

Immigration and Refugee Board of Canada

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Responses to Information Requests

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27 March 2015

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Lebanon: Treatment by society of couples who enter into an interreligious marriage, including when a Muslim woman marries a non-Muslim man; the possibility of resettling in a predominantly Christian region (2014-March 2015)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Social Context and Treatment of Couples Who Enter into an Interreligious Marriage

An article published by the French edition of the online magazine Slate, which is held in part by the Washington Post Company (Slate.fr n.d.), states that Lebanese society is organized by a political and social system based on confessionalism (Slate 3 Nov. 2012). Sources state that power sharing between the communities is proportional to the size of each of the 18 religious communities in the country (ibid.; Moniovitich Nov. 2013, 64). In her thesis for her Master's degree in sociology at the Université du Québec à Montréal, Anass Moniovitich writes that the rapport that each Lebanese citizen has with the state is created through the community to which they belong, is determined at birth or, more rarely, by marriage (ibid., 71). In addition, each community defines their own rules to help guide the commitments between its members, including that of marriage (ibid.; Weber 2008, sect. 8).

Several sources state that interreligious marriages are poorly viewed in Lebanon (Al Jazeera 2 May 2013; Moniovitich Nov. 2013, 64; KAFA 12 Mar. 2015; Professor of anthropology 13 Mar. 2015). In correspondence sent to the Research Directorate, a professor of intercultural anthropology at the Université Saint-Joseph in Beirut, who is interested in cultural diversity and multiconfessionalism in Lebanon, explains that interreligious marriages continue to be considered a [translation] "transgression" (Professor of anthropology 13 Mar. 2015). Sources state that since political power sharing between communities is proportional to the size of each community, any interreligious marriage is perceived as a weakening of the spouses' original communities, because it may help secure the departure of a member to another community (Weber 2008, sect. 13; Moniovitich Nov. 2013, 64), which is most often in the form of the wife joining her husband's community and, least often, the husband joining his wife's community (ibid.). In an article on Muslim Christian couples in Lebanon, published by the French Institute for Near East Studies (Presses de l'Institut français du Proche-Orient, IFPO), which [translation] "disseminates and promotes research conducted in scientific domains that interest the Institute in Near East societies" (Presses de l'IFPO n.d.), sociologist Anne Françoise Weber states that marriages between members of the Muslim community and those of the Christian community [translation] "are perceived as contrary to the norms of Lebanese society" (Weber 2008, sect. 4). However, the Professor of anthropology from Université Saint-Joseph stated that interreligious marriages are now more numerous in the [translation] "generation of 20 to 30 year olds" than "in the previous two generations" (Professor of anthropology 13 Mar. 2015). Similarly, in a telephone interview with the Research Directorate, a representative of the Lebanese NGO KAFA (Enough) Violence & Exploitation (KAFA), an organization that seeks to "create a society that is free of social, economic and legal patriarchal structures that discriminate against women" (KAFA n.d.), stated that there had been an increase in the number of

interreligious marriages after [translation] "the end of the civil war" (ibid. 12 Mar. 2015). Neither of these two previous sources provided statistics establishing such an increase. In her doctoral thesis on Muslim-Christian marriages in Lebanon, submitted to the Faculty of Theology at the Université Saint-Paul, in Ottawa, Marie-Rose Tannous states that the Lebanese community system is based on a patriarchal model that maintains an inequality of rights between women and men (Tannous 31 July 2014, 111). Similarly, in an article published in the international review *Droit et Cultures*, Lebanese family law expert Alexa Moukarzel Héchaime writes that, in Lebanon, [translation] "women face significant pressure in a society that is still largely patriarchal, all communities taken into account," and this includes "pressure to [enter into] a marriage in their own community" (Moukarzel Héchaime 1 June 2010, sect. 47).

