

Policy Mapping

Personal Status - Civil Marriage

1. Timeline

Date	Events
1926	Adoption of the Lebanese Constitution with the article 7 recognizing the equality of all citizens before the law is declared as well as article 9 guarantying the respect of the personal status and religious interests of the population.
1936	Civil marriages performed abroad were officially recognized in Lebanon as a result of the adoption of decision 60 LR. ¹
1957	Lebanese National Bloc leader, Raymond Edde, submitted a proposal to Parliament in order to establish civil marriage in Lebanon.
1971	First optional civil personal status draft law was proposed by the Democratic party.
1981	Second optional civil personal status law was proposed by the Secular Democratic party.
1990	End of the civil war, adoption of the Taif agreement and amendment of the Constitution. A preamble was introduced stating that “Lebanon is Arab in its identity and in its affiliation. It is a founding and active member of the League of Arab States and abides by its pacts and covenants. Lebanon is also a founding and active member of the United Nations Organization and abides by its covenants and by the Universal Declaration of Human Rights. The Government shall embody these principles in all fields and areas without exception”. Article 7 and 9 remained intact.
1995	The Lebanese Government endorsed the Beijing Declaration at the Fourth World Conference on Women, mandating the creation of women machineries.
1997	Third optional civil personal status law was proposed by the Syrian Social Nationalist Party (SSNP).
1998	The National Commission for Lebanese Women (NCLW), which is the national women’s machinery that oversees all issues related to gender, was established by Law No. 720, following the Beijing Declaration.
1998	President of the Lebanese Republic, Elias Hrawi, submitted an optional civil personal status law that was approved by the cabinet but strongly opposed by all religious leaders. The Parliament eventually blocked it.
1999	The “National Gathering” political collective organized a national campaign that included 75 actors: political parties, civil society organizations, and activists, proposing a draft law which never saw the light.
2009	The Lebanese Minister of Interior and Municipalities, Ziad Baroud, issued an official memorandum allowing Lebanese citizens the option to remove their sect from civil registry records.

¹ The 1936 decree, which established the basic personal status order in Lebanon (60LR/1936), remains operational today. It recognizes the freedom of belief of each individual by granting the right of each to opt out of their religion’s personal status laws. While recognizing the ability of religious groups to apply their own laws to their communities (there is a codified personal status law), it did not make affiliation to a particular religious group compulsory, and gave every citizen the right to choose their religious affiliation, or to choose not to affiliate with any. **Under this decree, individuals who choose not to affiliate with any religion would be subject to a civil code in personal status matters.** Despite the existence of this law and multiple local campaigns, Lebanon has yet to adopt a civil code since the enactment of the 1936 decree. Until recently, this has meant in practice that those who wish to marry under a civil code, either because they do not want to be subject to the laws of their religion or because they are from different religious backgrounds, have had to travel abroad to get married and have their foreign marriage recognized in Lebanon.

2009	Scholars Ogarite Yunan and Walid Slaibe prepared a civil personal status law and presented it to Parliament. The draft law was listed on the agenda of the joint parliamentary committees. However, it remains pending to this day.
2010	Minister of State, Youssef Takla, submitted an optional civil personal status law.
2011	Chaml Association ² submitted a draft for a civil personal status bill in conjunction with 14 other local NGOs. The draft was placed on the parliamentary agenda for March 18 of that year, but was not passed.
2012	The first civil marriage was contracted on Lebanese soil. Minister of Interior and Municipalities, Marwan Charbel, approved, for the first time in Lebanon's contemporary history, several (unidentified number) civil marriages.
2013	The Higher Consultation Commission, headed by the Minister of Justice, Shakib Qortbawi, approved the registration of a civil marriage concluded in Lebanon between a couple who has removed their sectarian affiliation from the civil records.
2013	The Grand Mufti of Lebanon, Mohammed Rashid Qabbani, issued a fatwa – a religious edict – on January 2013 on Dar el-Fatwa's ³ website demonizing all supporters of the legalization of civil marriage, and implicitly threatening them. ⁴
2014	The NCLW submitted a draft law aiming at the regulation of child marriage. member of Parliament, Ghassan Moukheiber, submitted the draft law to the parliament.
2016	Minister of Interior and Municipalities, Nohad El Mashnouk, ⁵ refused to register the civil marriages contracted on Lebanese soil. From then on, and after stating that "Cyprus is not far" ⁶ , Mashnouk announced that he will no longer approve any civil marriage contracted in Lebanon.
2017	The Bar Association of Beirut submitted an optional civil personal status draft law.
2017	The Lebanese Women Democratic gathering (RDFL) submitted a draft law aiming at protecting children from early marriage. Member of Parliament, Elie Keyrouz, submitted the draft law to the parliament after introducing several amendments.
2019	The onset of the Lebanese revolution shed light on women's rights, with one of the major demands being the call for a secular state and the abolition of all sectarian personal status codes in favor of a unified civil personal status law.
2019	First civil marriage to be performed in Lebanon under Minister of Interior and Municipalities, Raya Al-Hassan. Joseph Bechara, the President of Lebanon's Council of Notaries Public, was the one who officiated the union.

² "CHAML" is an association that was registered in 2007 as an independent organization. It is an association of the National Youth Gathering umbrella based on non-violent, non-sectarian, and justice values. It consists of hundreds of youth, men and women from different regions. Its members have been deeply trained during 2 years with LACR (Lebanese Association for Civil Rights) on non-sectarianism, non-violence, and democratic participation in society. The members are also aware of their rights, want to defend them, and have viable alternatives to apply.

³ Lebanon's highest Sunni authority

⁴ The statement stated that: "Any Muslim with legal or executive authority in Lebanon who supports the legalisation of civil marriage is an apostate and outside the religion of Islam [...] There are predators lurking among us, trying to sow the bacteria of civil marriage in Lebanon, but they should know that the religious scholars will not hesitate to do their duty".

⁵ Minister Nohad El Mashnouk is the former Minister of Interior and Municipalities and a member of the Future Movement, a Sunni political party that previously opposed Syrian influence in Lebanon's affairs. El Mashnouk was one of many top officials suspected of negligence ahead of the port explosion, and he filed a complaint suspending the judge Tarek Bitar who was investigating the explosion.

⁶ Cyprus is one of the most popular destinations for Lebanese people for civil marriage.

2022	Following the parliamentary elections, the arrival of 13 “Change MPs” to Parliament, who openly supported civil marriage and a civil personal status law, reignited the debate and triggered renewed backlash from clerics as well as religious and conservative authorities.
2022	KAFA (enough) violence and Exploitation organization submitted a “unified civil personal status law” to the parliament. The draft law was signed by MPs affiliated to different political parties.
January 2024	The Lebanese parliament’s human rights committee discussed a draft law that aimed at unifying the minimum marriage age to 18. The law, submitted by the Lebanese Council to Resist Violence Against Woman (LECORVAW) ⁷ , seeks to protect girls from early marriage and is a significant step towards addressing Lebanon’s multiple personal status laws. The bill is currently pending its transfer to the Parliamentary Administration and Justice Committee for discussion. It will then be referred to the General Assembly of the Parliament for a decision on acceptance, rejection, or modification.

2. 2024 General Contextual Updates

This is a general update on the situation in Lebanon between December 2023 and November 2024, prefacing each of the three policy mappings for 2024. Note that specific paragraphs addressing each thematic area, the civil marriage and personal status laws, violence against women (domestic violence and sexual harassment), and Women’s political participation have been included in this section under their respective themes.

Between October 2023 and September 2024, the occupying Israeli forces pulverized Lebanon’s southern border towns detonating houses, killing journalists and civilians, and targeting medical first aid providers and ambulances. September 2024 marked the start of the expansion of the Israeli aggression into Lebanon. On the 16th and 17th of September, Israel detonated thousands of electronic pagers, radios, and communication devices simultaneously across Lebanon, in an unprecedented mass terrorist attack killing over 30, and maiming nearly 3000, including 200 critically.⁸ For context, people carrying pagers include civilian personnel working in Hezbollah-affiliated schools, medical, and youth centres.

