

## Refugee Review Tribunal

### AUSTRALIA

#### RRT RESEARCH RESPONSE

**Research Response Number:** LBN30136  
**Country:** Lebanon  
**Date:** 6 June 2006

Keywords: Lebanon – Druze – Mixed marriages – Honour killings

This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

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#### Questions

- 1. What is the attitude of the Druze community toward inter-religious marriages – specifically a marriage between a Druze man and a Catholic woman?**
- 2. What is the attitude of the Druze community toward religious conversion – specifically conversion to Christianity?**
- 3. Have there been any known instances of retribution against former members of the Druze community who have converted to other religions – specifically Christianity?**
- 4. How prevalent is the notion and/or practice of honour killing amongst Lebanese Druze? Does it apply in relation to men who have converted to another faith?**
- 5. Please discuss the availability of state protection in this context.**
- 6. Please provide any other information you think is relevant.**

#### Executive Summary

The Druze are a particularly insular people whose endogenous marriage practices are closely tied to their religious beliefs. Available country information suggests that a Druze male can face serious social consequences if he converts to another faith to marry a non-Druze. It is likely that he would face social ostracism from the Druze community and that he would not be allowed to live in a Druze area. One source observes that “[b]eing disowned by one’s family can have serious consequences in Lebanon, given the importance of family networks to a person’s economic survival”. No reports could be located which would indicate that any Druze men have suffered physical attack as a consequence of converting to another faith to enter into a mixed marriage. The situation is said to be very different for Druze women and most Druze experts agree that a Druze woman risks death at the hands of her own family if she converts to another faith to marry a non-Druze. One Druze expert, Professor Aharon Layish, has advised nonetheless that, although he has “not come across a single case in which a Druze male had been physically harmed as a result of his conversion for the purpose of marriage, ...the possibility cannot be ruled out”. Conversely, a source contacted by the Research Directorate of Canada’s Immigration and Refugee Board in September 1998 advised that “there would be no problem for a mixed Druze/Orthodox Christian couple to live

a normal life in Lebanon today”. This latter report is exceptional in its positive assessment of an issue which receives more pessimistic treatment in most of the available news reports, scholarly articles and instances of expert advice (for background on the nature of the Druze prohibition on the marriage of non-Druze, see: Betts, R.B. 1988, *The Druze*, Yale University Press, New Haven and London, p.42 – Attachment 1; and: Alamuddin, N.S. & Starr, P.D. 1980, *Crucial Bonds: Marriage Among the Lebanese Druze*, Caravan Books, Delmar, pp.40-41 – Attachment 2; for the potential economic consequences of ostracism, see: Immigration and Refugee Board of Canada 2004, *LBN43150.FE – Lebanon: Update to LBN30046.E of 14 September 1998 on the treatment of persons in a mixed marriage (Druze/Orthodox Christian); whether the Druzes are mistreated in Lebanon (2002-November 2004)*, 15 November – Attachment 3; for more severe reaction suffered by Druze women, see: Frenkel, S.C. 2005, ‘Druze dating goes PC’, *The Jerusalem Post*, 14 April – Attachment 4; also: Layish, A. 1982, *Marriage, Divorce and Succession in the Druze Family*, E.J. Brill, Leiden, p.21 – Attachment 5; for the advice of professor Layish, see: Layish, A. 2006, Email to RRT: ‘RRT Country Information Request LBN30136: consequences of intermarriage for Druze males’, 3 June – Attachment 25; for a report whose sources take a much more positive view of the situation, see: Immigration and Refugee Board of Canada 1998, *LBN30046.E – Lebanon: Treatment of persons in a mixed marriage (Druze/Orthodox Christian)*, 14 September – Attachment 6).

In what follows, the available source materials are presented under each question, for the most part, in reverse chronological order of publication.

## RESPONSE

### 1. What is the attitude of the Druze community toward inter-religious marriages – specifically a marriage between a Druze man and a Catholic woman?

