

## International Committee Discusses Discrimination Against Women in Lebanon

### Gender-Based Discrimination in the Area of Nationality

■ Omar Nashabe

Department of Social and Behavioral Sciences American University of Beirut

The United Nations' International Committee on the Elimination of Racial Discrimination (ICERD) held its 64th session from February to March in Geneva, Switzerland. On March 3rd and 4th the committee considered the fourteenth to sixteenth periodic reports of Lebanon on its implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (in accordance with article 9 of the CERD).

The committee's 18 members representing Russia, China, The United Kingdom, The United States, Guatemala, Egypt, Algeria, Brazil, Denmark, Pakistan, India, South Africa, Burkina Faso, Greece, Austria, France, Ecuador, and Argentina, examined the report submitted by the Lebanese Republic and had some serious concerns on a number of issues.

The committee requested clarifications related to the status and working conditions of domestic migrant workers, the confessional system, and the conditions of Palestinian refugees in Lebanon. The committee also asked the Lebanese government to explain the reasons why Lebanese nationality is derived from the paternal side only. Both the Brazilian and the Russian committee members Jose Lindgren and Alexei Avtonomov, raised important questions about the principle of

jus sanguinis, civil marriage and naturalization. Committee Expert Tang Chengyuan (China), who served as 'rapporteur' for Lebanon, asked whether the jus sanguinis principle, which stated that Lebanese nationality was only derived from the paternal side, might be reconsidered.

Jus sanguinis, latin for 'right of blood', is a right by which nationality or citizenship can be recognised to any individual born to a parent who is a national or citizen of that state. It contrasts with jus soli, latin for 'right of soil'. The regulation of the acquisition of nationality by birth to a parent who is already a citizen of the state is provided by a derivative law called lex sanguinis. Lex sanguinis does not necessarily discriminate against the mother as is the case in Lebanon. In many European countries, lex sanguinis still is the preferred means of passing on citizenship. More recently, these countries have begun to move more towards use of lex soli, partially under the influence of the European Convention on Nationality.

Answering the question on jus sanguinis, the Lebanese national delegation said Lebanon was among several countries which had adopted this system and saw no need to amend this law at present to adopt another form of nationality acquisition. The delegation, which included four middle

aged men, stated that Lebanon preserves the principle of jus sanguinis in order to "preserve the unity of the family under the father".

In Lebanon, laws regarding women's ability to retain and transmit citizenship are similar to those that existed in the United States in the first part of the 20th century. Lebanon does not recognize the citizenship of children from marriages between female citizens and foreign men. Yet the question of marriage does not necessarily enter into it, rather, women are not recognized as being able to confer citizenship upon their children. A child born to a foreign father and a Lebanese mother must take his father's citizenship, or else risks having none. Countries like Kenya and Malaysia, do not recognize citizenship by descent from the mother if the birth occurs overseas. But others, like Algeria, Kuwait, Nepal and Lebanon restrict recognition of citizenship to descent from the father, whether the child is born in the father's country or elsewhere.

Gender-based discrimination in the area of citizenship is one of the ruthless forms of de jure discrimination faced by women in Lebanon and around the world. The Lebanese mother carries her baby for months inside her 'Lebanese' body. The pre-born baby is then 'Lebanese' as long as he/she is not born. The minute the child is born he/she is separated from the mother's nationality and is forced to acquire the nationality of the recognized father.

Gender subordination in Lebanon, that was taken for granted most of the Twentieth Century, has become legally insupportable. The right to establish independent legal domicile, women's access to equal educational and employment opportunity, pay and benefits, and independent immigration and naturalization law rights are related one to another. They follow logically upon the emancipation of women, collectively from the rejection of the concept of legal 'unity of the family' under male dominance.

Nationality remains a convenient criterion for exclusion of women. The solution to past and present administrative discrimination against women in Lebanon lies in the judiciary and the legislature. Gendered and ethnocentric directions in policy making and within the Lebanese Parliament partially explain outdated conceptions of nationality. Such conceptions are inappropriate for the liberal state to which at least some of the Lebanese look up to.

Equal nationality both implies and is dependent upon equal citizenship. Prohibiting the children from acquiring the nationality of their mother is considering the mother a 'second class' citizen inferior to men. 'Authority', 'obedience', 'subordination' and 'property' are commonly used to describe the pre-modern status of women. The chaotic, ungovernable state that denies relevance to modern liberal norms is unlikely to provide women or children their entitlements.

