in the parliament.

5.2.2 What can be done?

When analyzing the case of this paper, we see that with the current legal setup, getting RAE women in the Kosovar Parliament seems impossible. However, there are some theorists that are concerned with those issues, more precisely two, Melanie Hughes, and Mala Htun, they research ways of including marginalized minority women into the decision making.

Quota reservations are essential in a patriarchal society like Kosovo to integrate women in the political decision-making, even though there are many critics for the meritocratic values of quotas (Veliu, 2016). Quota advocates deconceptualize political equality, to include not just the right to vote and stand for office, but to be present in office. A homogenous legislature of men, they argued, violates this fundamental right. Meanwhile, partisans of deliberative democracy stressed the need for representatives to share experiences with their constituents to adequately communicate citizen views in open-ended political deliberation (Htun, 2004, p. 444).

Research on women's political participation and quotas usually ignores minority women. Hughes claims that no cross-national study has yet empirically evaluated the effect of gender or minority quotas on minority representation. Even the highly-contextualized case study research on gender quotas does not asses how quotas affect minority women (Hughes, 2011, p. 3). Kosovo is not an exception, since most of the reports on the progress of women in the political decision-making takes women as a homogenous group, some mention that minority women face difficulties, but not in details.

The share of seats in national parliaments is a widely-used measure of women's status around the world. One way to understand where minority women fit into the picture is to subdivide women's legislative representation by majority minority status. Minority women share of total legislative seats is a straightforward measure that can be calculated for any group or set of groups, it also lends itself to tackling a more basic question whether minority women are represented in a country at all (Hughes, 2013, p. 493). If we reflect this example with Kosovo, we can see that RAE women are not represented at all.

Quota policies are generally designed to advance descriptive representation or "the numeric similarity between legislative bodies and the electorate they represent in terms of gender,

race, ethnicity[7], or other demographic characteristics". Both theorists and empirical researchers have been critical of the link between descriptive and substantive representation, arguing that female and minority legislators are not necessarily better in representing the interests and policy preferences of women and minorities. Still arguments for descriptive representation have continued to gain currency as more and more countries adopt policies to redress the political underrepresentation of marginalized groups (Hughes, 2011, p. 2).

To understand the different uses of the two types of policies, we must first explore the distinct means they use to improve the representation of identity groups. Quotas intervene in party nomination procedures by requiring that a certain percentage of candidates fielded by a party be of a certain group (Htun, 2004, p. 441). For example, the quota system in Kosovo that demands that one-third of the positions on the party lists be occupied by women (Law on General Elections, 2008, Article 27).

Reservations take a different approach. They introduce group specific avenues of representation that circumvent the existing party system and create new electoral incentives. These include the creation or separate electoral rolls, special electoral districts that limit competition to group members, exceptions to counting rules, and provisions for direct appointment to the legislature (Htun, 2004, p. 442). Kosovo has provisions for direct appointment to the legislature, for ethnic minority parties, but with no gender quotas in that provision (Constitution of Kosovo, Article 64).

5.2.2.1 Do gender or minority quotas increase the political representation of minority women?

On one hand, as in the case of Kosovo gender quotas as a standard policy, may benefit only women from dominant groups (Hughes, 2011, p. 3). Research suggests that advocacy designed to promote the interest of minority groups tends to prioritize advantaged members, for example, male rather than female minorities. Intersectionality scholars warn

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[7] Ethnicity is used here as an all-encompassing term referring to social groups differentiated by kindship, tribe, skin color, religion, caste, language, race and other markers of communal identity. This broad definition of ethnicity, though somewhat at odds with the popular use of the term, is becoming more common in social science as scholars seek explanations for the causes-and consequences-of political phenomena motivated by ethnic identities (Htun, 2004) p. 453

that any legislation targeting "women" not effectively aid minority women. More directly political theorists who defend group based representation caution that gender quotas will benefit highly educated middle to upper class women from dominant racial, ethnic, or religious groups (Hughes, 2011, p. 3).

Additionally, through history, efforts by dominant groups to incorporate minorities into the political system has often served minority men. In the US for example, efforts at redistricting to improve the political representation of blacks increased the representation of black men more than that of black women. Minority quotas tend to set aside a small number of seats in the legislature. Given that women are generally disadvantaged in terms of resources and political experience, women may be less likely to fill quota seats without requirements to include women (Hughes, 2011, p. 3).

5.2.2.2 Which quota policies benefit minority women?

Most political research to date has found that minority women's outcomes are more often tied to the fortunes of minority men than those of majority women (Hughes, 2011, p. 3). Consider, for example, the progression of universal suffrage in countries like Australia, where white women have suffrage rights decades before Aboriginal women, who gained suffrage alongside Aboriginal men. Political representation often follows a similar pattern, minority women are elected to national legislature for the first-time years after minority men, but decades after majority women. In Canada, for example the first woman was elected to the House of Commons in 1929, but the first African-Canadian women was not elected until 1972, nine years after the first African Canadian man was elected (Hughes, 2011, p. 3-4).