On 31 March 2006, a *Daily Star* report made mention of the situation of a “35-year-old” Lebanese woman who had converted from the Druze faith to “to Shiite Islam after marrying an Egyptian Shiite”. According to this report, her actions “led to her being ostracized by her family”. It would appear that the woman and her family now live under the protection of Hizbullah:

One beneficiary of Hizbullah financial aid is 35-year-old Alia. She and her three children live in a one-room apartment 15 kilometers east of Beirut. Originally Druze, Alia converted to Shiite Islam after marrying an Egyptian Shiite, which led to her being ostracized by her family.

Life did not get any easier after her husband was sent to jail three years ago, for reasons Alia prefers not to disclose. While she now works part-time as a cleaning lady, Alia hardly has enough money to put food on the table. “Fortunately, Hizbullah supports us with \$100 month,” she said. “It’s still not enough, but it keeps us alive” (‘Winning hearts and minds: Hizbullah shows how; Party of god runs extensive social program in marginalized areas of the country’ 2006, *Daily Star*, 31 March – Attachment 7).

On 23 February 2005, a *BBC* report on sectarian tensions in Lebanon addressed the relationship between Lebanon’s Druze and Christian communities. The report makes mention of the Druze prohibition on marrying non-Druze in the course of reporting the views of a young Christian male whose relationship with a young Druze female had recently ended. According to the young Christian male, the “Druze girl” ended the relationship because “[s]he was afraid that if [they] continued, there would be a problem in the Druze

community””. The report argues that the proximity of Lebanon’s Druze and Christian mountain communities has, nonetheless, led to a thawing of relations between members of the younger generations. Relevant extracts follow:

Lebanon’s young – the first generation to grow up since the civil war – have also signed up to the new climate of tolerance.

At the Catholic university of Notre Dame in the Chouf mountains, Christian and Druze students study and socialise together.

“I’ve thought since I was a child that there was no difference between people,” said 19-year-old Mazen, a Greek Orthodox Christian.

...Like many of his age, he is keen to move on from the legacy of the war, in which Christians and Druze fought for supremacy of the mountains.

“Let’s say, for example, that a Christian killed one of his relatives in the war,” he said, pointing to his Druze friend, “or say a Druze killed one of my relatives. We can’t hate each other because of that.

...But his generation is also running up against the limits of religious co-existence in what is still a deeply sectarian country.

Inter-marriage between the different religions is frowned up generally and Lebanon has no civil marriage ceremony.

For the Druze, a vulnerable minority who keep their religion secret, marrying someone from a different faith is strictly forbidden.

Mazen was in love with a Druze girl when she broke off the relationship.

“She was afraid that if we continued, there would be a problem in the Druze community,” he said.

“If any Druze girl marries another religion, she’s totally forbidden from her society, maybe also her family.”

“That’s the only problem I found with Druze society – they are good people, they love everyone.

But when it comes to religion, there’s a red line that can’t be crossed,” he added (Klaushofer, A. 2005, ‘Lebanon: Lebanon’s Religious Red Lines’, 23 February – Attachment 8).

In November 2004 the Research Directorate of Canada’s Immigration and Refugee Board completed research “on the treatment of persons in a mixed marriage (Druze/Orthodox Christian)”. “An assistant professor at the University of California, Irvine, who is also an anthropologist specializing in Lebanese culture, provided the following information based on her experience of life in Lebanon”. She notes, among other things, that Druze persons who marry a non-Druze may face social ostracism and that “[b]eing disowned by one’s family can have serious consequences in Lebanon, given the importance of family networks to a person’s economic survival”. “The assistant professor also indicated that the consequences of mixed marriages can often be less serious for men than for women; ‘women may face violent reprisals’.” The relevant extract follows:

Although the assistant professor had no information on marriages between Druze and Orthodox Christians, she nevertheless pointed out that, generally, the consequences of marriages between people from different religions really depend on the families involved. While some families are accepting of these marriages, others cut off all ties with the couple. “Druze families are ‘known’ to be especially strident in their emphasis on endogamous marriage (meaning only marrying other Druze). “Being disowned by one’s family can have serious consequences in Lebanon, given the importance of family networks to a person’s economic survival. The assistant professor also indicated that the consequences of mixed marriages can often be less serious for men than for women; “women may face violent reprisals.”

