



A gender sensitive civil personal status law: the key to gender equality in Lebanon

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Senior Study presented to Dr. Fadi Nicholas Nassar

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Abstract

The intersection of sectarianism and patriarchy in Lebanon has significantly undermined the social status and freedom of women. To explain, the country currently has 15 separate personal status laws for its different recognized sects, with the only common aspect of their discrimination against women. When dealing with personal issues, women have to refer to courts and laws that are not civil but fundamentally religious as the law itself is subjective to different religious interpretations. As a result, inequality in Lebanon exists not only between women and men, but also amongst women themselves because of their different sects. Lebanon therefore needs to adopt a unified civil code that will be a crucial step in breaking the patriarchal structure of the sectarian system. This will help ensure the respect of all citizens' rights under one common law without any form of discrimination. This senior study will explore and provide answers to the following research question: How does the establishment of a unified status law address the systematic alienation of women on the social level? This paper will tackle the ills of patriarchy and sectarianism inside the Lebanese system and how they have resulted in gender inequality. The research design that will be used in this paper is a case study.

Key words: sectarianism, patriarchy, personal status laws, unified civil code, discrimination

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List of Acronyms

CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
ESCWA	United Nations Economic and Social Commission for Western Asia
GBV	Gender-Based Violence
HRW	Human Rights Watch
NCLW	National Commission for Lebanese Women
NGO	Non-Governmental Organization
UN	United Nations
UNDP	United Nations Development Program
UNFPA	United Nations Population Fund
UNSCR	United Nations Security Council Resolution
UN Women	United Nations for Gender Equality and Empowerment of Women

Introduction

The Lebanese Republic has had a sectarian political system since its independence from the French mandate in 1943. The Lebanese state has 15 separate personal status laws for its 18 recognized religions; five Islamic sects (Sunni, Shia, Alawite, Druze and Ismaili), the Maronites and eleven other Christian sects and the Jews. These laws govern personal matters such as marriage, divorce, child custody as well as maintenance and alimony. As a result, Lebanese women are discriminated across the board when it comes to their personal affairs. They have to refer to courts and laws that are not civil but fundamentally religious as the law itself is subjective to different religious interpretations.

Sectarianism has created a patriarchal structure inside the Lebanese system that creates inequality not only between women and men, but also amongst women themselves because of their different sects. Religious authorities have endorsed this diversified judicial system claiming that it is crucial to Lebanon's religious diversity. In contrast, these separate laws have been the key reason of the discrimination practiced by the state against its citizens.

Several organizations across Lebanon have been advocating for the establishment of a unified civil code that will help ensure the respect of all citizens' rights under one common law without any form of injustice.

The purpose of this research is to answer the following research question: How does the establishment of a unified status law in Lebanon address the systematic alienation of women on the social level?

Lebanon ratified the Convention on the Elimination of All Forms of Discrimination Against Women, to ensure women's rights, however, it placed some important reservations regarding family matters and nationality laws. This paper will present the international conventions related

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to gender that Lebanon ratified; it will then present articles from the Lebanese constitution that ensures the equality of all citizens and how those articles are challenged by the religious personal status laws. Moreover, this study will emphasize on the interrelationship between civil laws and sectarianism in a patriarchal society that left women the main victims of this interrelationship.

This paper argues that the social status and freedom of Lebanese women are improved when Lebanon adopts a unified civil code that treats citizens equally and is free of any form of discrimination. Nevertheless, this is not enough. This study will emphasize on civil laws such as those in the penal code that discriminate against women despite their civil nature. That is why this study demonstrates that the unified civil code needs to be gender sensitive. Legislators in the Lebanese parliament needs to adopt a gender perspective when drafting laws that affect, whether directly or indirectly, women's lives. As such, gender equality will not be achieved fully in Lebanon without the establishment of a gender sensitive unified civil code that regulates the personal matters of citizens without placing an individual over the other on the basis of their gender. For the meantime, drafting laws to improve the social status of women while keeping the religious personal status laws will not lead to any significant change and women will still be treated as second-class citizens.

Literature Review

All different personal status laws have one thing in common: their discriminatory aspect against Lebanese women. Furthermore, decisions ruled by religious courts have almost been in favor of Lebanese husbands and fathers, whereas Lebanese wives and mothers are seen inferior to their male relatives or partners. Lebanon has a long way to go to achieve gender equality, but one thing is certain: the establishment of a unified civil code is crucial to ensure women's freedom. The purpose of this literature is to elucidate how previous studies demonstrated the discrimination

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Lebanese women face from the personal status laws, the religious courts, kin groups and finally, from national and secular laws.