The escalation continued as Israel launched hundreds of air attacks in southern and eastern Lebanon on September 22, killing around 500 people and injuring nearly 1645 in one day. Resultantly, thousands fled the south of the country towards Beirut and the North, jamming main highways, locked in their cars for at least ten hours amid intense shelling. Israel expanded its operations to include areas of the Bekaa Valley, along Lebanon’s eastern border. Escalation continued through the months of September, October and November 2025. Israel dropped thousands of bunker buster bombs on residential neighborhoods in Beirut’s southern suburb, on

⁷ The Lebanese Council to Resist Violence Against Woman (LECORVAW) is an NGO established in 1997, and that works for the purpose of fighting and resisting all forms of Violence Against Women (VAW) and Gender Based Violence (GBV) in Lebanon.

⁸ Office of the High Commissioner for Human Rights (OHCHR) (2024). *Exploding pagers and radios: A terrifying violation of international law, say UN experts*. Retrieved November 28, 2024 from <https://www.ohchr.org/en/press-releases/2024/09/exploding-pagers-and-radios-terrifying-violation-international-law-say-un>

multiple occasions; and attempted to invade the border towns of South Lebanon, leaving the wholesale decimation of tens of villages in their wake.

According to the ministry of Health, the number of casualties, between October 8, 2023 and November 28, 2024, had reached 3,670 martyrs and another 15,413 injured⁹. Noteworthy that a ceasefire deal was reached and officially took effect on the 28th of November 2024. As of November 1, 2025, thousands of breaches from the Israeli side had been reported. Official numbers from November 2024 reveal that over 1.2 million Lebanese have been forcibly displaced, evacuating the South, Bekaa and the southern suburbs of Beirut in waves since September 22, to central Beirut, the North governorate, and Mount Lebanon, and settling in public schools and institutions turned makeshift shelters.

Based on a combination of data from national surveys, databases, consultations with women, and field monitoring, the UN Women issued a “Gender Alert” in September 2024, highlighting the disproportionate impact that women and girls in Lebanon - particularly women-headed households, widows and women with disabilities - endured as a result of the war. According to the Gender Alert estimates, among the thousands of families that have been displaced, nearly 12,000 are women-headed.¹⁰

The most significant issues disproportionately impacting women and girls throughout the war appear to be access to food, access to menstrual hygiene products, and heightened exposure to sexual and domestic violence, as well as human trafficking and survival sex.

The Alert points to an estimate of 50,000 of the displaced to be women and girls in reproductive age, and hence need immediate access to products of hygiene and well-being. Hunger and access to food also figured as a challenge facing women-headed households. Though this is a long-standing issue with roots in pre-war times, women and girls in war-affected areas faced limited access to food due to unequal control over resources, limited autonomy in household decision-making, and restrictive, discriminatory norms curtailing their freedoms. Noteworthy that more women-headed households in Lebanon were not able to meet many basic needs compared to men-headed households, particularly during the war¹¹.

Lower pre-war income also limits women heads of households’ chances to access decent shelter given the sharp rental fees.

However, the most vicious aspect of women and girls’ reality during the war remains their intensified risk and exposure to domestic violence, sexual harassment and exploitation, as well as trafficking and forced prostitution. The UN Women Gender Alert traced the classic situation of women and girls’ heightened risk to domestic violence in war, to the increase in stress, job loss,

⁹ Ministry of Public Health, Lebanon (MOPH) (2024). Retrieved November 30, 2024.

¹⁰ Estimate from the Gender Alert is drawn based on displacement figures and demographic structures. This number does not account for the women who became heads of households as a result of the war.

UN Women (2024) *Gender Alert: When Crises Strike, Gender Inequalities are often Exacerbated: The Urgent Needs of Crisis Affected Women and Girls in Lebanon*. Retrieved January 10, 2025 from <https://lebanon.unwomen.org/en/digital-library/publications/2024/09/gender-alert-when-crises-strike-gender-inequalities-are-often-exacerbated-the-urgent-needs-of-crisis-affected-women-and-girls-in-lebanon>

¹¹ The data in the UN Women Gender Alert, link above, is based on different reports and surveys, referenced in the Alert.

and the challenging access to legal protection and services. The limited privacy and scarce resources that feature life in temporary shelters in emergencies inevitably lead to more disputes, including gender-based violence.

Further, the report rightfully points to the classic scenario of sexual exploitation and abuse in aid delivery sites, listing survival sex, forced prostitution, and child marriage as “negative coping mechanisms” with the increased exploitation of vulnerable communities in emergencies. Among these communities are migrant workers and refugee women who are likely to become victims of human trafficking into/across Lebanon.

Indeed, anecdotal evidence that the AiW/ LAU informally collected through individual communication with women working in the field, provide confirmations on all those counts. Domestic violence was prevalent in shelters, coupled with the absence of all means of reporting it and the weak presence of Internal Security Forces officers on site; cases of sexual harassment and human trafficking were also observed. Crucially, cases of transactional sex where landlords were soliciting sexual favors from women head of households in exchange for shelter.

The Lebanese often joke about having seen tragedy of all shapes and forms, that the only predicament that has not yet befallen them is an asteroid striking Beirut. Indeed, the pre-genocide situation in Lebanon resembled a downward spiral, in which the more they struggled for their basic rights and hold onto shreds of their dignity, the deeper they sink into dysfunctionality, criminal negligence, heartbreak, and impunity. This brutal war unfolded against the backdrop of longstanding structural challenges, including an oligarchic governance that oversaw a financial and economic collapse and the severe devaluation of the local currency in 2019, and maintained an attitude of deliberate neglect vis-à-vis these crises, and the resulting disintegration of the services infrastructure. This systematic impoverishment of the vast majority of the population – highlighted by the banks’ confiscation of people’s decades of savings, was followed by a massive explosion in the capital’s port that decimated half of the city in 2020, resulting in a mass exodus of the Lebanese. A World Bank report on poverty in Lebanon released in May 2024 shows that poverty has more than tripled over the past decade in the country, reaching a whopping 44% of the total population by 2022.¹² The report not only shows that 1 out of 3 Lebanese was poverty stricken in 2022, it also points to an even deeper fall with the poverty gap rising from 3% in 2012 to 9.4% in 2022.

Due to the extreme vulnerability of the country’s infrastructure, civil society organizations, and particularly women’s rights NGOs collected funds to provide critical services for women like emergency cash assistance, shelter, and psycho-social support; shared calls for donations, and disseminated information on critical available services, such shelters, emergency numbers, and medications. This is a typical pattern that unfolds during crises in Lebanon, in which CSOs step in to fill glaring gaps left by the weak governmental preparedness.

In 2023 the Lebanese parliament convened to discuss the 2024 state budget. The draft budget, consisting of 96 articles, underwent review but was still under heavy criticism. Expectedly, think

¹² World Bank (2024) *Lebanon Poverty and Equity Assessment 2024: Weathering a Protracted Crisis*. Retrieved December 3, 2024 from <https://documents1.worldbank.org/curated/en/099052224104516741/pdf/P1766511325da10a71ab6b1ae97816dd20c.pdf>

tanks and budgetary experts pointed to the budget's neglect of reforms, crucial to pull the country out of a financial meltdown that has been gutting the public sector for years, and the absence of provisions aimed at rejuvenating Lebanon's broken social contract¹³. Significant debate among economic experts revolved around the budget's heavy reliance on regressive indirect taxes like VAT and custom fees to generate desperate income to significantly boost state revenues, exacerbating the situation of the country's poorest citizens. The Policy Initiative think tank reported that the budget "disproportionately burdens middle and lower-income households compared to affluent ones"¹⁴ by lowering the threshold for businesses to pay VAT and offering tax exemptions for big businesses¹⁵.