Not all gender quotas may be equally effective at increasing the political representation of minority women. Party quotas alone may be less likely than national policies to benefit minority women (Hughes, 2011, p. 4). If minorities tend to align with parties, there is no guarantee that the political party that most often represents the interest of minority community will adopt a gender quota. Indeed, as of 2008, there were no ethnic, religious, or indigenous political parties that had voluntarily adopted party gender quotas therefore Hughes suggests that national gender quotas will generate higher levels of minority women's political representation than party gender quotas" (Hughes, 2011, p. 4).

In Kosovo, there are party gender quotas, where 30 percent of the lists must be filled with women candidates, in addition, 1/3 of the seats in parliament need to be filled by women. While the quota is not applicable to parties that run with one or two candidates (Law o General Elections, 2008, Article 27). When reflecting this provision with the guaranteed seats of minorities, a Roma political party can run by only one candidate and get one of the four guaranteed seats of RAE communities. While a Ashkali political party, hoping of getting most of the votes from the RAE communities, can run with two male candidates, and not even including any women in the lists.

However, what happens when the Government adopts measures to increase the participation of both women and minorities, or in other words mix of national gender quotas with minority quotas. Hughes notes that "In the occurrence of tandem quotas, a mixture of national gender and minority quotas, adding minority women to the national legislature helps satisfy both gender and minority targets. Arguably, minority women's dual identities help them precisely because their inclusion allows majority men to hold the maximum number of seats." (Hughes, 2011, p. 4). Research has not explored the effect of the use of tandem quotas on minority women's legislative representation nationally. But one early case study of women's political representation in local politics in India documents the recruitment of Muslim women over her husband "because she could take advantage of the effort to bring in both women and Muslims." (Hughes, 2011, p. 4).

India's case is interesting when it comes to its affirmative action. While in places like France the social differences has been acknowledged at the end of the twentieth century, in India such recognition has a long tradition. Legislative reservations for minorities were introduced during the British rule. First for Muslims in 1909, then Christians and Sikhs in 1919 were granted separate electorates. At the same time, nominated seats were given to the "untouchables" or Dalits to offset inequalities of the caste system. The British had originally proposed that these lower castes vote on separate rolls, then a 21-day hunger strike began by Mohandas Gandhi, however, it led to a compromise. The Poona Pact in 1932, reserved seats for Dalit candidates to be elected by everyone. The British in addition, reserved several seats for the women of this community in the national legislature (Htun, 2004, p. 448).

Generalizing this case suggests that in countries where both women and minorities are judged desiring of special electoral consideration, minority women may face fewer barriers to entering and succeeding in the political arena. The author suggests that "Tandem quotas (minority quotas together with national gender quotas) will increase the political representation of minority women to a greater degree than either national gender quotas or minority quotas alone. Mixed quotas (minority quotas together with party gender quotas will increase the political representation of minority women to a lesser degree than either minority quotas or party-level gender quotas alone (Hughes, 2011, p. 4).

It is important to acknowledge that countries that adopt quotas may be the very countries already most disposed to elect women, minorities, and/or minority women to national legislatures (Hughes, 2011, p. 4). Research finds that female labor force participation rates are an important determinant of female legislative representation, only about half of the time. Research also tends to consider effects of economic development more generally. Although women's representation and economic development are not linearly related, economic development does condition how political institutions affect women's legislative outcomes (Hughes, 2011, p. 5).

5.2.2. Conclusion

Minority representation scholarship similarly emphasizes electoral systems effects. PR systems with preference voting (where voters may change the order of candidates lists) should encourage both party support for minority representation. Even if successful at forming parties, small minority groups may find it difficult to obtain the minimum number of votes for representation in parliament. Because minority populations are often regionally concentrated, plurality majority systems can effectively increase the representation of minority groups. Recent research also suggests that minority women may face obstacles to election in PR systems; religiously based ethnic political parties elect fewer women in these systems (Hughes, 2011, p. 5).

The increasing adoption of quotas around the world is changing the face of national politics. Women, minorities, and minority women are entering national legislatures in numbers that usually could not have been achieved through regular electoral mechanisms (Hughes, 2011, p. 13). Minority women's representation is abysmally low, their odds of

elections are 1 in 14 compared to majority men, 1 in 2 compared to minority men, and 1 in 3 compared to majority women. But with quotas the odds improve. Mixed quotas, however, do not appear to change the tendency of minority quotas to benefit minority men and party gender quotas to benefit majority women (Hughes, 2011, p. 13).