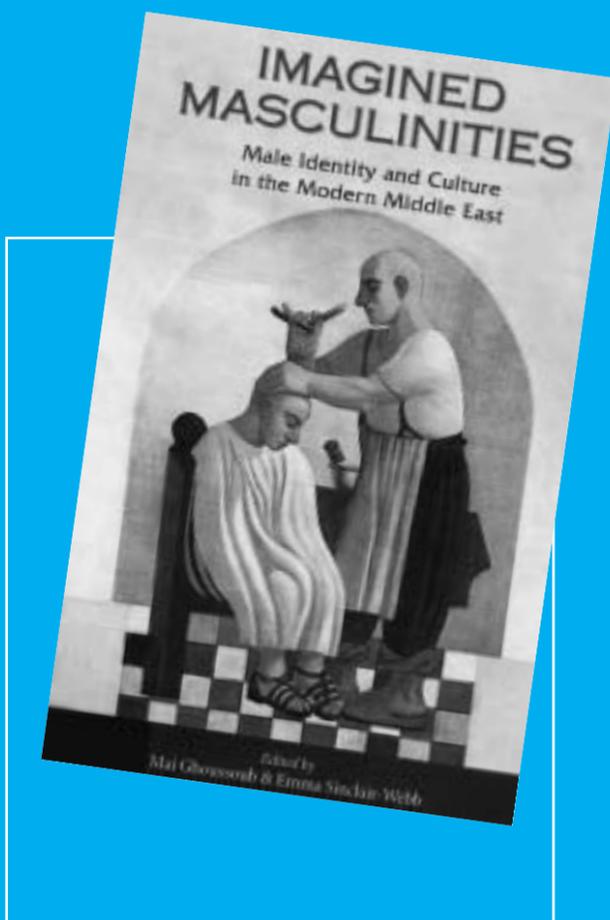
## Imagined Masculinities: Male Identity and Culture in the Modern Middle East

Edited by Mai Ghousseb and Emma Sinclair-Webb  
Saqi Books, 2000

Reviewed by Lynn Maalouf

As Emma Sinclair-Webb explains in her preface, this collection of essays is premised on the general notion that masculinity is "as socially constructed as femaleness" and that with regards to the study of masculinity in the Middle East, there is a need to revisit the traditional scholar work on the subject, which has been somewhat neglected with the focus on women in the past years. Thus, the editors of *Imagined Masculinities* have attempted – and indeed successfully – to offer a refreshing approach to masculinity in the Middle East, shying away from static preconceptions and generalized claims, by offering a large array of approaches, including anthropological analysis, interviews, literary criticism, fiction, and personal memoir, in various nations such as Turkey, Israel/Palestine, Iraq, and Egypt.

The essays are grouped in three sections. The first, "Making men: Institutions and Social Practices" is the most 'academic' part of the book and addresses rituals and practices, such as circumcision, through which boys enter the socially accepted realm of 'manhood'. Abdelwahab Bouhdiba, in his discussion of circumcision in Tunisia and Morocco, questions the religious and physiological validity of this ritual, concluding



that it mainly reflects “a symbolic valorization of the phallus and an obsessional fear of losing it.” Yoram Bilu addresses the same ritual, but in the Jewish community, as well as two subsequent rituals, which are the first haircut and the school initiation ceremony. All three practices, he explains, are the initiation rites into manhood, which in the ultraorthodox Jewish community, is associated with the initiation to the world of Torah study. Two essays then address the institution of military service, in Israel and Turkey, the latter complemented by a particularly gripping interview with a former conscript. Emma Sinclair-Webb’s article sheds light on the two-dimensional perception of military service in Turkey; on the one hand, a recently refreshed association between military service and manhood has resulted from the conflict with Kurdish groups, while on the other hand, the evasion of military service by those directly involved, namely young men. As the editor remarks, the theme of violence stands out quite forcefully in these essays, and while it had not been anticipated, it is “fitting in relation to a region which is currently one of the most militarized and conflict-ridden areas.”

The second section, “Male Fictions: Narratives, Images and Icons,” is a richly diverse and informative part dealing with perceptions of masculinity in literature, movies and the press. For instance, Frédéric Lagrange in “Male Homosexuality in Modern Arab Literature” explores attitudes to homosexuality in Middle Eastern societies, attitudes marked by “the will not to know” that most probably contributed to the quasi absence of sociological work on this matter. He asserts: “For reasons that have to be analyzed, not only are the margins of the sexual ethic, such as homosexuality, severely underdocumented in sociological essays, hushed or harshly attacked in the press, but literature itself proves much less eager to discuss pleasure in all its manifestations than it did until the first half of the 19th century.” As such, his essay offers a cultural insight on a subject that has practically never been analyzed, let alone discussed.

The final section “Memoir and Male Identity” consists of three personal accounts that illustrate the formation of masculine identity. The last essay closes the loop of the book with an original work on the moustache in Middle Eastern societies: “Pipe, moustache, sun-glasses, and also the overcoat which we used to imagine as the dress of secret policeman, all this combined to make up the complete man who lacked nothing,” he writes, concluding that the moustache is “no more than a remaining trace of the customs of a previous generation.”

As Sinclair-Webb suggests in her introduction, many more fields of interest can be explored in the future to gain a richer understanding of masculinity in the Middle East. *Imagined Masculinities* is by no means an academic work in the strictest sense, and was not intended to be as such; the contributors’ backgrounds are as diverse as the approaches adopted in the book. Read as such, this book can be of great interest to scholars interested in gender studies and those interested in the Middle East, as well as to the general readership. Moreover, by offering translations of original work in Arabic, the book brings the non-Arab audience insights into issues of masculinities by writers from the region. On the whole, its conscientiously eclectic approach brings fascinating and more importantly, groundbreaking material, to a wide audience.