...The assistant professor specializing in the Druzes stated that if a Druze marries a Christian, they could both be ostracized and marginalized by their community, and this could have very serious consequences if the couple works in town (14 Nov. 2004) (Immigration and Refugee Board of Canada 2004, *LBN43150.FE – Lebanon: Update to LBN30046.E of 14 September 1998 on the treatment of persons in a mixed marriage (Druze/Orthodox Christian); whether the Druzes are mistreated in Lebanon (2002-November 2004)*, 15 November – Attachment 3).

On 17 February 2003, *The Daily Star* reported that “[m]arriages across faith, sect are on the increase” in Lebanon. According to this report, an increasingly secular Lebanon – whose collective institutions are bringing youth from various religions into greater contact – is producing interfaith relationships in increasing numbers. To illustrate the problems such relationships can face the report spoke to a number of couples including a Druze female and a Sunni Muslim male. The report notes that the attitude of the couple’s parents to such a relationship can be a major impediment to interfaith marriage and that, “[r]egardless of the religion, in almost every inter-faith couple it’s the female who faces potentially harsh consequences” (Chahine, J. 2003, ‘Marriages across faith, sect are on the increase’, *Daily Star*, 17 February – Attachment 9).

On 14 February 2002, *The Daily Star* reported on the situation of a Druze woman dating a Shiite Muslim. According to this report, Lebanon is “a society that widely rejects inter-sectarian dating”.

While Beirut’s restaurants and clubs are offering special packages for couples “in love,” young Lebanese face social pressures in a country that does not legally admit civil marriage and a society that widely rejects inter-sectarian dating.

It is a conflict that has led, according to many sociologists, to a virtual social schism in the lives of many youths.

Walid, a 29-year-old engineer who works for a construction firm, detailed the problems he and his girlfriend face.

“I’m Shiite and she is Druze. Our relationship has been serious for the past couple of years and we are planning to get married, but our parents threatened to never talk to us if our plans come true,” he said.

Walid said that both of their parents know about their relationship, but tend to ignore it – especially his girlfriend’s parents, who are pressuring her to stop talking to him and “mingle with peers and potential husbands from the same sect.”

In theory, there is no religious text that should keep this couple apart, Walid argued. While one cannot convert to the Druze faith and its teachings are not disclosed to the non-Druze, marrying within the sect is not officially required. Rather, it is a social convention. Moreover,

Shiite males, like their Sunni counterparts, are allowed to marry women from different religions, although women are prohibited from doing so lest their children be raised with a different faith.

What is keeping Walid and his girlfriend from marrying each other, they insist, isn't religion but society.

On the subject of celebrating Valentine's Day, Walid said: "We fear going out to places where we might bump into one of our relatives." He added that since he is male, his parents never question his whereabouts. As for his girlfriend, he said, she has to be home early in order to spare her parents the neighborhood's gossip.

"The gossip is also killing us. It pressures the parents who, in turn, become strict with their daughter's curfew," he said.

Walid's girlfriend – who refused to give her name – expressed her hatred of Lebanon's "ridiculous and retarded oriental social code." She also talked about the gap in thought between her and her parents, "and even my extended family, who also have a say in my way of life."

Explaining that she has been educated in Western-thinking schools and colleges, she said: "If they wanted us to stick to our tradition, then they should have kept us in the countryside" (Abdul-Hussain, H. 2002, 'A cruel choice – broken hearts or broken families?', *Daily Star*, 14 February – Attachment 10).

According to a 2001 study produced by Simon Haddad, of Lebanon's Notre Dame University-Louaize, "marriages between members of different Lebanese communities are infrequent". He notes that, as a consequence of the absence of civil marriage laws in Lebanon, "anyone wishing to marry a spouse from another religious group would have either to convert or to become a dissident". Haddad's study makes mention of the relationship between Lebanon's Druze and Christian communities, observing that relations between Lebanon's Druze and the Maronite Catholic communities have been characterized by a certain animosity: the "Maronites' resentment of the Druze stems from a long tradition of proximity: the two communities have shared the Mountains over the centuries and their relationship has been characterized by discord and enmity". Haddad also notes that attempts to facilitate intermarriage through the introduction of civil marriage laws have been resisted by all of Lebanon's confessional factions: "[f]ormer Maronite president Elias Hrawi's proposal in 1998 to 'permit civil marriage in order to bring harmony to the next generation of Lebanese and thus weaken the country's sectarian system' came under scathing attack from all religious leaders". The relevant extracts follow in detail:

Maronites' resentment of the Druze stems from a long tradition of proximity: the two communities have shared the Mountains over the centuries and their relationship has been characterized by discord and enmity. The demographic and political shift in favour of the Shia also alarms the Maronites.