Sources state that when a woman enters into an interreligious marriage, she must change her name and adopt her husband's religion (Assistant Professor 12 Mar. 2015; KAFA 12 Mar. 2015). According to the KAFA representative, after the wedding, the wife's name is transferred from the registry in her original community to that of her husband's, resulting in her losing her right to vote in her original community (ibid.). Similarly, during a telephone interview with the Research Directorate, an assistant professor from the Lebanese American University (LAU), in Beirut, who has conducted considerable research on women's rights and gender-related issues in the Arab world, stated that when a Muslim woman marries a man from another religion, her name changes civil registries and she loses the right to vote as a member of her original community (Assistant Professor 12 Mar. 2015). In addition, according to the Assistant Professor, children born of interreligious marriages cannot be considered members of the wife's original Muslim community (ibid.). Similarly, Anne Françoise Weber adds that [translation] "children are automatically integrated into the religious community of the father," unless the parents take explicit steps for this not to be so (Weber 2008, sect. 13). According to the Professor of anthropology, [translation] "[i]n principle, children born of such [interreligious] marriages risk being considered illegitimate children" (13 Mar. 2015). Lastly, the KAFA representative noted that when a woman marries a man from another religion, she is unable to inherit the goods belonging to her family of origin (KAFA 12 Mar. 2015). Similarly, other sources state that a Muslim woman who marries a non-Muslim man cannot inherit goods left through inheritance by her Muslim family (Moukarzel Héchaime 1 June 2010, sect. 61; Assistant Professor 12 Mar. 2015).

According to Anne Françoise Weber, couples in interreligious marriages must face different [translation] "social penalties" and risk "being rejected by their original families" (Weber 2008, sect. 37).

The Assistant Professor (12 Mar. 2015) and the KAFA representative (12 Mar. 2015) state that there is no law to protect couples who have entered into an interreligious marriage in Lebanon.

2. Civil Marriage in Lebanon

Anne Françoise Weber notes the absence of a [translation] "civil status code in Lebanon" (Weber 2008, sect. 8). The KAFA representative states that the absence of a civil code prevents Lebanese couples from entering into a civil marriage in the country (12 Mar. 2015). Similarly, other sources state that only religious marriages can be entered into in Lebanon (Assistant Professor 12 Mar. 2015; Professor of Anthropology 13 Mar. 2015). According to the Professor of anthropology, [translation] "[t]he Lebanese constitution states that civil status is a matter for the religious communities, [who are] responsible [...] for transmitting the data to the State. Because of this, there are [only] religious marriage[s] in Lebanon, which [constitutes] a means of preventing interreligious marriages" (Professor of anthropology 13 Mar. 2015).

Two sources state that many future couples go abroad to enter into a civil marriage, which they subsequently have recognized by the Lebanese government (KAFA 12 Mar. 2015; Professor of anthropology 13 Mar. 2015). The Professor of anthropology stated [translation] "that it is enough for the couple to declare their marriage at the Embassy of Lebanon" in the country where it was celebrated for the marriage to be recognized by the Lebanese civil status office (ibid.).

An article published by the Common Ground News Service (CGNews) [1] states that in February 2013, a Sunni woman and a Shi'a man attempted to wed in a civil marriage in Beirut, which relaunched the civil marriage debate (CGNews 5 Feb. 2013). Al Jazeera also reports on this civil marriage between the Lebanese couple (2 May 2013). The two sources explain that, through an administrative procedure [based on a decree published in 2007 (Al Jazeera 2 May 2013)], the future couple first struck their religion from their official records (CGNews 5 Feb. 2013; Al Jazeera 2 May 2013). Then, after looking for many months, they found a notary who agreed to wed the couple in a civil marriage (ibid.; CGNews 5 Feb. 2013). According to Al Jazeera, the civil marriage was entered into under a decree issued in 1963 stating that "for those that do not belong ... administratively to any religious community, the civil law applies to their personal status matters" (2 May 2013). These sources state that the Ministry of the Interior initially refused to recognize and register the couple's marriage (CGNews 5 Feb. 2013; Al Jazeera 2 May 2013). Religious authorities condemned this attempt to celebrate a civil marriage (ibid.; CGNews 5 Feb. 2013; *Le Monde* with AFP 26 Apr. 2013), as did some male politicians (ibid.). However, the Ministry of the Interior finally agreed to recognize and register

this first civil marriage (ibid.; Al Jazeera 2 May 2013; Al-Monitor 28 Apr. 2013) in April 2013 (ibid.; *Le Monde* with AFP 26 Apr. 2013).