Legal pluralism and personal status laws in Lebanon:

The legal framework in Lebanon has been one of the main challenges to ensuring gender equality, especially that the diversity of the 18 religious communities has made the establishment of a unified civil code quite impossible (Henzler Carrascal, 2021). Lebanon's legal system is known for its pluralism as 18 recognized sects adhere to 15 separate laws that regulate their personal status. Each religious confession has its own set of laws, and is funded by the state in order to manage its religious courts to determine cases related to marriage, divorce, custody of children, inheritance and other personal matters. This legal pluralism is grounded in article 9 of the Lebanese constitution which ensures the respect of every sect's personal status law (Dabbous, 2017). According to the World Bank and UN Women (2021), articles 9 and 10 of the Lebanese constitution have given the different sects the jurisdiction to dominate legislation concerning private issues. However, Shehadeh (1998) adds that even though the Lebanese constitution does not favor a gender over the other, the personal status laws discriminate at different levels. The problem is that those different laws are dominated by a patriarchal aspect. Moreover, since sectarianism is deeply rooted in the Lebanese society, attempts to implement a unified civil code have failed. Despite the major differences present between all religious sects, they all unite over the suppression of women in their personal status laws (Shehadeh, 2010). Religious authorities have often been against the attempts of unifying the personal status laws as they claim that this judicial pluralism is key to promote Lebanon's religious diversity (Human Rights Watch, 2015). Most importantly, Dabbous (2017) argues that those different personal status laws have made not

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only women unequal to men, but also women unequal among themselves as some may have better circumstances according to their sect. Thus, Salameh (2014) mentions that as personal status laws are influenced by the religious rhetoric, it treats women as second-class citizens. Those laws are in favor of men and women are seen inferior even when it comes to matters governing their own lives. In addition, according to Abdel Khalik (2020), one of the main reasons why all personal status laws discriminate against women is that all religious leaders are men and all sectarian courts in Lebanon are governed by men so usually women's interests are ignored.

Religious courts:

Religious institutions have often turned a blind eye on women's movements or offered them empty promises (El-Hage, 2015). According to Di Peri (2018), in 1998, President Elias Hrawi proposed a draft law that regulates marriage affairs falling under the authority of religious courts, however, the draft law was strongly rejected by religious men. Discrimination against women is dominant inside religious courts as women do not have complete control over their own life decisions. Geha (2019) points out the relationship between religion, courts and legislation that proves how institutions in Lebanon dominate women from their early ages. For instance, when it comes to child marriage, some religious courts allow marriage for girls at only nine years. On the other hand, women are discriminated against throughout their divorce inside religious courts. All personal status laws in Lebanon make it more difficult for a woman to seek a divorce than a man. For example, within Muslim communities, both Sunnis and Shiites laws permit a husband to seek a divorce without the consent of his wife. (Dabbous, 2017). Within Christian communities, even though it is quite impossible for both the wife and the husband to divorce, there are cases where only a man is eligible for annulment if he discovers that his wife is not a virgin after marriage

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(Dabbous, 2017). Custody laws are also discriminatory. For instance, in Shiite courts, a divorced mother will lose custody of the boys at the age of two and girls at the age of seven. Also, it was until 2011 that Muslim Sunni custody laws started to take into account the best interest of the child when deciding which parent is granted custody. On the other hand, in all sects, legal guardianship is offered to the father during marriage and after divorce (Dabbous, 2017). Thus, according to Human Rights Watch (2015), women face several procedural difficulties inside religious courts, such as expensive fees and the absence of legal assistance. Adding to that, while religious laws should adhere to the provisions of the Lebanese constitution, the Lebanese Court of Cassation has a restricted surveillance over religious courts which results in an absence of accountability and transparency. Dabbous (2017) adds that judges in religious courts do not follow the same process as civil judges, as they are not obliged to hold law degrees and are usually clerics who do not undergo a specific judicial training and are all men.