...In Lebanon, marriage and divorce are governed by religious law. Intermarriage entails formal conversion, usually of the woman, if one wishes to marry outside his or her religious sect. In fact, minimal social integration and weak intercommunal bonds are often cited as a major obstacle to achieving a viable state in Lebanon...

...Most Lebanese people marry within the same religious faith, and probably within the same sectarian group; marriages between members of different Lebanese communities are infrequent. Therefore, anyone wishing to marry a spouse from another religious group would

have either to convert or to become a dissident. The introduction of civil marriage had been blocked repeatedly in the past because it was considered an important step on the road to secularism, a step that cannot be realized without obtaining the consent of all confessional groups in the country... .

...Former Maronite president Elias Hrawi's proposal in 1998 to 'permit civil marriage in order to bring harmony to the next generation of Lebanese and thus weaken the country's sectarian system' came under scathing attack from all religious leaders (Haddad, S. 2001, 'A Survey of Maronite Christian Socio-Political Attitudes in Postwar Lebanon', *Islam and Christian-Muslim Relations*, vol.12: no.4, pp.472-4 – Attachment 11).

In his 1988 study, *The Druze*, Robert Brenton Betts, of Lebanon's University of Balamand, observes that: "[a]lthough the Lebanese Druze Law of 1948 makes no reference to disparity of religion as an impediment to marriage, Druze religion strictly forbids the marriage of a Druze man or woman to a non-Druze" (p.49). Nonetheless, Betts notes that: "[t]here are known cases of Druze converting to Islam so that they can remain married to their first wife and still take a second spouse" (p.50, n.45). He also notes that the Druze prohibition on intermarriage has not prevented figures within Lebanon's Druze leadership from marrying outside the Druze community. It may be, however, that Druze leaders are set apart from the mainstream Druze community by the special circumstances which surround them; according to Betts, Druze leaders have dealings with the non-Druze world to a degree unknown to the regular Druze community, and "[m]any Druze are [mistakenly] of the impression that some sort of dispensation was given in these cases by the Druze courts" (p.49, n.44). The relevant extracts follow in detail:

Druze interaction with other communities, states, and political ideologies (except for the leadership and highly educated elite, about 1 percent of the population) is minimal to non-existent (p.36).

...Despite the fact that most Druze cling strongly to their marriage traditions, they must surely be bemused by the behavior of their leader, Walid Junbalat. Although his marriage to a non-Druze Circassian was in the tradition of both his own family and that of the Arslans, his reported marriage to a second, non-Druze (Muslim) woman, also married, without benefit of divorce on either side, is without doubt a violation of Druze law that no amount of equivocating can disguise (p.48, n.39).

...It was [in Syria] that I found the most resistance to the idea of marriage to a non-Druze partner – and much concern over the fact that Walid Junbalat had taken a half-Sunni Circassian wife. There is of course a strong family tradition for this. Walid's mother, May Arslan-Junbalat, daughter of the Arab nationalist, Prince Shaqib Arslan, was herself Circassian, since her mother, Salima al-Khass, was born in Russian Circassia. Moreover, Shaqib's mother was also Circassian, his father Prince Hamud having broken with "Druze custom by marrying a Circassian woman." The ancestry of Walid Junbalat, therefore, is fully one-half Circassian, and his children are three-quarters so (p.49).

...[Walid Junbalat's] political spokesman, Marwan Hammadi, is also married outside the community to a French Catholic. Many Druze are of the impression that some sort of dispensation was given in these cases by the Druze courts. This is not true, and their marriages are not valid under Druze law (p.49, n.44) (Betts, R.B. 1988, *The Druze*, Yale University Press, New Haven and London, p.42 – Attachment 1).

