

# Why the Lebanese NGOs didn't Succeed in Reforming the Citizenship Law?

**Nayla Madi Masri**

Allow me on behalf of thousands of Lebanese women married to non-Lebanese men to raise my voice high so that it reaches their Excellencies, Ministers and MPs... A woman says: "why does the Lebanese government grant a Lebanese man the right to pass his nationality to his children and wife, while it deprives a Lebanese woman from this right?" Where is the logic? Doesn't this undermine blatantly her citizenship rights and the principle of equality? Doesn't this undermine the rights of children, men, women, and the family combined? Isn't this regarded as a violation of human rights and unfair discrimination between men and women? This shouldn't be the case given that the Lebanese Constitution acknowledges the principle of equality among citizens as do all international agreements ratified by Lebanon, namely the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW).

I write these lines while my mind is flooded with memories of cases of households of Lebanese women married to non-Lebanese men, whom I met while conducting a study on the status of Lebanese women married to non-Lebanese men within the framework of the National Committee for the Follow up on Women's Issues (NCFUWI) and the United Nations Development Program (UNDP) project on Lebanese women's rights and the citizenship law (Charaffedine, 2010). The study revealed that between 1995 and 2008, 18,000 women suffered from the repercussions of the citizenship law, i.e. an average of 80,000 women, children, and men. It is noteworthy that all the cases are similar irrespective of social status, nationality of husband, confession, and geographical location.

Women are blatantly discriminated against when it comes to the injustice inflicted by the citizenship law which undermines their complete and efficient citizenship. This law does not only prohibit them from exercising their fundamental rights as female citizens, but it preemptively confiscates the rights of their children as human beings. The citizenship law has become obsolete and no longer meets the ambitions and needs of the Lebanese society. Hence, this ever-present issue has to be addressed from all angles be they historical, legal, or social dimensions. Here civil society plays an important role.

No one can deny that the NGOs in Lebanon have undertaken great efforts to amend the discriminatory law of the land. Why have they not succeeded so far in reforming the citizenship law? What are the difficulties and challenges they are confronting?

According to Fahima Charafeddine (2005) the Lebanese women's movement is an itegral part of the Arab women's movements that was established in the early stages of the twentieth century where the first women's union was founded in 1921. This raises a big question mark about the achievements made by the Lebanese women's organizations. As part of Lebanese civil society, women NGOs have managed to highlight the citizenship law issue as a prominent social issue that constitutes a blatant violation of human rights. Non-Governmental Organizations have succeeded in generating media interest in the issue. Thus, the audiovisual and print media have allotted air time and columns to discuss this problem through presenting live testimonies

and hosting specialists in the field such as lawyers, social workers, and psychologists to talk about the issue. Studies and campaigns were also prepared, such as the project on the Lebanese women's rights and the citizenship law funded by UNDP and implemented by NCFUWI between 2008 and 2010, and the campaign on "Nationality is my right and the right for my family" conducted by the Collective for Research and Training on Development - Action (CRTD.A) and other NGOs.

Thus, interest in the topic has also grown among civil society in general. Lobbying, research, training sessions, and demonstrations have been dedicated to this issue. The question remains, why hasn't this problem been solved yet? Why couldn't Lebanese women's organizations fulfill their promises to amend the citizenship law? What are the major excuses given by Lebanese politicians and legal experts who successfully prevent any changes in the present law?

In a political and sectarian system based on sharing power between confessions, numbers play an essential role in defining constituencies and determining their future. In Lebanon the last census was carried out in 1932 by the French mandate. All further census taking was blocked as a result of an attempt to cover up demographic changes. The lack of progress with respect to the citizenship law must be seen in this context. Sectarian logic has prevented a debate based on facts.

Thus, citizenship law became one of the doors that confessions want to keep closed. The political sectarian system has prevented the possibility of changing these laws till now.

Despite the efforts of the NGOs to reform the present law, this problem is still a main challenge preventing the Lebanese state from fulfilling its commitments to the international instruments it signed.

There are undoubtedly a number of factors that affect women's status in Lebanon. The two primary components include the inherent sectarianism and the patriarchal nature of society as we mentioned

before. There are 19 formally recognized religious sects in Lebanon.

We believe that these factors have not only affected women's status, but they have directly impeded the success of the women's advocacy movement in Lebanon.

Lebanese women have been very successful in making significant strides in society, particularly in comparison to other MENA countries; however, many obstacles still lay ahead. The patriarchal culture in Lebanon defines and intensifies many of these challenges, making it all the more difficult to eliminate laws and traditions that are based on male dominance.

Women's NGOs in Lebanon, though successful in bringing about a number of positive changes, have not united to create an effective, core movement capable of agreeing on key reform issues and to work together to achieve those reforms. This has primarily been a result of sectarian divisions and competition for donor funds towards the improvement of women's status. These obstacles will need to be overcome in order to develop a more unified women's advocacy movement in Lebanon.

Sectarian divisions have had a number of effects on the women's rights movement. As noted, the Lebanese people tend to identify more with their sectarian affiliation than with their national identity. This tendency works against women's advancement in several ways. First, even among women, the interests and priorities of the sect are held above issues of gender rights, giving women's issues less importance than other issues. Furthermore, each sect has differing views on reform, limiting women's ability to form a critical mass that transcends sectarian divisions and supports a national feminist agenda. In turn, this has led to weak coordination among women's NGOs and subsequently limited their ability to mobilize significant public support for improved women's status.