Lebanese women inside kin groups:

Kin groups have been an essential element in determining a woman's position in her society, especially in a country like Lebanon where the interrelated nature of the family compositions dominate society. Suad Joseph argues that Lebanese women are still dominated by the 'kin contract', which impedes the improvement of women's social status (Khatib, 2008). According to Joseph (1997), like many Middle Eastern countries, the Lebanese constitution describes "the family" as the principal element of society. This way, the state perceives the patriarchal family as the model of kinship. Moreover, patriarchy has been legitimized through a set of laws such as citizenship laws. In Lebanon, a child is granted citizenship through his father but a Lebanese mother cannot pass her citizenship to her children if she is married to a foreigner. Nevertheless,

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kin groups in Lebanon, along with the religious establishment have always been perceived as unjust to women's rights. On the other hand, Khatib (2008) mentions that civil society movements and women's rights movements are usually governed by people who took advantage from the patriarchal kinship-based system. To explain further, women coming from elite family groups get access to public service easily. As such, inequality also exists between women of poor or not-so-known families and women of strong families with strong connections.

Discriminatory national and secular laws:

Not only religious personal status laws discriminate against women, but Lebanese civil laws also recognize women as inferior to men. Forms of discrimination are found in the Lebanese Penal Code. For example, Shehadeh (1998) argues that when it comes to adultery, a married woman who commits adultery is imprisoned for a period of three months to two years unless the husband forgives her; however, if the husband commits adultery, it is only when he commits the act inside his marital home publicly that he will be arrested. Furthermore, women do not enjoy freedom when it comes to their bodies. According to the penal code, if abortion is not conducted for therapeutic reasons, it will be considered a crime and both the abortionist and the woman have to carry penalties (Shehadeh, 1998). Moreover, Dabbous (2017) demonstrates that women were not protected from domestic violence until 2014. Several demonstrations took place with NGOs, among them KAFA, that pressured the parliament to finally approve the draft law in 2014, which is known as law no. 293. In addition, Lebanese civil laws do not recognize marital rape. Shehadeh (2010) adds that the law still describes rape as a sexual act performed by force against a woman other than one's wife. Further, if the rapist agrees to marry the victim, he will be exonerated from the crime. Discrimination is also prominent in Lebanese nationality laws. According to Abdel

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Khalik (2020), the Lebanese Nationality Law of the 1925 constitution offers Lebanese men the right to grant their nationality to their wife and children. But Lebanese women cannot grant their nationality to their children if the husband is non-Lebanese. Human Rights Watch (2015) also sheds light on the unfair treatment women receive even with civil laws and the penal code proves that reforms should cover both religious and secular laws.

The literature demonstrated the challenges encountered by Lebanese women inside their kin groups and religious courts, and the discriminatory aspect of both the personal status laws and the civil laws. As such, previous studies demonstrated that establishing a unified civil code in Lebanon is not enough to achieve gender equality, but the civil code must have a gender-sensitive approach that takes into account the status quo of Lebanese women and is aimed to improve women's social status.

The Lebanese Constitution

The Lebanese constitution was first drafted in 1926 under the French mandate. The text itself became key evidence of the special and unique system of Lebanon compared to its neighboring countries, that made it look as the only liberal and democratic entity in the region. The first articles of the constitution emphasize on individual, civil and political liberties and ensure that all Lebanese are equal before the law. The constitution was then updated after the civil war of 1975-90 in order to include the Taif agreement, but no changes occurred regarding the liberties ensured to the citizens of Lebanon.

Article 7 of Chapter 2 (The Lebanese: Their rights and duties) of the constitution states: "All Lebanese shall be equal before the law. They shall equally enjoy civil and political rights and shall equally be bound by public obligations and duties without any distinction." Let's define some of

