

## When Citizenship is Denied: The Case of Gendered Citizenship in Lebanon

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Despite its veneer of modernity, the legal framework in Lebanon remains staunchly patriarchal and discriminatory. Women are perceived as subordinate beings whose agency, choices, bodily integrity, opportunities, rights, safety, and security are very much determined by the nature of their relations with men in their households be it fathers, husbands, brothers, in-laws, and beyond.

This brutal reality is codified in several instances, notably in Lebanon's infamous pre-independence nationality law of 1920 which bluntly states "is considered Lebanese: a child born to a Lebanese father". This law which is still in effect today is a carry-over from the French mandate though it has been long abandoned by France. In practice, this means that children born to Lebanese mothers and non-Lebanese fathers are denied the right to Lebanese nationality. The same does not apply to children born to Lebanese fathers and non-Lebanese mothers who are entitled to Lebanese nationality. The ramification is essentially the denial of citizenship and consequently the denial of the rights attached to Lebanese citizenship including the right to state-provided education and healthcare, the right to work, and the right to political participation and representation.

The lived experience of children and non-Lebanese spouses varies based on race, nationality, and social status. Indeed, folks belonging to countries from the Global North may face less strain in negotiating access to fundamental rights and services namely education and health. They also witness fewer difficulties with their respective diplomatic representations when dealing with the renewal of papers and passports. Whilst challenges in accessing employment opportunities may be similar to all non-national spouses and children of Lebanese women, mobility, safety, and security pose a serious problem to people from the Global South who face the additional violence and stigma of racism, especially in the case of Syrian and Palestinian spouses and children of Lebanese women.

Despite the various disagreements within Lebanon's political circles, there is nevertheless a consensus on keeping this status quo which has thus far affected numerous families believed to be in the tens of thousands. The reasons put forward for refusing any reform that would align Lebanon's nationality law with the basic principles of equality amongst citizens include a "fear of permanent implantation of Palestinian refugees in Lebanon", and "the concern not to disturb Lebanon's fragile demographic (confessional) balance". Indeed, the powers that be assume that should a legal reform take place, this will immediately result in a sharp increase in the number of Muslims in Lebanon. Notwithstanding that such assumptions are based on fear-mongering rather than facts, a strategy employed all too often by Lebanese politicians, many an official political statement has been made to this effect thus rationalizing the denial of citizenship rights to Lebanese women whilst at the same time furthering popular outrage vis-à-vis the right of Lebanese women to confer nationality.

This anomaly in the archaic citizenship law in Lebanon coupled with the extraordinary privileges bestowed upon the position of head of state has allowed a series of egregious abuses by successive heads of state, the most notorious being the granting of Lebanese citizenship to 700 individuals through a presidential decree by former president Michel Sleiman towards the end of his mandate in 2014 and 375 individuals by former president Michel Aoun shortly after the start of his mandate in 2018 and through the same mechanisms. A reminder that, in 1994, former Minister of Interior and Municipalities Bechara Merhej had granted Lebanese citizenship to 202,527 individuals who were consequently able to partake in the first parliamentary and municipal elections which took place after the Lebanese Civil War in 1992. In all these instances, the pen holders paid no attention to the arguments they themselves had put forward as a reason for refusing to allow Lebanese women their inherent right to confer nationality.

In 2001, a network of Arab feminist and women's rights organizations recognized that denying Arab women the right to confer nationality is in fact the denial of their citizenship. This was perceived to be in line with the patriarchal nature of regimes in the region where women are subordinate individuals who are subjects of their male kinship relations rather than full-fledged citizens of their states. A regional civil society-led campaign ensued and reposed on research and knowledge production, legal and political campaigning as well as engaging women to provide testimonies of how they experience the denial of their right to confer citizenship. This campaign has indeed put the issue of gendered citizenship on the political map, both in the Arab region and globally.

Many countries in the region did reform their laws albeit to different degrees. Egypt reformed its nationality law in 2005 granting women married to non-Egyptians the right to confer nationality to their children born after the promulgation of the reform. Algeria followed suit, also in 2005, and ensured full gender equality in conferring citizenship. In 2007, Morocco did the same but without allowing Moroccan women to confer nationality to their non-national spouses. To date, many Arab countries have reformed their citizenship laws to various degrees leaving Lebanon totally immune to any positive change on that front as well as oblivious to the negative impact on the affected population, an impact that has been further exacerbated by the harsh economic crisis.

Nationality laws in Arab states are a vivid example of how citizenship and citizenship rights are severely gendered. Indeed, gender plays a significant role in determining who can confer nationality which is a condition sine qua none to acquire the status of citizens and enjoy citizenship rights. Thus far, Lebanon seems intent on maintaining this gendered inequality in the enjoyment of citizenship rights, a matter that contradicts the principles of democracy, freedoms, and human rights.