It is worth mentioning here the status of the policy sphere, marked by a complete paralysis on the level of institutional politics: a 32-month presidential vacuum, a stalled parliament, a caretaker government that only started convening as the war expanded into Lebanon, and municipal elections that were supposed to take place in May 2022, but were postponed three times to May 2025. Not even a full-scale war on the country could engender serious deliberations around a potential presidential candidate. The Lebanese presidency is still vacant, with the speaker of parliament and the caretaker prime minister leading the negotiations for a ceasefire on behalf of the country.

Pre-war 2024 also saw an escalation in the discrimination against, and forced deportations of Syrian refugees in Lebanon, as well as an intensifying racist rhetoric about them¹⁶.

Since the beginning of 2024 until May, reports began circulating that the Lebanese Armed Forces (LAF) and the Directorate of General Security (GSO) have resumed raids and deportations against Syrian refugee communities, with international and local NGOs documenting several deportations in the first few months of 2024¹⁷. While Lebanon has not ratified the 1951 [Refugee Convention](#), the state is still bound by the customary international law principle of non-refoulement, which prohibits the deportation of any person who faces the risk of persecution in their home country¹⁸.

Refugee-led NGO Access Center for Human Rights (ACHR) stated that while last year's LAF-led deportations dropped Syrians off at the border, enabling many to re-enter with the help of smugglers, this year, several deportees have been dropped off in Damascus instead¹⁹.

On a relevant note, in 2023, authorities in Lebanon escalated their scapegoating of marginalized communities such as the Syrian refugees, and the queer communities, to divert attention from the pressing unattended crises, and to frame them as the enemies of an imagined, hetero-patriarchal, conservative model of a Lebanese family. The summer of 2023 witnessed an alarming escalation

¹³ The Policy Initiative (2024) *Lebanon's 2024 Draft Budget: Blindly Curbing the Fiscal Debt*. Retrieved November 24, 2024 from [The Policy Initiative - Lebanon's 2024 Draft Budget: Blindly curbing the fiscal deficit](#).

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ N. Khechen. "Fragile Sanctuary: Syrian Refugees in Lebanon Face Abuse and Deportation". May 29, 2024. *TIMEP* <https://timep.org/2024/05/29/fragile-sanctuary-syrian-refugees-in-lebanon-face-abuse-and-deportation/>

¹⁷ H. Davis "Detained, Deported, Disappeared: Assad's critics face "nightmares" in Lebanon". February 9, 2024. *Syria Direct*. [Detained, deported, disappeared: Assad's critics face 'nightmare' in Lebanon](#)

¹⁸ It is helpful to note however, that Lebanon hosts the highest number of Syrian refugees in the world; the refugee crisis in Lebanon impacted, and continues to impact the country.

¹⁹ Davis (2024).

against the LGBTIQ community, in parallel with worsening economic conditions. In July 2023, 9 MPs proposed a law to decriminalize homosexuality²⁰; in response, they were subjected to online harassment campaigns resulting in one MP to withdraw their signature²¹. Following this, a wave of hate and violence was unleashed against the LGBTIQ community by prominent politicians inciting violence against LGBTIQ individuals. Many politicians, lawyers, organizations, and celebrities followed suit in a wave of crackdown on the queer community.

For context, Lebanon has yet to repeal Article 534 of the country's Penal Code, which criminalizes 'unnatural sex'. Article 534 is Lebanon's most publicly debated regulation on sexuality. A legacy of the French colonial era, this article does not explicitly criminalize homosexuality, but has historically been used by state actors to persecute queer communities. In the summer of 2023, two proposed bills explicitly penalising homosexuality were put forward. Further, the country's minister of culture decided to ban the movie "Barbie" because it "promotes homosexuality and transgenderism."²²

This wave of escalating queer hate continued and resulted in the inception of several organizations and groups that advocate for the criminalization of same-sex relationships and the protection of the Lebanese family against "western ideas that aim to corrupt the youth and dismantle the family"²³. It is worth noting that these groups also instrumentalise the atrocities unfolding in Gaza to legitimize their view on the moral corruption of international organizations and conventions²⁴.

Following this slew of troubling remarks and decisions, an extremist Christian group attacked a queer friendly bar in Beirut while a drag show was ongoing in August 2023, physically assaulting some of the attendees, while state security forces stood as bystanders²⁵. While this marked an alarming escalation in the anti-queer sentiment²⁶, another even more vicious attack followed. In September 2023, a group of men attacked a protest organized by a number of civil society organizations calling for the protection of personal and political freedoms. Noteworthy that this escalating aggression comes after an intensified vilification campaign against the

²⁰ مسألة "المتلبية الجنسية" تعود الى الواجهة: مشروع قانون لعدم تجريمها تقدم به عدد من النواب - مركز بيروت للاخبار (2023, August 13).

[Beirutnewscenter. https://www.beirutnewscenter.com/935582/](https://www.beirutnewscenter.com/935582/)

²¹ Lebanon: Attack on Freedoms Targets LGBTI People | Human Rights Watch. (2023, September 5).

<https://www.hrw.org/news/2023/09/05/lebanon-attack-freedoms-targets-lgbti-people>

²² Christou, W. (2023, August 9). Lebanese minister to ban "Barbie" for "contradicting" values. <https://www.newarab.com/>;

The New Arab. <https://www.newarab.com/news/lebanese-minister-ban-barbie-contradicting-values>

²³ هيئة علماء المسلمين في لبنان. (n.d.). Retrieved February 20, 2024, from

<https://www.facebook.com/muslimolama/posts/%D8%A8%D8%B3%D9%85-%D8%A7%D9%84%D9%84%D9%87-%D8%A7%D9%84%D8%B1%D8%AD%D9%85%D9%86-%D8%A7%D9%84%D8%B1%D8%AD%D9%8A%D9%85%D9%82%D8%A7%D9%84-%D8%AA%D8%B9%D8%A7%D9%84%D9%89%D9%88%D9%8E%D8%A7%D9%84%D9%92%D9%85%D9%8F%D8%A4%D9%92%D9%85%D9%90%D9%86%D9%8E-%D9%88%D9%8E%D8%A7%D9%84%D9%92%D9%85%D9%8F%D8%A4%D9%92%D9%85%D9%90%D9%86%D9%8E-%D8%A7%D8%AA%D9%8F-%D8%A8%D9%8E%D8%B9%D9%92%D8%B6%D9%8F%D9%87%D9%8F%D9%85%D9%92-%D8%A3%D9%8E%D9%88%D9%92/5544401402354755/>

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²⁶ For more details, the full account from the assault can be found here: <https://twitter.com/i/status/1694718766972891256>

community of organizers, accusing them of “promoting deviancy”, led by political and religious figures. Expectedly, the assault was unfolding under the eyes of abjectly failing security forces who, once again, acted as mere bystanders and arrested no one²⁷.

Zooming in on the civil marriage/personal status laws policy area in 2024, one major finding that stands out was provided to us by statistician and researcher Mohamad Chamseddin. In an interview with the AiW, Chamseddin tracks the hikes and dips in the number of civil marriages notarized outside of Lebanon in the past few years. He starts with the baseline number of over 36,200 marriage contracts notarized in 2018, and tracks a dip in these cases to under 31,000 marriage contracts in 2023. Chamseddin traces this decrease of almost 16% in marriage contracts between 2018 and 2023 to the economic and financial collapse that reigned over the country between 2019 and 2023²⁸. Couples’ attempts to evade additional expenses incurred by travel and accommodation costs abroad indirectly led to the strengthening of the sectarian political system – and by extension, of the sectarian personal status system - as the economic situation continues to force them to buy into it by limiting their options to access civil marriage abroad.