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the important concepts mentioned in this article that are useful to this study. Civil rights are rights that individuals enjoy which guarantee their protection against any form of unfair treatment related to their personal attributes such as age, race, gender, and disability. On the other hand, distinction is seeing someone as different and treating them in a different way. As such, article 7 secures equality among all Lebanese citizens; most importantly, it does not state anything related to discrimination against Lebanese women and girls nor signals anything related to gender in general. However, article 9 gives authority to the different religious sects to regulate the personal status of citizens: “There shall be absolute freedom of conscience. The state in rendering homage to the God Almighty shall respect all religions and creeds and shall guarantee, under its protection the free exercise of all religious rites provided that public order is not disturbed. It shall also guarantee that the personal status and religious interests of the population, to whatever religious sect they belong, shall be respected.” Nevertheless, article 9 indirectly contradicts article 7 of the constitution, as art. 7 stresses on the concept of equality, whereas art. 9 calls on the respect of the religious personal status laws, that are all known for their discriminatory nature against women. In addition, article 9 makes the establishment of a unified personal status law more difficult because unifying all the separate laws would result in a constitutional crisis (Mikdashi, 2019). Therefore, any attempt to present a civil law would be against article 9 of the constitution that ensures the right of religious sect to regulate personal matters. Nonetheless, Mikdashi (2019) argues that some relate to the first part of art. 9: “There shall be absolute freedom of conscience” as a proof that there should be a nonmandatory non-religious law that covers personal matters. For the meantime, inequalities will remain as long as the different sectarian laws govern the personal matters of the citizens. Thus, any call for a civil personal law would mean a constitutional amendment (Mikdashi, 2019), something that the different sectarian political parties in Lebanon would be divided on in

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parliament which can later create political and constitutional deadlocks, even creating more sectarian and political tensions. Another complex problem is that the right to demand from the Constitutional Council to reevaluate laws is only given to the President of the Republic, the Speaker of the House, the Prime Minister and at least 10 members of parliament and leaders of religious entities. As such, even if the majority of the population wants to remove sectarian laws and replace them with a civil personal status law, it will not be possible unless the three presidents and other important figures agree on the issue.

Personal Status Laws

Amid the 2019 protests that emerged on the streets of Lebanon, people have not only been protesting for economic causes, but also for the establishment of a civil state instead of a sectarian state that divided the Lebanese into separate communities. As a response, President Aoun agreed with the protestors on the importance of implementing article 95 of the constitution which states: “The Chamber of Deputies that is elected on the basis of equality between Muslims and Christians shall take the appropriate measures to bring about the abolition of political confessionism according to a transitional plan...”. But the president added that the establishment of a unified civil personal status law is crucial to ending political sectarianism. This claim became controversial, but this is not new as it has been the case since the French mandate. According to Mikdashi (2019), Decree 60LR of the French mandate requires from all religious entities to ratify their personal status law in parliament and also calls on the implementation of a personal law for people that do not associate themselves with any religious group. However, this decree frustrated many people which led to the French mandate expressing that it does not apply to Muslims. It is important to note that the decree is still applicable until today to the Christians and Jews of Lebanon. This is to say that a Muslim couple that is married in a civil marriage outside Lebanon, still follows Shari’a

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courts, while Christians and others do not. Thus, people began to delete their sect from their official papers in order to be able to fall under Decree 60 LR (Mikdashi, 2019). Unifying the personal status laws is still quite impossible as both Muslim and Christian religious leaders are constantly objecting to the idea. Concerning a civil marriage law, Muslim religious leaders do not even accept an optional law, while the Maronite Patriarchate would only agree on an optional civil marriage only if Muslims do, knowing fully that this would never happen. The only reason the Patriarchate would agree on this optional law is because of the problematic issue that has been taking place for years now inside the Maronite establishment: Maronites converting to Islam or to other Christian sects so that they are able to get a divorce (Mikdashi, 2019).

After all, given all the legislative and judicial rights the religious establishments enjoy, one would not imagine them easily giving away this leverage in order to advocate for civil laws.

International Framework

In 1948, Lebanon was one of the many countries that participated in the writing of the Universal Declaration of Human Rights. In 1972, Lebanon endorsed the International Covenant on Civil and Political Rights. That same year, Lebanon also endorsed the International Covenant on Economic, Social and Cultural Rights. In 1971, Lebanon accepted the International Convention of the Elimination of All Forms of Racial Discrimination. and most importantly in 1996, Lebanon became part of the Convention on the Elimination of All Forms of Discrimination against women. So why are all those treaties important to this study? Article 2 of the Code of Civil Procedure in Lebanon requires from Lebanese courts to respect the principle of hierarchy and that international treaties come before the ordinary law. Nevertheless, it was only in the past few years that Lebanon started to submit national reports to the CEDAW convention for example (UNDP et al.,2018),

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which clearly shows the non-seriousness of the Lebanese government in their compliance with the articles of the convention to ensure gender equality.