The allocation and availability of donor funds has also proven to be an obstacle to the formation of

a unified coalition for women's rights. Though there is an increasing number of NGOs committed to improving the status of women in Lebanon, these NGOs remain largely in competition with one another for donor funding. Additionally, NGOs often veer away from their original causes to accommodate donor priorities and secure additional funds. Donors also contribute to the movement's fragmentation through a lack of coordination among one another in the programs they fund, leading to a duplication of efforts among groups that already have difficulty collaborating.

It is also noteworthy that protest activities organized to support women's issues do not attract a large number of participants. One reason for this could be that NGOs lack the ability to mobilize public support as we mentioned above. This is due to many factors, mainly lack of national coordination and strategy, lack of a media strategy,

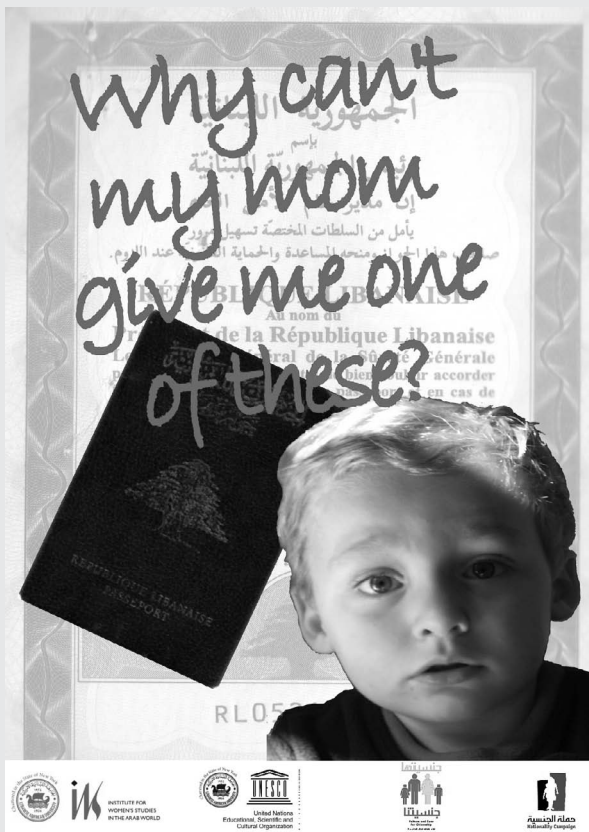
as well as the political affiliations of some civil society associations and their members.

The heterogeneous nature of Lebanese society often means that the simplest issues become issues of high politics. As Marguerite Helou (2010) has pointed out, issues related to the survival of communities, their identity, share of power, and loyalty to the group supersede any other loyalties. This type of culture acts against women's advancement in two ways at least. First, issues of gender equality are usually pushed down on the list of group priorities (especially in sectarian religious cultures) and second, the political behavior of women, as that of men, tends to serve the interests and priorities of their sect over gender and human rights issues thus consecrating a culture that works against them.

In summary, it should be reaffirmed that the civil society organizations (NGOs, political parties, syndicates etc.) can play an active role in spreading the principles of human rights. They have the ability to form pressure groups to reform the discriminatory laws across all sectors of society.

In order for this to take place in the Lebanese context, the following are necessary:

- Coordinating between all NGOs to achieve their goal to form one pressure group to lobby for change;
- Putting in place an agenda with prioritized issues;
- Taking into consideration the benefit of the recipients and not merely personal benefit and profit;
- Organizing local grass root workshops on democratic governance and the meaning of citizenship. By necessity, these would include discussions of the rights and obligations of citizens and the role of citizens in a democratic context;
- Creating partnerships with advertising agencies and different media outlets to promote articles about these issues and make them available to as wide a public as possible;
- Creating partnerships with parliamentarians and other stakeholders to enhance civic oversight over state performance in the areas of human rights; the aim would be to build partnerships between parliamentarians and international and national



organizations working on human rights issues. Specific indicators that would measure performance on these issues can be established; these would also help establish international human rights and democratic standards into everyday practices.

- Lobbying for a new citizenship law; one that grants expatriates the rights to Lebanese citizenship if they meet a collective set of criteria (such as they were born in Lebanon, have lived in Lebanon for a set number of years, have a permanent residence, etc); under this new law, Lebanese women would also be granted the right to pass on their nationality to foreign-born spouses and children.

A prerequisite for the above is that leading women's NGOs, and civil society in general, sever their ties to political parties and religious institutions. Furthermore, an overall political will must develop to achieve real progress in the field of nationality

legislation, and citizenship law with respect to women in particular.

Moreover, we believe that lobby groups should be formed to advocate on the basis of issues and not partisan politics. NGOs should coordinate among each other to prioritize the common public interest and not their own particular interests. We should bear in mind that affiliation with human rights transcends any identification with politics in order to boost human rights in the country, especially the human rights of women. In conclusion, reforming the citizenship law is not a political option, but rather a human rights necessity.

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