Given all of this, and as a result of the ensuing disappointments, frustrations, and growing aggression, the avenues for collective action of survival or resistance or countering backlash have been minimal. Namely, the brutal escalation of the Israeli war on Lebanon between September and November 2024 left people across the country trapped in a paralyzing survival mode in which the only priority they can afford to address is their immediate safety and that of their family. Crucially, the AiW’s chosen policy areas (political participation, violence against women, and personal status laws), all tied to a wider umbrella of gender, are usually easily dismissed and deemed irrelevant by decision-making entities, especially in a state of institutional paralysis. In this otherwise overwhelmingly stagnating stasis, there were a few events/achievements that marked both the policy and civic spaces in the three policy areas, delineated under the updates sections in each of the three mappings.

3. The issue

Lebanon has eighteen officially recognized religious sects and fifteen different personal status laws governing marriage, divorce, child custody, alimony and inheritance.^{29,30} Not only do these laws enshrine the privilege of men over women in several issues, they also differentiate among women of different sects, stripping them of their ability to make unified claims to authorities.

Religious institutions in Lebanon are given legal and administrative status and jurisdiction over issues related to matters of personal status by virtue of the 1936 60 L.R. decree issued by the French mandate.³¹ Despite recognizing the legislative and judicial prerogatives of religious communities in personal status matters, the Lebanese state does have the constitutional power to

²⁷ Coalition to Defend Freedom of Expression. (2023, October 10). The Coalition to Defend Freedom of Expression in Lebanon Demands Investigation into the Assault on the Freedoms Protest. *Legal Agenda*. <https://english.legal-agenda.com/the-coalition-to-defend-freedom-of-expression-in-lebanon-demands-investigation-into-the-assault-on-the-freedoms-protest/>

²⁸ From an interview with Mohamad Chamseddin, for this mapping, September 2024.

²⁹ Inheritance is exceptional in that all sects in Lebanon abide by a civil law that governs inheritance, except for the Muslim communities who abide by the respective sectarian personal status laws.

³⁰ Maghribi, R., & Makhoulouf, Y. (2021). Family Law Reform in Lebanon: A Strategic Role for Transnational Islamic Feminism. *Al-Raida Journal*, 44(2), 139 - 155. <https://doi.org/10.32380/alrj.v44i2.1874>

³¹ Refer to footnote 1.

offer a secular alternative and to devise an optional civil personal status law for all citizens. Instead of offering this alternative to its citizens, the state elevated sectarian family law to public law, thus legalizing the preferential treatment of men.³² Resultantly, it created non-homogeneous legal conditions for its citizens, placed family matters within the domain of the “non-negotiable”—namely religion—and constructed itself as a nation of subnational patriarchal communities defined by religious sect. This sectarian control over personal status and family issues, and consequently, over women’s public and private lives, distorts women’s citizenship to a greater degree than it does men’s. It holds women back in the domestic sphere and impedes their initiatives in the public and political spheres, thus exemplifying the Lebanese patriarchal system’s grip over women’s lives.

Regardless of where a civil marriage is contracted, on Lebanese soil or abroad, the moment it is registered in Lebanon, some of the ensuing matters are governed by the sectarian personal status laws. The couple’s children, for instance, are automatically registered under their father’s sect, and issues related to custody and alimony are either governed by the foreign country where civil marriage was contracted or by the respective personal status court in Lebanon depending on the sectarian affiliation of one or both spouses³³. Hence, the right to civil marriage cannot be discussed in isolation from the oppressive, patriarchal legal apparatus governing personal status matters in Lebanon.

The 1936 60 L.R decree is instrumental to any discussion on civil marriage.³⁴ Article 25 of this decree not only allows citizens to have a civil marriage outside Lebanon, but also provides for the creation of a “common law community” where all those who do not belong to a community, in this case a sectarian community, or who wish to leave the one into which they were born, can adhere to a “civil law community” that organizes and administers their personal status issues.³⁵ Thus, since 1936, civil marriages contracted abroad have been officially recognized by the Lebanese state. Today, hundreds of couples continue to travel abroad for the explicit purpose of getting married civilly. Lebanese citizens who contract a civil marriage abroad register their marriage upon their return to Lebanon and settle issues and disputes arising from it in Lebanese civil courts that recognize such marriages. But, because the Lebanese state has not devised a unified civil law in Lebanon, these disputes are governed by the laws of the countries where the marriages were contracted.³⁶

The issue of civil marriage has received considerable resistance since 1951, with religious institutions spearheading this opposition. Yet, several nongovernmental organizations (NGOs), legislators, politicians, and other figures have attempted to pass laws and proposals for civil marriage. In 1957, the Lebanese National Bloc leader, Raymond Edde, led this resistance and

³² Despite variations between Muslim and Christian legal codes, the common pattern is a patriarchal bias.

³³ When both spouses are members of Christian denominations, the law of the country where the marriage is contracted is applied. In contrast, if one of the spouses (especially the man) is affiliated with a Muslim denomination, he retains the right to refer any dispute or request for divorce to the competent religious court. As for inheritance within Muslim communities, Shari’a law is applied, even in cases where the marriage is civil.

³⁴ Makhlof, Y. (2016). *Civil marriage in Lebanon: Fighting the state from within its borders*. <https://english.legal-agenda.com/civil-marriage-in-lebanon-fighting-the-state-from-within-its-borders/>.

³⁵ See Saghieh, N. (2013). *Beyond civil marriage: Freedom is the principle*. <https://english.legal-agenda.com/beyond-civil-marriage-freedom-is-the-principle/>.

³⁶ The 961 (2021, January 5). *What is civil marriage and does it work in Lebanon?* <https://www.the961.com/civil-marriage-in-lebanon-explained/>.

submitted a proposal to parliament to establish civil marriage in Lebanon. The Democratic Party followed with a proposal for a civil personal status law in 1972.³⁷ In 1998 as well, President Elias Hrawi submitted an optional civil personal status law. This was approved by the cabinet but strongly opposed by all religious leaders.³⁸ All of these proposals were rejected by the respective parliaments.

Several other civil marriage proposals and draft laws followed, all of which have been blocked, as mentioned above. However, in February 2007, the Civil Center for National Initiative (CCNI) succeeded in persuading the Lebanese Ministry of Interior and Municipalities, headed by Ziad Baroud at the time, to allow citizens to remove sectarian affiliation from their civil census records.^{39, 40} Baroud, known for his impartial and progressive performance and for standing out from the political elite, carried this move forward. From this point forward, no legal prerogative or counterargument was found to removing sectarian affiliation from census records. Prior to the CCNI initiative, a citizen's sect was automatically added to the register at birth. However, the notion of removing one's sectarian affiliation from the civil census records was not unprecedented, as Sami Al Choukaify was the pioneer in doing so in 1969.

In 2012, Nidal Darwich and Khoulood Sukkarieh were going to Cyprus to get married when they met attorney and civil marriage advocate Talal Hussein, who had found an interpretation⁴¹ of the 1936 60 LR decree that would facilitate civil marriages on Lebanese soil. The couple worked with Hussein for 10 months to utilize this legal loophole to perform a civil ceremony in Lebanon. This request to register the first civil marriage contract on Lebanese soil was referred to the Legislation and Consultation Committee at the Ministry of Justice. Then caretaker Interior Minister, Marwan Charbel, could not find any excuse not to register the marriage of Khoulood and Nidal, who would become the first in the history of Lebanon and the Arab world to get a civil marriage in their home country. Several other civil marriages were registered during Charbel's mandate. It took five additional months until the registration of their marriage was officially announced on the April 25, 2013. It was not long before the couple started receiving death threats, following a fatwa by the highest Sunni authority in the country calling all supporters of the legalization of civil marriage "apostates and outside the religion of Islam," which eventually led the couple to seek asylum in Sweden.

³⁷ Afif, H. (2018, Spetmeber 14). *Civil marriage finds its way onto the Lebanese horizon*. <https://beirut-today.com/2018/09/14/civil-marriage-finds-way-onto-lebanese-horizon/>.