The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) was first introduced in the UN General Assembly in 1979. The importance of this convention is that it promotes women's rights. The Lebanese government ratified the CEDAW convention in 1996. However, Lebanon had its reservations on some articles of the convention: Article 9 (2) and Article 16 (c), (d), (f) and (g) (Khalifeh, 2006). Article 9 of the convention states that women should be equal to men when it comes to their rights in giving their children their nationality. As already known, the Lebanese government does not allow women to pass their citizenship to their children, so the reservation on article 9 of CEDAW remains until this time. Another important reservation was on article 16 of the convention, paragraphs (c), (d), (f) and (g): these paragraphs state that men and women have the same rights and responsibilities in a marriage, same rights and responsibilities as parents, are also equal when it comes to guardianship and child custody and finally, equal when it comes to their personal rights. Thus, as those issues are tackled in the different religious personal status laws and each sect has different rules and regulations than the other, Lebanon still cannot agree on those paragraphs as doing so will mean basically the implementation of a unified civil law. Lebanon's reservations on those articles are blocking any attempt to reform the current personal status laws (Khalifeh, 2006).

Human Rights Watch acknowledged that the different religious personal status laws and the religious courts of Lebanon discriminate against women. As a result, HRW wrote to the Committee on the Elimination of Discrimination against Women that Lebanon ratified so that they can take some actions to pressure the government of Lebanon to respect women's rights. HRW proposes that the committee should ask the government about the steps they took to introduce an optional

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civil code and to revise the religious personal status laws so that the Lebanese constitution will be respected as it emphasizes on the equality of all Lebanese citizens before the law (HRW, 2020). Moreover, concerning domestic violence and sexual assaults, HRW asks the committee to expand on its definition of domestic violence so that it can align with the UN requirements, and concerning nationality, it calls on the government to end the discriminatory nature of the nationality law that prohibits Lebanese women from giving their citizenship to their children (HRW, 2020).

National Framework

In 2017, the office of Ministry of State for Women's Affairs was first introduced by the Lebanese government. The ministry works on promoting women's rights while meeting the goals of the Sustainable Development Agenda. Many campaigns were organized and draft laws were presented. Thus, the ministry works with ESCWA and UNPFA in order to end GBV. But way before the ministry, in 1998, the National Commission for Lebanese Women was first established. The commission is associated with the Lebanese cabinet and has been working on communication and on connecting different ministries related to women's affairs.

In 2011, the NCLW worked on adapting the National Strategy for Women in Lebanon 2011-2021, with the help of several NGOs and related ministries. The cabinet accepted the strategy in 2012 which included a very important point: "combatting all forms of violence affecting girls and women in all areas." (UNDP et al., 2018). Moreover, a National Plan of Action was developed in 2017-2019 in order to reenforce the role of women while implementing UNSCR 1325. It requires from governments to work on increasing the representation of women in politics, economic sectors and most importantly, inside the security sector.

However, despite all the efforts taken by the NCLW and the ministry of state for women's affairs, no drastic change has yet occurred. This is due to the politicization of the two. For instance, NCLW

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should be headed by the first lady. On the other hand, both entities will not be able to achieve anything without the consent of the cabinet. This is to say that we cannot expect from the same sectarian political parties that are divided on the issue of the unification of the religious personal status laws, to be advocating for women's rights through the NCLW and other ministries.

As such, the NCLW is only a symbolic initiative taken by the Lebanese government so that it can ameliorate its image in front of the international community. Also, the committee can be used as a way to convince Lebanese women that the government cares about their rights and is working towards achieving gender equality. Though, draft laws and campaigns by the NCLW will remain impractical to achieving gender equality as long as the different personal status laws are not unified in a civil law that ensures the duties and rights of women while not considering men as the superior gender.

Civil laws

In 2014, the parliament implemented Law No. 293 that protects women and children from domestic violence. What is meant by 'domestic violence' here is the physical threat exercised by a family member over the other, forcing a member to practice prostitution, murder or cheating. Nonetheless, the law remains unclear as to what other crimes it should include, that is why further clarifications are needed. When the law was first drafted, it included sexual, economic and psychological violence but these were not mentioned in the final draft. A very important point that should be added is that the law demands that a unit needs to be formed within the Directorate General of the Internal Security to review the complaints. However, this unit has not been formed until today. One of the key measures that security members should take in case of a woman abused, is the restraining order. This order is for a short period of time to protect the victim, and the children of the victim if they are under the custody of the mother. But as already mentioned, for the children

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to be either with the mother or the father, this should be according to the religious personal status laws. But the mother can demand this order to her children even if they are not in her custody according to Law No. 422 of 2002. This is where religious personal status laws and civil laws can intersect.