In his 1982 study, *Marriage, Divorce and Succession in the Druze Family*, Aharon Layish states that "inter-religious marriages, especially between Druze men and non-Druze women, are fairly widespread"; finding that several "[i]nstances come to light incidentally in the

*sijills*” (the written records of the religious court) (p.108). According to Layish, “[a] significant number on inter-religious marriages [have] been observed among the Lebanese Druzes” (p.109) and this is said to have been the cause of much concern within the community at the time:

There are those who complain that this religious ‘deviation’ assumed epidemic proportions not only among Druze men but among Druze women as well. Warnings are heard of damage to Druze solidarity and of a weakening of the political status of the Druzes. Inter-religious marriages are regarded as one of the problems of the protection of Druze communal existence (*kiyān*) and interests as well as of the principles of Druze religion, and appeals are made to stop this practice before it is too late (Layish, A. 1982, *Marriage, Divorce and Succession in the Druze Family*, E.J. Brill, Leiden, p.109 – Attachment 5).

Nura S. Alamuddin and Paul D. Starr’s 1980 publication, *Crucial Bonds: Marriage Among the Lebanese Druze*, notes of Druze marriage practices that “the choice of potential partners is initially restricted...by the rule requiring marriage within the sect” (p.40). According to Alamuddin and Starr “[t]his rule is enforced by strong social sanctions” which exclude offenders from Druze society. Such sanctions may also reach beyond the individuals involved in the marriage itself to include members of direct family should those members give their blessing to the marriage in question.

The most serious of these sanctions is the exclusion of the person who marries a non-Druze from community life and the refusal of initiates (*‘uqqāl*) to offer the final blessing at the person’s funeral, a ritual which is assigned great significance by the great majority of believers. To insure compliance with this proscription, the out-marrying person’s kin who have been sympathetic toward such a marriage may also be severely penalized. A particularly vivid example of the consequences of violating this norm occurred a few years ago when a young western-educated Druze woman married outside the Druze community. When her father, who had given the marriage his blessing, died sometime later, no *‘āqil* would openly offer the final prayer. Sanctions such as these have been quite successful in insuring a high degree of conformity to the norm of religious endogamy (Alamuddin, N.S. & Starr, P.D. 1980, *Crucial Bonds: Marriage Among the Lebanese Druze*, Caravan Books, Delmar, pp.40-41 – Attachment 2).

## **2. What is the attitude of the Druze community toward religious conversion – specifically conversion to Christianity?**

Issues relating to conversion are discussed at length in chapter 10 of Nissim Dana’s 2003 study, *The Druze in the Middle East* (see pp.116-129). The cases and statistics discussed in this regard concern events within Druze communities in Israel but may, nonetheless, give some general indication of how the Druze community can react to those who leave the faith (“to be called those who ‘strayed’” or “strayers”) (p.116). According to Dana, “[t]he Druze community has a decidedly negative view of those who stray”; and “converts are forced to leave their home village and to exile themselves to distant, non-Druze villages” (p.118). This is said to be “especially the case when the defection involves marriage to a non-Druze wife” (p.118). The reaction is said to be most severe in the case of women; explaining “the tiny number of straying women and the rare instances of a Druze woman marrying a non-Druze man”: “[o]f the 145 known cases of straying, six involved women, all of whom went in the direction of Islam” (p.123). Nonetheless, it would also seem that the Druze community is willing to welcome back those who have strayed should they prove willing to return to the Druze faith and renounce the deviation in belief or marriage which has occurred. According

to Dana, of the “145 cases of Israeli Druze who have turned away from the precepts of their religion [“between 1952 and 2002”]...at least 65 (45%) are known to have returned to their original faith, either by a formal act of reconversion or by dissolving the family framework with the non-Druze partner”. Dana does not discuss the specific issue of conversion to Christianity at length; devoting extensive consideration to conversion to Judaism and Islam which collectively constitute over 80% of the 1952-2002 conversions in Israel’s Druze communities (Dana, N. 2003, *The Druze in the Middle East*, Sussex Academic Press, Brighton, pp.116-129 – Attachment 12).