³⁸ El-Cheikh, N. M. (1). The 1998 proposed civil marriage law in Lebanon. *Al-Raida Journal*, 27-35. <https://doi.org/10.32380/alrj.v0i0.523>

³⁹ Citizens in Lebanon – male and female - are registered in local census offices according to the following organization metrics: region of origin, kinship and/or marital status, sect/personal status, and sex. These four metrics determine which folder an individual's census information is placed in, and importantly, the mechanisms for this information to change through life events such as religious conversion, marriage, birth, death, or divorce.

⁴⁰ The state issues three official documents to citizens: a census document, a national identification card, and a passport – all three interchangeable for most bureaucratic procedures. The most crucial of the three is the census document, because it is impossible to receive or renew neither the national identification card, nor the passport without producing a new census document. Census documents are organized by family, such that individuals from the same extended patriarchal family carry the same registration number.

⁴¹ The interpretation was based on Article 25 stating that "for those that do not belong to administratively to a religious community, the civil law applies to their personal status matters", which applies to the couple who already struck their sects from their civil census records in 2007. By removing the references to their religion in their state records, they are automatically considered as "administratively not belonging to any religious community", and thus eligible for civil marriage in Lebanon.

Despite having set a legal precedence, a change in government halted the registration of civil marriages given that the newly appointed Minister of Interior and Municipalities, Nohad Machnouk, refused to register the marriages and advised all couples insisting on getting married civilly to go to Cyprus. According to Machnouk, all civil marriages contracted on Lebanese soil are illegal on the basis of the opinion of the Legislation and Consultation Committee. Machnouk's refusal to register these marriages is purely political and stems from his subjugation to Dar Al-Fatwa's orders. By refusing to register these marriages, he rendered 50 couples who had contracted civil marriages on Lebanese soil in an obscure legal situation. This precarious predicament deterred couples from contracting a civil marriage on Lebanese soil. However, on February 11, 2013, the Highest Advisory Commission of the Ministry of Justice asserted that there was no legal hindrance in registering the first ever civil marriage to be contracted on Lebanese soil and concluded that 1) any Lebanese citizen who has struck off their religious affiliation from civil status records can sign a civil marriage contract in Lebanon; 2) a notary public is the competent authority to conclude the contract and approve it; and 3) the couple is free to choose the civil marriage law of any country to regulate their marital affairs.

Today, civil marriages are not contracted on Lebanese soil and the debate sporadically reemerges on the eve of junctural political events in the country, particularly parliamentary elections, and especially to attack candidates who support it. Most recently, following the parliamentary elections in May 2022, 13 "Change MPs" made it to the Lebanese parliament. With most of them openly expressing their support for civil marriage, a fierce wave of backlash was launched at them by conservative religious clerics who denounced any attempt at contracting civil marriages in Lebanon. The issue of civil marriage in Lebanon thus remains contested and prone to debate and backlash. In December 2022, KAFA's proposal for a unified personal status law⁴² was sent to parliament, and signed by 9 parliamentarians (out of 128), 5 of whom are among the newly-elected "Change MPs": Sami Gemayel, Michel Douaihy, George Okaiss, Bilal Abdallah, Farid Boustany, Elias Jarade, Paula Yacoubian, Firas Hamdan, and Mark Daou. Between 2022 and 2024, KAFA lobbied multiple syndicates (namely the Beirut Bar association), networked with nascent, and recently-formed (after 2019) political parties and trained their members on the law, and branched out to universities and municipalities to present the law and garner support for it. This activity has nonetheless come to a halt with the beginning of the Israeli war on Gaza, according to KAFA co-founder, lawyer Laila Awada, who traced this to a probable "shift in priorities" among women and stakeholders amid war⁴³.

In January 2024, the Parliamentary Human Rights Committee discussed a draft law proposal addressing an unprecedented spike in child marriage cases in Lebanon in the past few years, and it is currently pending transfer to the parliamentary Administration and Justice Committee for further discussion. Following this step, the draft law will be referred to the General Assembly of the Parliament for a decision around it. The importance of the draft law lies in its potential to protect girls from the risks of early marriage and to put an end to child marriage. The draft law, submitted by the Lebanese Council to Resist Violence Against Woman (LECORVAW), also seeks to establish a unified age for marriage across all 15 different personal status laws. What is

⁴² KAFA and many feminist organizations and civil society organizations called for a secular state and for replacing all personal status laws with civil laws (this was one of the demands of the October 17, 2019 revolution). KAFA submitted a draft law for a unified civil personal status law a couple of years ago, as explained in the policy mapping from last year.

⁴³ From an interview with Laila Awada, for this policy mapping, September 2024.

also remarkable about it is its inclusion of boys under the age of 18. However, the intricate legislative process in Lebanon, and how some draft laws are handled might necessitate a modification. The draft law will need to build support through advocacy campaigns involving the participation of both the local communities and the international human rights organizations. This will also require aggressive awareness-raising targeting the youth and networking with stakeholders in key decision-making position to push for the adoption of the law.

Notably, two approaches are used in the fight for a fairer personal status system. On the one hand, one approach addresses each issue separately (such as LECORVAW's draft bill on child marriage). On the other hand, another approach addresses the personal status system as a comprehensive whole (such as KAFA's draft bill for a unified personal status law), offering a more radical solution to the personal status crisis in Lebanon.

4. Type of contestation

Among the six types of backlashes drawn from Flood et al. (2018), the manifestations of backlash on the level of women's social rights and particularly civil marriage, include the dominant political parties' deliberate lack of bureaucratic implementation, particularly inaction and active stalling when it comes to legalizing civil marriage. Other types that can be clearly observed in this context are stigmatization and vilification of civil marriage supporters, as well as explicit violent threats, particularly by high religious authorities and their devoted followers and cyber armies.

The issue of civil marriage raises concerns of doctrinal politics and status politics if we are to use the typology of Htun and Weldon (2010)⁴⁴. There is an obvious clash between the state, religious groups, and feminist activists on the matter. Further, the issue of civil marriage is linked to the French colonial legacy, in how it provided leeway for secular citizens (and French soldiers who wished to marry Lebanese citizens during the colonial period) to contest abiding by family laws by opting to belong to a "civil law community."

Religious authorities from all sects have rejected the execution of civil marriage on Lebanese soil, framing it as immoral, sinful, and subversive. The first civil marriage that took place on Lebanese soil, made possible by a legal loophole, generated an immense wave of resistance from religious groups especially the Sunni community. Lebanon's Grand Mufti, Sheikh Mohammed Rashid Qabbani, issued a religious edict (fatwa) against civil marriage stating: "Any Muslim ... in Lebanon who supports the legalization of civil marriage is an apostate and outside the religion of Islam ..."⁴⁵

He compared contracting a civil marriage to bacteria: "There are predators lurking among us, trying to sow the bacteria of civil marriage in Lebanon, but they should know that the religious scholars will not hesitate to do their duty."⁴⁶ By their duty, he meant, preventing the passage of such a bill. He even warned Muslim officials saying that: "Such officials [who support or allow

⁴⁴ <https://www.cambridge.org/core/journals/perspectives-on-politics/article/abs/when-do-governments-promote-womens-rights-a-framework-for-the-comparative-analysis-of-sex-equality-policy/5B6328280597AE81DAA4A76EB7B44563>

⁴⁵ Naharnet Newsdesk (2013, January 28). *Mufti Qabbani issues fatwa against civil marriage*. <https://www.naharnet.com/stories/en/70066>.

⁴⁶ Naharnet Newsdesk, 1.

civil marriage] would not be washed, would not be wrapped in a burial shroud, would not have prayers for their soul in line with Islamic rules, and would not be buried in a Muslim cemetery”.⁴⁷ His fatwa created uproar, and civil society activists condemned it.