In previous cases, if personal status laws and civil laws such as the domestic violence law cross, the religious personal status laws are of higher authority. But the article was later amended to make the domestic violence law function properly.

In 2015, CEDAW declared that the law does not involve clear indicators to GBV and it does not criminalize marital rape. This is not to say that the law itself was not an effort in ameliorating women's situations in Lebanon, but some necessary amendments should take place to protect women even more.

The Penal Code

The penal code is a body of laws that regulate crimes and punishment. The worst forms of discrimination can be found in the Lebanese Penal Code. For example, a man is exonerated of all crimes in cases of adultery, while the woman can be accused for first-degree murder in the same case. In case of adultery, a woman will be imprisoned from a period of three months to two years, unless the husband decides to forgive her, so she will be exonerated. But if a husband commits adultery, it is only if the act was committed inside his home with his wife that he can be arrested. These articles were then amended by Article 3(6) of Law No. 293 in order to stop treating women and men differently in cases of adultery.

The case of adultery in the penal code proves that religious laws are stricter on this issue as both men and women are punished the same way if they committed adultery. This is to say that removing religious personal status laws and replacing them with a civil code does not necessarily

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mean that discrimination between women and men will end. Yes, religious personal status laws should be removed, but the new unified civil code needs to adopt a gender perspective so that it can be null of any form of discrimination.

Abortion is criminalized in Lebanon according to Articles 539-546 of the Penal Code. Even in rape cases and even if the life and health of the pregnant woman are threatened, abortion is prohibited. The punishment for committing abortion is imprisonment and a fine. If the fetus is killed, the woman is subject to imprisonment from six months to three years, whether she killed it herself or had let another person do it. The person who exercises the abortion is sentenced from one to three years in prison, but if the abortion results in the death of the pregnant woman, the duration of imprisonment increases then to four to seven years.

It is important to note that the Penal Code contradicts with the Presidential Decree No. 13187 of 1969, that authorizes an abortion in cases where it is the only way of saving the woman's life. Therefore, the decree permits therapeutic abortions in such cases with the consent of the woman or her husband or family if she is not in a conscious state.

Concerning assaults, Article 554-559 of the Penal Code charge penalties that depend on the significance of the injury. The use of force in order to be able to get marital rights is considered as a physical threat or assault but not as marital rape. Thus, Article 183 gives a man the right to discipline the wife.

Concerning sexual harassment, it was until 2020 that the Lebanese parliament issued a law that criminalizes sexual harassment.

Rape without marriage is a crime that is punished by a minimum five years in prison. Formerly, Article 522 of the Penal Code stated in cases of rape, the perpetrator would be discharged if he marries his victim. This article was then removed in 2017. Articles 506, 509, 510 and 520 prohibits

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any sexual act with minors and those who do so will be punished by imprisonment or by paying fines.

Nationality law: intersection of sectarianism and patriarchy

The Lebanese nationality is only received through the Lebanese father. The Law of 1925 authorizes a Lebanese man to offer his wife and children his nationality, but this is not the case of Lebanese women. A Lebanon woman cannot grant her children her nationality, the case is not applicable only if her children are born in an illegitimate way, according to Article 2 of the nationality law. How can a foreign woman married to a Lebanese be more Lebanon than children born from a Lebanese mother?

The issue of nationality has had severe consequences. If a woman decides to live in Lebanon with her foreign husband and her children, they need to get residency permits so that they can stay in the country. Nevertheless, the foreign husband and the children also face discrimination as they have difficulties in accessing their basic rights such as education and health care. The NCLW has been working on the issue for several years to achieve equality between both genders in their nationality rights, but nothing is yet to have changed as the topic is considered to be controversial and way more complex than it is actually seen: the issue is not only related to gender but also to the sectarian partition of Lebanon and the change of demographics that will result in a drastic shift in sectarian divisions.

The issue of nationality is a perfect example of the intersection of sectarianism and patriarchy in Lebanon. To explain, demographics are a main cause of sectarian tensions in Lebanon. Because a significant number of Lebanese women are married to Syrian and Palestinian men, whom the majority are Muslims, Christians have been objecting on the idea of women granting their citizenship to their children because they fear Muslims will outnumber them. As such, sectarian

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political parties have been advocating for their political agendas at the expense of women, leaving them the victims of this non-ending sectarian conflict.