**3. Have there been any known instances of retribution against former members of the Druze community who have converted to other religions – specifically Christianity?**

**4. How prevalent is the notion and/or practice of honour killing amongst Lebanese Druze? Does it apply in relation to men who have converted to another faith?**

Information published by *The Jerusalem Post*, on 14 April 2005, suggests that Druze communities can react with some severity towards members who enter into inter-religious marriages. Nissim Dana was quoted by *The Jerusalem Post* as saying that: “since the founding of Israel in 1948, there have been only 80 cases of Druze men marrying non-Druze women. In each case the man was cast out of the Druze community ‘as if he had died’.” The consequences are said to be still more severe for Druze women: “[t]here are only two cases of women marrying non-Druze. Both women were killed”. According to Dana: “[a] Druze woman marrying a non-Druze is looking at certain death...In both of [the two Israeli] cases [involving Druze women], the women were killed because in the Druze community there is no bending on this issue for women. Only men can get away with it”. Dana’s comments follow in detail:

While some Druze experts argue that a wide cultural shift toward modernization is taking place across the Druze community, others say that the younger generation is simply trying to shake things up before they fall back in line with “the old ways.”

“I do not think that there is any real significant change taking place,” said Dr. Nissim Dana, an author of two novels on the Druze and a current professor at the Academic College of Judea and Samaria who was formerly the director of Druze affairs at the Religious Affairs Ministry.

“You have to differentiate between two things,” Dana said, “between who they date and who they marry. When [Druze men] are young they will often go out with girls of other faiths. But once it comes time to be married they will only marry a Druze.”

Dana pointed out that, since the founding of Israel in 1948, there have been only 80 cases of Druze men marrying non-Druze women. In each case the man was cast out of the Druze community “as if he had died.”

“They even erase his name from the records,” said Dana.

There are only two cases of women marrying non-Druze. Both women were killed.

“One of these cases took place in Rama. The girl was killed but no official investigation was made,” said Dana. The other girl – Idtihaj Hassun, from Daliat al-Carmel – was killed by her family and members of her community after she eloped with a local Arab man, he said.



“A Druze woman marrying a non-Druze is looking at certain death,” said Dana. “In both of these cases, the women were killed because in the Druze community there is no bending on this issue for women. Only men can get away with it” (Frenkel, S.C. 2005, ‘Druze dating goes PC’, *The Jerusalem Post*, 14 April – Attachment 4).

The circumstances surrounding the killings referred to by Dana have been widely publicised by Israel’s local media as well as by the international press and by human rights groups. Many of these reports have addressed the murders as examples of the practice of honour killing; locating the Druze community within a larger tradition of tribal honour which is said to pre-date the emergence of the Druze, Muslim and Christian faiths; affecting an array of clan-based communities in the region (for a report addressing, as an honour killing, the murder of a Druze woman in Daliat al-Carmel in October 1995, see: Rodgers, W. 1995, ‘Honor killings: a brutal tribal custom’, *CNN* website, 7 December [http://www2.cnn.com/WORLD/9512/honor\\_killings/](http://www2.cnn.com/WORLD/9512/honor_killings/) – Accessed 17 May 2006 – Attachment 13; see also the section, ‘Focus (3): Palestine/Israel’, of: Gendercide Watch (undated), ‘Case Study: “Honour” Killings and Blood Feuds’ [http://www.gendercide.org/case\\_honour.html](http://www.gendercide.org/case_honour.html) – Accessed 17 May 2006 – Attachment 14; for a report addressing, as an honour killing, the murder of a Druze woman in Rama in March 2006, see: Einav, H. 2006, ‘Parents suspected in woman’s killing’, *YnetNews* website, 5 March <http://www.ynetnews.com/articles/0,7340,L-3246789,00.html> – Accessed 17 May 2006 – Attachment 15; for information on the existence of honour killing within Israel and Palestine’s Druze, Jewish, Christian and Muslim communities, see page 30 of: Hasan, M. 2002, ‘The politics of honor: patriarchy, the state and the murder of women in the name of family honor’, *The Journal of Israeli History*, vol.21: no.1-2, March-October, pp.1-37 – Attachment 16).