The President of the Lebanese Republic at that time, Michel Sleiman, came out in support of granting Lebanese citizens the right to an optional civil marriage and hailed it as a “very important step in eradicating sectarianism and solidifying national unity.”⁴⁸ Former Lebanese Prime Minister, Saad Hariri, a Sunni,⁴⁹ criticized Mufti Qabbani’s fatwa as unacceptable and went on to affirm that there must be civil marriage in Lebanon provided that real dialogue takes place to reach an agreement with all religious groups. He went on to assert that on a personal level, he will object if his children opted to contract a civil union. Former Lebanese Prime Minister, Najib Mikati, called the debate on the issue “useless” and a waste of time in light of the current situation in the country.

The Higher Shi’a Council also spoke out against legalizing civil marriage and called for an interfaith dialogue about the issue. The Maronite Bishops Council issued a statement that: “Marriage is one of the church’s sacraments and civil marriage cannot replace this sacrament. However, those who hold civil marriage, if they are believers, can later hold a religious marriage in order to take part in the other sacraments of the church”. Of course, it is also important to note that religious marriages are a major cash-cow for religious sects who profit from processing them.

Feminist organizations denounced the decision by Dar El-Fatwa and criticized the archaic confessional system that adopts personal status laws and called for their urgent replacement by a unified civil law for personal status. In 2019, KAFA submitted a draft uniform personal status law. The law, according to KAFA, “respects women’s rights, supports their will and preference, and empowers them to shape their lives in a way that secures their and their household’s wellbeing.”⁵⁰

KAFA activated its campaign for a unified personal status law through awareness videos and media appearances, and in summer 2023 focused on liaising with representatives of nascent, recently formed political parties not represented in Parliament, building their capacity on the law, and equipping them with the necessary resources to adopt it and promote it among their constituents.

Even more recently, the 2019 uprisings, followed by the win of the “Change MPs”⁵¹ in the 2022 parliamentary elections again sparked the debate of civil marriage in the country. Recently,

⁴⁷ Aziz, J. (2013, April 28). *Lebanon's first civil marriage a sign of change*. <https://www.al-monitor.com/originals/2013/04/lebanon-first-civil-marriage-political-change.html>.

⁴⁸ <https://www.alarabiya.net/articles/2013%2F01%2F20%2F261526>

⁴⁹ The Constitution amended by 1989 Taif agreement is based on a power sharing formula and distributes legislative, executive, and judicial powers across sectarian communities in Lebanon. Thus, the Lebanese prime minister is always a Sunni Muslim, the president is always a Maronite Christian, and the speaker of the parliament is always a Shi’a Muslim (National Pact contracted in 1943).

⁵⁰ KAFA (2019). *Draft uniform personal status law*. https://kafa.org.lb/sites/default/files/2021-09/qanoun-mwahhad-en-web_0.pdf.

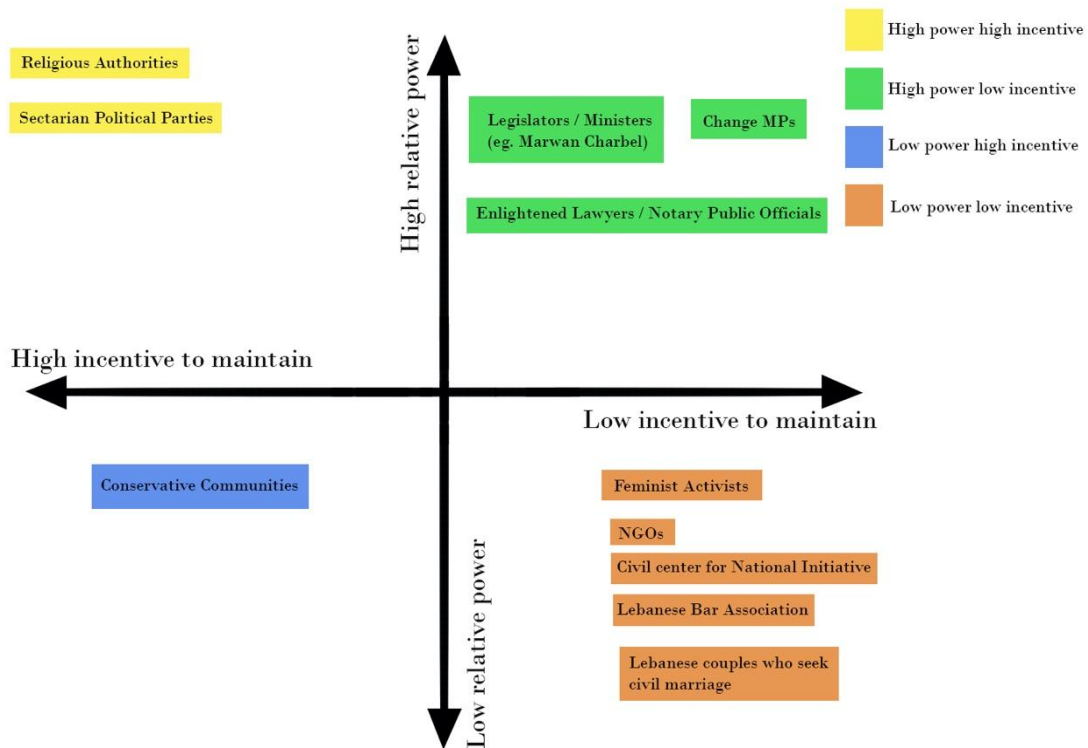
⁵¹ This term was coined by media and civil society institutions and groups, following the 2022 parliamentary elections which resulted in the success of 12 candidates, most of whom were running for the first time, and against the dominant political parties.

several Change MPs have expressed, openly, their support to civil marriage in Lebanon, only to be countered by a discourse of “backlash” and “refusal” by clerics. Much like previous backlash patterns, the call of “Change MPs” and other parliamentarians for civil marriage remains contested, and their ability to advocate for legislation in parliament is marred with challenges amid the sectarian tensions and the political-confessional control of religious institutions in the country. Building coalitions and creating pressure groups within parliament, while partnering with non-governmental organizations, may increase the chances of passing a civil marriage proposal.

Activity in civic and popular spaces has been significantly richer and more prolific on civil marriage than in the policy space.

Though there was considerably more activity in the policy space in comparison to previous years, with MPs adopting the proposed potentially revolutionizing law, making serious progress on this issue in the policy space continues to be a far-fetched goal.

5. Actors



Their candidacy was framed as “independent” from, and outside of the sectarian oligarchic rule, and their win dubbed as one for the October 17th revolution, although the 12 candidates did not share a distinct political platform or have unified takes on many of the country’s contentious issues. It wasn’t long before splits and splinters in the bloc of 12 started showing, with some of them aligning with the some of the dominant sectarian parties.

6. Drivers

The state in Lebanon has delegated religious courts exclusive and uncontested governance over the majority of matters of personal status. These courts have thus developed their own set of rules to rule issues related to marriage, divorce, custody, and alimony. As a result, Lebanese citizens have had no option, except to contract a civil marriage abroad, or to resort to their respective religious courts to settle their personal status matters. The sectarian identity of the political system in Lebanon, as well as the intertwining of the political and financial agenda between the politics of sectarianism and the control of religious institutions has indeed enshrined the legitimacy of religious courts and has granted them unchallenged control over the private lives of Lebanese citizens. The communal and sectarian classification of communities in Lebanon, and the control that religious institutions exhibit over these communities creates a robust structure for segregation and control.

Importantly, the patriarchal nature of this sectarian state, reinforced by patriarchal religious institutions collectively reproduce structural discrimination and oppression against women. As a result, the grip of traditional religious institutions remains hard to challenge, which acts as a major barrier to implementing a civil marriage code in Lebanon. The patriarchal hierarchies and the politics of communal control continue to contribute to backlash against civil marriage and women's rights in issues of marriage, divorce, custody, and alimony.

7. Spaces

Secular citizens and advocates believe that civil marriage could strengthen communal ties, unite people from different faiths, and diminish the confessional and sectarian makeup of Lebanon. On the other hand, the intersecting interests of conservative religious authorities and most sectarian parties enable them to leverage their power to oppose it and obstruct its implementation. Formal and informal processes and networks were used to steer the draft law through the approval process and counter-opposition and questions.