Given a limited number of seats in national legislatures, expanding the representation of some group necessarily reduces the representation of other groups. Gender quotas alone appear to increase women's representation at some expense to minority men's election odds. Similarly, when minority quotas are used without gender quotas, women's representation is low. Tandem quotas most directly challenge rule by majority groups. Though minority women benefit more from tandem quotas than majority women, tandem quotas may be the policy that most effectively takes a large share of seats from majority men (Hughes, 2011, p. 13).

Tandem quotas appear to be more effective at increasing minority women's election because they are more likely to facilitate interactions between gender and minority policies. But tandem quotas are unlikely to benefit minority women in two cases. First, if a national gender quota regulates only a small percentage of seats. Second, if a minority quota facilitates the election of only one or two representatives from each minority group or party (Hughes, 2011, p. 14).

In the last example by Hughes we the reflection of RAE case in Kosovo, where each of RAE communities has one seat reserved, with the biggest one getting one additional seat, and we see that tandem quotas would appear to be ineffective. The only way of integrating RAE women in the parliament seems to be by restructuring the distribution of guaranteed seats for the minorities proportionally in accordance with their population, where each minority has at least two seats. In addition to that Kosovo would have to implement alongside the provision of the LGE where the gender quota would be 50 percent (LGE, 2004, Article 6.8). In this case, we would have a system of affirmative action, which integrates all marginalized groups in the deliberation process of the Kosovar democracy.

6. Conclusion

I started this thesis with two questions, do the laws and the strategies of the Kosovar Government effectively increase the political representation of minority women in high-level decision-making? And, which policies-gender quotas, national gender quotas tend to benefit minority women the most?

Roma, Ashkali and Egyptian women could be one of the most discriminated, segregated, and estranged groups in the Kosovar society. They face cultural and social barriers that discourage them from even thinking of entering politics. Those obstacles discourage women from entering politics in a variety of ways and degrees, but mostly include socialization, cultural, and religious attitudes that consider politics an exclusive public domain of males (Tajali, 2011, p. 12). Traditional roles continue to emphasize the roles of women in those society limited in the domestic sphere as mothers and wives. This according to Shvedova is a characteristic of a patriarchal society, that favors segregated roles, with the ideology of 'a woman's place' is prominent (Shvedova, 2005, p. 44).

The masculine model of politics, which is a characteristic of Kosovo, is another obstacle that hinders women's participation in general including RAE women (Demolli L. , 2016) (Veliu, 2016). When the political life is organized according to male norms and values, and in some cases even male lifestyles, women are not willing to run (Shvedova, 2005, p. 36). But even if they try to run, the barriers for women getting into the list are prominent, since political parties lack willingness to create a greater space for women candidates on party lists (NDI, 2015, pp. 12-13).

The legal system seems to be another obstacle for RAE women's participation in political decision-making. First, we start with the Constitution of The Republic of Kosovo that guarantees 20 seats for the ethnic minorities, the seats are not divided proportionally according to the population of the ethnic minorities, but according to the political weight of the minorities, Serbs get 10 seats while Roma, Ashkali, and Egyptian minorities 4 in total (Deda, 2016) (Demolli L. , 2016) (look section 5.2.1 for more details). The restructure of the guaranteed seats is needed since tandem quotas (minority quotas with national gender quotas) that per Hughes are the ones that mostly benefit minority women, cannot function with minorities that have one seat (Hughes, 2011, p. 14).

The quotas are still a necessary legal provision for the Kosovar society, Veliu notes that, Kosovo needs them to accommodate women in the parliament, without the quotas we would not have many women in decision-making (Veliu, 2016). However, concerning minority women the Law on General Elections is another obstacle, since it is not in line with the provisions of the Law on Gender Equality that sets the minimum representation of each gender at 50 percent (LGE, 2004, Paragraph 8), with the first one setting the quota at 30 percent. If the quota was set at 50 percent, then RAE communities could have at least one women in parliament (Demolli L. , 2016) (Deda, 2016). But however, the masculine model of politics seems to be prominent in Kosovo, and the accommodation of strategic male partners that bring votes has priority in comparison with gender equality and democracy values (Deda, 2016).

Governmental strategies such as NAP on UNSCR 1325 do not benefit much RAE women, since there is no adequate funding for its implementation, no concrete targets and time frames, and lack of intersectionality (KWN, 2015). While strategies such as RAEAP, have no concrete purpose, no financial cost, no financing, has not been implemented at any point, and there is no concern about RAE women in political decision-making. It was just a formal obligation that the Government needed to do for the European Union integration process (Demolli L. , 2016).

As we can see none of the current laws or governmental strategies are really benefiting RAE women in being able to raise their voice in the Parliament of Kosovo. In addition, the strategies of the government are not properly implemented, and there is no concern on RAE women. Through the previous section, we saw that Hughes considers that tandem quotas are the best recipe for the inclusion of minority women in the political decision-making process. What needs to be done is reforms to include RAE women and not only in the deliberation process, which inclusion can change attitudes about diversity, and make a political system fair (Kymlicka, 1995, p. 132).

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