Gender sensitive laws

When drafting laws, a gender perspective should be applied in order to ensure that women's rights are respected. For instance, gender sensitivity needs to be applied in legislation processes. It is important to note that one's gender affects their social expectations of perceiving social, economic, political rights and also responsibilities and interests. These expectations are unconsciously present in our thinking due to the historical societies that granted men and women particular roles; which resulted in stereotypes and norms that influence our lifestyles. These particular roles have also led to gender inequality in some fields, leaving women the ones with the disadvantages. For example, why should cooking and cleaning be considered gender roles rather than basic life skills that everyone should learn? Thus, the number of women exercising paid jobs has been increasing over the years, however, gender roles of society still expect from women to be the one responsible of their household.

In order to correct these expectations, a gender perspective needs to be applied in legislation, especially in the Lebanese parliament, so both civil and religious laws can be corrected from their discriminatory nature against women.

This can be put into practice through campaigns and pressure from some authoritative figures. For example, members of parliaments need to engage with the public through social media platforms, civil society organizations and other means by working on introducing gender sensitive laws. In addition, awareness campaigns by NGOs such as KAFA and ABAAD in Lebanon can be very effective in changing the perspective of some Lebanese that only perceive women as mothers that cook and clean without basic civil rights and under the authority of their male relatives.

Conclusion

This study argued that women's social status in Lebanon is ameliorated if a gender sensitive unified civil code is adopted for personal laws. In fact, religious authorities have pressured against a unified civil code and claim that the different religious personal status laws are proof of the religious diversity in Lebanon and that it should be protected to maintain the Lebanese mutual existence and to prevent any new civil war caused by sectarian conflicts. Nevertheless, religious authorities and sectarian political parties ignored the difficulties encountered by women because of these laws. When it comes to their personal affairs, women are placed under the authority of their male relatives which makes them excluded from society as main actors and resulted from their exclusion from the economy and the political life also.

Lebanon ratified several conventions that address gender issues, most importantly the CEDAW convention, and has promised to comply with those treaties in order to improve the social status of Lebanese women. Thus, reservations on the CEDAW convention such as Article 9 and Article 16 have blocked any attempt for a positive change for women as their personal matters are still subject to the personal status laws. On the other hand, the Lebanese constitution emphasizes on the importance of individual liberties and on the equality between all citizens before the law. This proves how complex the Lebanese system is: the constitution is not respected as all personal status laws discriminate against women. Adding to the present inequality between women and men, women themselves are not equal as each sect has different rules and regulations to follow. The National Commission for Lebanese Women has been working with several NGOs such as KAFA and ABAAD to pressure the government to establish a unified civil code but no change has taken place so far.

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This paper also interpreted the different civil laws in Lebanon that address gender issues. The penal code includes the worst forms of discrimination regarding issues such as adultery, abortion and rape. This helped support the claim that establishing a unified civil code is insufficient to women's liberation and equality, but it is necessary that the new civil code should be gender sensitive as the problem is not only with sectarian laws, but also with the sexist expectations that legislators have when drafting laws inside parliament.

It is important to add that women inclusion inside politics should be encouraged. Lebanese women have shown their interest in building a better country by participating in the 2019 uprisings and mobilizing masses. Yet, they remain marginalized inside government. This brings us back to the personal status laws. How can a woman, wishing to run for parliament, fund her campaign if she is not independent financially? And how can a woman become independent financially if she remains under the authority of her guardian, a male person; her husband or her father? This is why drastic change should occur within the system in Lebanon. While the sectarian system remains in place, the patriarchal structure will remain and women will remain systematically alienated. The same sectarian political parties of Lebanon that ignored women for this long time cannot be responsible for their liberation from this sexist system, that they themselves benefit from. The important work should be done by NGOs by raising awareness campaigns and mobilizing masses. Lebanese women should also encourage themselves to run for elections as the real change occurs in Parliament. For the 2022 upcoming parliamentary elections of Lebanon, only 157 women are running, which makes them 15 percent of the total 1,043 candidates (L'Orient Today, 2022). More women should present themselves as candidates to challenge the status quo and be able to reach a parliament with a gender perspective.

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