3. Perception of Interreligious Marriages in the City of Jounieh

According to the KAFA representative, Jounieh is a [translation] "very Catholic, conservative and more traditional" city than Beirut, and its inhabitants are "very attached to Christian traditions" (12 Mar. 2015). Similarly, the Assistant Professor stated that Jounieh is a [translation] "very conservative" city, in contrast with Beirut (12 Mar. 2015). The two sources stated that, for these reasons, interreligious marriage is less well accepted in Jounieh (KAFA 12 Mar. 2015; Assistant Professor 12 Mar. 2015). They added that wives would probably have difficulty being accepted by their husband's community (ibid.; KAFA 12 Mar. 2015). According to the Professor of anthropology, marriage between a Muslim woman and a Christian man from Jounieh would probably lead to the wife's conversion to Christianity (Professor of anthropology 13 Mar. 2015).

4. Possibility of Resettling in Another Region that Is Predominantly Christian

According to the KAFA representative, an interreligious marriage could work [translation] "if the couple ... were to build their own space, sometimes away from their original communities" (12 Mar. 2015). Furthermore, according to Marie-Rose Tannous, [translation] "the separation of residential regions after the civil war in Lebanon is an additional problem for Muslim-Christian couples" (Tannous 31 July 2014, 175). The doctoral student explains that the regions in Lebanon were divided between Christians and Muslims at the end of the civil war and each region was placed under the authority of a specific community (ibid., 174). Further information on the possibility of resettling in another region that is predominantly Christian could not be found among the sources consulted by the Research Directorate within the time constraints for this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Note

[1] CGNews is a site that "welcomes all stakeholders to share their perspectives on key issues affecting Muslim-Western relations" (CGNews n.d.a). CGNews is managed from Washington by the international organization Search for Common Ground, which is dedicated to "transforming the way the world deals with conflict, moving from violent solutions to nonviolent ones" (ibid. n.d.b).

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Weber, Anne Françoise. 2008. "Briser et suivre les normes : les couples islamo-chrétiens au Liban," in *Les métamorphoses du mariage au Moyen-Orient*. Edited by Barbara Drieskens. Beirut: Presses de l'Institut français du Proche-Orient (IFPO). <<http://books.openedition.org/ifpo/448>> [Accessed 10 Mar. 2015]

Additional Sources Consulted

Oral sources: The following people and organizations were unable to provide information for this Response: Director, Centre d'études pour le monde arabe moderne; Dean, Faculty of Religious Sciences, Université Saint-Joseph, Beirut; Professor, Department of Anthropology, Scripps College; Professor, Anthropology Department, University of California.

Attempts to contact the following people and organizations within the time constraints of this Response were unsuccessful: Centre de documentation et de recherches islamo-chrétiennes, Université Saint-Joseph, Beirut; Chair, comité juridique du Conseil des patriarches et des évêques catholiques au Liban; Institute for Women's Studies in the Arab World; Lawyer, family law; Ligue des droits de la femme libanaise; Professor, Department of Women's and Gender Studies, Rutgers University, New Brunswick.

Internet sites, including: Al-Bab; Association des jeunes libanais musulmans; Comité des femmes des communautés culturelles de Montréal; Conseil canadien des femmes musulmanes; Department of Sociology, Anthropology and Media Studies, American University of Beirut; Femmes de la Méditerranée; France 24; *La Gazette des femmes*; Human Rights Watch; The Lebanese Women Democratic Gathering; Max Planck Institute for Comparative and International Private Law; *The National* [Abu Dhabi]; *L'Orient-le Jour*; Pax Christi; Radio France internationale; Social Science Research Network; United Nations – Office of the High Commissioner for Human Rights, UN Women; Women and Memory Forum.

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