First, social media platforms represent a common and accessible space for all actors involved, including civil society organizations, feminist activists, women's groups, and policymakers. X and Facebook particularly have been important fora for activists to voice their demands using hashtags, videos, and other posts supporting their cause. For example, there are several Facebook groups that address issues related to civil marriage⁵², including Civil Marriages in Lebanon, We Want Civil Marriages in Lebanon, Towards Establishing Civil Marriages in Lebanon, and Civil State in Lebanon. Orchestrated digital armies of dominant political parties, and of religious conservative forces are also rampant in these fora.

Second, workshops and awareness campaigns have contributed greatly to harnessing support for a civil marriage code in Lebanon. Several campaigns have taken place that advocate for civil marriage, the latest of which was one orchestrated in 2018, by Absolut Vodka Lebanon's "Civil Love" campaign⁵³, culminating in an event where a civil wedding ceremony took place in the sea

⁵² <https://www.facebook.com/groups/63981829941>
<https://www.facebook.com/groups/164465173597562>

⁵³ <https://campaignsoftheworld.com/digital-campaigns/absolut-civil-love/>

on a boat, 22 kilometers off the Lebanese coast. In doing so and contracting a marriage in international waters, the couple, Tarek Mallak and Anastacia El Hajj, were able to escape being subjected to Lebanon's marital laws. The campaign was launched online in June 2018, with the hopes of gathering people to sign the "Civil Love" declaration and urging them to spread the message of unconditional love. Vocal feminist activist and writer, Joumana Haddad, a parliamentary candidate who ran in the 2018 elections as an independent, officiated the union of the Lebanese couple after they tied the knot in Cyprus. The ceremony received positive and negative publicity and people were split in their opinion.

Third, NGOs working on drafting civil marriage law proposals have been lobbying in support of civil marriage across grassroots movements and amongst legislators. KAFA and many feminist organizations and civil society organizations were calling for a secular state and replacing all personal status laws with civil laws (this was one of the demands of the October 17, 2019 revolution). In 2022, KAFA submitted a draft law for a unified civil personal status law, as explained earlier. Also, in 2017, the Beirut Bar Association issued a draft law that would allow civil marriage to take place in Lebanon without removing one's religious affiliation.

Fourth, talk shows on television also represent a space for debate. The past decade has seen a rise in the debate-based talk show genre on Lebanese televisions. These shows typically invite representatives of political parties to debate with representatives of nascent, recently-formed political parties, and civil society organizations contending issues like implementing a civil marriage code in Lebanon. In 2022, an episode of "Sar El Waet" (it's time) hosted several of the newly elected "Change MPs" to discuss their political agenda. Because of their open support of civil marriage on the program, online attacks followed. As outlined in a blog post by the AiW/LAU in the aftermath of the 2022 parliamentary elections⁵⁴, "several clerics took to social media to spew false information about all forms of civil marriage, demonize the 'Change MPs', and incite hate and violence against them. Until recently, 'backlash' against civil marriage has been one of the most contested topics brought up by the media."⁵⁵

Fifth, on several occasions and increasingly over the past five years, feminist activists and organizations have been protesting for different intersectional causes, of which is women's political participation. The latest and most prominent of all movements has been the October 17, 2019 revolution where activists and protestors raised their demands for civil marriage and a unified personal status code in Lebanon.

Sixth, feminist student clubs at several university campuses, including the Lebanese American University (LAU) and the American University of Beirut (AUB), have often served as crucial entry points that civil society organizations and women's rights groups have used to promote issues such as civil marriage. These clubs frequently organized talks, debates, and discussion circles, hosting experts to discuss issues of relevance to personal status codes.

Seventh, the AiW and the Department of Social & Education Sciences at LAU, in collaboration with Adyan Foundation and Danmission co-organized International Conferences on: Women,

⁵⁴<https://counteringbacklash.org/an-uprising-in-parliament-lebanons-2022-parliamentary-elections/>

⁵⁵ El Rahi, N. & Mendelek, M. (2022, June 14). *An uprising in parliament? Lebanon's 2022 parliamentary elections*. IDS Blog. <https://counteringbacklash.org/an-uprising-in-parliament-lebanons-2022-parliamentary-elections/>.

Religion and Human Rights. “The conference convened scholars and different religious figures to discuss the stance of women in the interpretations of Biblical and Qur’anic texts and in personal status codes in Lebanon, the Arab World, and South Asia.”⁵⁶

Eighth, with the advent of 13 “Change MPs” to parliament as a result of the 2022 parliamentary elections, the parliament could potentially become a forum for debate on issues around civil marriage. They are hence expected to lobby for legislations and draft laws related to the quota system, among other issues that could potentially take society a step closer towards gender justice.

Ninth, the emergence of new political parties: the relatively new discourse that is different than the mainstream political discourse, with a notable cross-sectarian membership. These groups have the potential to advance an alternative political agenda centered on fundamental rights and freedoms.

8. Events

- The October 17, 2019 revolution represents the most recent and direct popular event where demands to implement a civil marriage code and a unified personal status law were brought to the front of the political stage. The mobilization of civil society organizations was unprecedented, and the revolution represented a new and unique opportunity to pressure the state to adopt secular propositions like civil marriage. Following the revolution, several talks took place at universities, and a petition created by a group of university professors was prepared and circulated calling for a civil law framework that supports civil marriage in Lebanon.
- In 2023, Lebanese Kuwaiti Producer and Journalist, Nadia Ahmad, took to social media to share her story. Nadia had been fighting for the full custody of her daughter for years. Throughout her fight, her husband had repeatedly kidnapped their daughter, prohibiting Nadia from seeing or communicating with her for days. However, Ahmad turned to her social media followers when her husband kidnapped their daughter from a playground in Beirut while her maternal grandmother was watching her, preventing Nadia from seeing her for over a month, and accusing her of abusing drugs, alcohol, and psychotropic substances, and of hence being “mentally imbalanced”⁵⁷. Throughout this ordeal, both parties took to the media. Ahmad, supported by feminist groups and women’s rights organizations, shared that her husband resorted to the help of an unauthorized therapist to forge a report to prove to the court that she was mentally unstable and an “unfit mother”⁵⁸. Resultantly, she filed a lawsuit against him for forgery and the obstruction of justice and lying to the court.⁵⁹ Both Nadia and her husband obtained custody verdicts

⁵⁶ The Arab Institute for Women (2022, July 5). *International conference: Women, religion, & human rights*. <https://aiw.lau.edu.lb/news-events/activities/international-conference-women-r.php>.

⁵⁷ L’Orient Today. (2023, July 24). *Kuwaiti journalist, married to Lebanese entrepreneur, appeals for child custody*. retrieved from <https://today.lorientlejour.com/article/1344312/kuwaiti-journalist-married-to-lebanese-entrepreneur-appeals-for-child-custody.html>

⁵⁸ Megaphone. (2023, July 27). *Kidnapping in the face of the law: Nadia Ahmad battle for her daughter’s custody*. YouTube. <https://www.youtube.com/watch?v=Z-YdzvuiK4U>

⁵⁹ L’Orient Today. (2023, July 25). *Child custody: the legal battle continues between Kuwaiti journalist and Lebanese husband*.

from two different Jaafari courts. The father received a custody decision in his favor where he was appointed as the legal guardian of his daughter, and Nadia also received a similar verdict marking her as the permanent custodian of her daughter until she turns 7⁶⁰. However, and despite the legal verdict she had received and her full custody rights, Ahmad was arrested and detained in November 2023 for refusing to hand her daughter over to her father. Ahmad was eventually released, but her story was followed through social media in real time and triggered an uproar in the country's feminist circles as it captures perfectly how sectarian personal status laws discriminate against women and deny them their basic right to exercise and live their motherhood.⁶¹

9. Tactics

Among the tactics used to deter people from contracting civil marriages is not registering their contracts. As of September 2024,⁶² there are more than 50 couples awaiting the registration of their marriage contracts. Another tactic is that when one strikes out his/her religious identity on their government papers, he/she loses his/her civic rights, such as the right to vote and the right to work in public institutions.

Another deterrent is the backlash from religious figures belonging to all religious denominations (Muslim, Christian, Druze) that are categorically opposed to civil marriages given. This backlash infiltrates families and can put pressure on couples whose families do not agree with their choice to pursue a civil marriage. These religious leaders went as far as to assert that they will confront anybody who places himself/herself as a jurist instead of God. As explained, the most vehement stance was taken by Dar Al-Fatwa – the country's highest Sunni authority – that issued a fatwa, comparing civil marriages to a bacteria, and accusing people who contract such marriages of being apostates and considering them outside the religion of Islam.⁶³ Amending personal status laws and establishing a civil law to govern matters related to marriage, divorce, and custody would strip religious figures and politicians of their power. Many conservative political parties also rejected such unions and equated them with “adultery.” Both called for the need for family matters to remain under the jurisdiction of religious courts.

The first couple to contract a civil marriage on Lebanese soil, Khoulood and Nidal, were harassed by religious fanatics, and received death threats for living in sin and having a child out of wedlock. They were forced to flee to Sweden in 2016, where they have been trying to claim asylum ever since.

<https://today.lorientlejour.com/article/1344471/child-custody-the-legal-battle-continues-between-kuwaiti-journalist-and-lebanese-husband.html>

⁶⁰ L'Orient Today. (2023, July 24). *Kuwaiti journalist, married to Lebanese entrepreneur, appeals for child custody*. retrieved from

<https://today.lorientlejour.com/article/1344312/kuwaiti-journalist-married-to-lebanese-entrepreneur-appeals-for-child-custody.html>

⁶¹ <https://www.youtube.com/watch?v=Z-YdzvuiK4U>

⁶² Interview with Mohamad Chamseddin

⁶³ It is worth mentioning here that the fact that the highest authority in the Sunni sect took the most aggressive position on this issue, doesn't mean that other sectarian/political authorities were more lenient or progressive. These particular positions and statements were made public around a decade ago, and at the time prominent Sunni parties were in conflict with the major Shiite parties in the country, but they both agreed on denouncing civil marriage.

In the past two years, the Lebanese government introduced a new tactic to prevent couples from contracting civil marriages. In 2023, an article published by the Human Rights Watch⁶⁴ revealed that Lebanese couples who contracted their civil marriages online (as a result of COVID-19 restrictions) are facing unprecedented consequences. It turns out that after registering a marriage in Lebanon, the General Directorate of Personal Status (at the ministry of interior) has the ability to de-register it without the consent of the couple, or even notifying them. Khalil Rizkallah and Nada Nehme were the first couple to get civil marriage online in Lebanon (in November 2021) after being assured that their marriage will be formally recognized. Six months later, their marriage was officially registered. Less than a year later however (September 2022), they found out that the authorities abruptly de-registered it and no longer recognized it. This puts their one-month-old daughter in a legally precarious and volatile situation, at risk of being denied registration, as the government requires a marriage certificate to register newborns. Unregistered children in Lebanon are more vulnerable to exploitation and struggle to enroll in schools, open bank accounts, get jobs, and get married.

A registry for children of unmarried couples does exist in Lebanon; however, children registered in it carry the social stigma of being labeled “illegitimate,” in addition to being denied several rights. Knowing that other couples are potentially facing the same ordeal, Khalil and Nada filed a lawsuit to dispute the de-registration of their marriage, to which the government responded that couples must physically travel to get married, for the ceremony to be registered locally. Between April 2021 and October 2022, passport renewals had been suspended due to the disintegration of the country’s infrastructure, and a shortage in paper at the General Security headquarters. This suspension in passport renewals certainly led to a dip in the number of couples who intended to get civil marriages abroad due to their inability to travel.

Religious and state authorities also intensified their tactics to oppose civil marriage in 2023, which was illustrated by the founding of certain anti-feminist organizations affiliated with religious institutions. These organizations were not only targeting feminist organizations that support civil marriage but also MPs who were trying to demand the implementation of a unified civil law. The organizations support sectarian personal laws and consider civil marriage an idea exported from Western societies, aiming at destroying family values and societies. Hence, an organization known as Hasem (حسم), believes that it has a certain mission which is protecting the family structure from any perceived social threat that justifies its opposition to civil marriage⁶⁵. Additionally, Tripoli Cultural Forum tracks feminist organizations working in and around Tripoli framing their advocacy for a unified personal status law and the repeal of laws criminalizing homosexuality as a reason to treat them as a threat⁶⁶.

⁶⁴ Van Esveld, B. (2023, February 7). Lebanon Rejects Civil Marriages, Puts Children at Risk. Human Rights Watch. Retrieved from <https://www.hrw.org/news/2023/02/07/lebanon-rejects-civil-marriages-puts-children-risk>

⁶⁵ حملة حماية الأسرة والمجتمع—حسم (n.d.). Retrieved February 20, 2024, from https://www.facebook.com/story.php?story_fbid=5544401402354755&id=181187582009524&mibextid=Nif5oz

⁶⁶ حملة حماية الأسرة والمجتمع—حسم (n.d.). Retrieved February 20, 2024, from https://m.facebook.com/story.php?story_fbid=pfbid0FQKcnzkwnFnmvxzXkPQQN1kyo8ipcLRnyQGtfb8RH24pukXsaN48c4eZidwCD6Wl&id=100066400785793&mibextid=Nif5oz

10. Countertactics

In 2022 Kafa prepared a draft law for unified civil personal status code which, if adopted – which is highly unlikely – would resolve the issue of civil marriages in Lebanon and the difficulties associated with registering them.

Secular individuals are calling for a secular state given that it can bring about secular citizens who share common values irrespective of their religious denominations and can champion individual freedom.

Abdallah Salam and Marie-Joe Abi-Nassif are both lawyers belonging to politically affiliated families: Abdallah is the son of Nawaf Salam⁶⁷, a former Lebanese ambassador to the United Nations and a potential candidate to become Lebanon's Prime Minister, and Marie-Joe is the daughter of General Joseph Abi-Nassif⁶⁸. They decided to tie the knot civilly in Lebanon on June 15, 2019. Their marriage was the first civil marriage to be performed in Lebanon under Minister of Interior and Municipalities, Raya Al-Hassan. Joseph Bechara, the President of Lebanon's Council of Notaries Public, was the one who officiated their union. The couple tried to register their civil union in Beirut, but the registration of the marriage, like all civil marriages that followed, is stalled at the Ministry of Interior and Municipalities. The couple issued a statement where they emphasized their position that "civil marriage is not only a matter of individual freedoms and gender equality but would contribute to reforming Lebanon's dysfunctional sectarian system and advance secular values in the Middle East."⁶⁹ It is hoped that such unions will influence the youth to think more in a civil manner and urge them to denounce the monopoly of religious authorities over family law.

⁶⁷ Nawaf Salam is a Lebanese diplomat, jurist, and academic. He served as Lebanon's Ambassador and permanent representative to the United Nations from 2007 to 2017, during which he held the positions of President of the Security Council and Vice President of the General Assembly. On 6 February 2024, Judge Salam was appointed president of the International Court of Justice which he had been a member of since 2018.

⁶⁸ Marie-Joe Abi-Nassif is a corporate associate in the New York office of Kirkland & Ellis LLP, she advises public and private companies. Before joining Kirkland & Ellis LLP, she served as a Lecturer in corporate law at the Panthéon-Assas University in Paris.

General Joseph Abi Nassif was a general in the Lebanese Army.

⁶⁹ <https://www.dailystar.com.lb/GetArticleBody.aspx?id=486817&fromgoogle=1>