The importance of the Druze woman as a repository of family honour in Druze family life is discussed in Betts’s 1988 publication. According to Betts, “[a] woman’s honor (*ird*) is the single most important factor in Druze family life, and its defilement is the greatest humiliation that can befall it. ...If a woman’s dishonor becomes public knowledge it is the responsibility of her father or brother to take appropriate action, and it is not unknown even today for a Druze woman who has shamed her family to be murdered by the nearest male relative” (Betts, R.B. 1988, *The Druze*, Yale University Press, New Haven and London, p.42 – Attachment 1).

Layish’s 1982 study comments similarly and also notes that a violation of honour can result in revenge killings:

Al-Najjār says that protecting a woman’s honour (*ird*) is more important than protecting one’s life, for the defilement of a woman’s honour is the greatest humiliation that can befall her family; virginity of the bride is a condition of the performance of marriage, and female chastity a condition of its integrity. There is evidence in the *sijills* that attacks upon the chastity of a woman, especially an unmarried one, may entail “revenge (*thār*) in accordance with custom” (Layish, A. 1982, *Marriage, Divorce and Succession in the Druze Family*, E.J. Brill, Leiden, p.21 – Attachment 5).

In September 1998 the Research Directorate of Canada’s Immigration and Refugee Board received advice indicating “that persons in mixed marriages in Lebanon are not targeted and are not victim of ill-treatment”. This advice was received in via a “telephone interview with the Director of the Department of Political Science and Public Administration at the American University of Beirut (AUB)”, and was offered in response to questions concerning the possible treatment of persons party to a Druze–Orthodox Christian mixed marriage.

Similar comments were offered by “the Director of the Centre For Lebanese Studies at Oxford, England”. Extracts follow in detail:

The following information was provided during a 14 September 1998 telephone interview with the Director of the Centre For Lebanese Studies at Oxford, England. The director travels to Lebanon regularly and has published extensively on Lebanese affairs.

The director stated that there are many mixed marriages in Lebanon and it is an accepted reality of modern Lebanon. The director added that there would be no problem for a mixed Druze/Orthodox Christian couple to live a normal life in Lebanon today.

The following information was provided during a 11 September 1998 telephone interview with the Director of the Department of Political Science and Public Administration at the American University of Beirut (AUB). The Director has been involved in field research and has travelled extensively in all parts of Lebanon.

The director stated that persons in mixed marriages in Lebanon are not targeted and are not victim of ill-treatment. Persons in mixed marriages can live a normal life in Lebanon. The only problem that can occur would be a conflict of religious laws during a divorce procedure. This would be handled by a civil court (Immigration and Refugee Board of Canada 1998, *LBN30046.E – Lebanon: Treatment of persons in a mixed marriage (Druze/Orthodox Christian)*, 14 September – Attachment 6).

## **5. Please discuss the availability of state protection in this context.**

In April 2002 the Department of Foreign Affairs and Trade (DFAT) provided the Tribunal with advice on the level of state protection available in Lebanon to persons who, having converted to a new faith, feared that members of their former faith might pursue them in some way (this advice was tendered in response to queries concerning a case in which a Sunni Muslim had converted to Christianity). DFAT’s “contact officer said that the convert would probably wish to seek refuge in suburbs occupied by the community of the newly-adopted confessional group” and “that the Lebanese authorities would not provide assistance or protection for converts seeking refuge in the newly-adopted community, except through normal police protection against behaviour which might be deemed to be criminal”. Pertinent sections from this advice follow in detail:

Lebanese citizens are not prevented, under Lebanese civil or criminal law, from converting between religions, including from Islam to Christianity. The contact officer advised us that converts are, in fact, required to declare and register their change of religious status with the civil registration office, affirming that the choice to convert is not proscribed in civil or criminal law.

Against the above, we confirm that conversion does not attract official prosecution, or persecution, and is protected (through registration) under civil law. Moreover, we are not aware of any articles in the Lebanese criminal code which apply criminal sanction against a convert but we would not discard the strong likelihood that, against the norms of Lebanon's highly-confessionalised society, a convert would be subjected to personal persecution from family members or other members of the sectarian community to which he/she formerly belonged.

In these circumstances, the contact officer said that the convert would probably wish to seek refuge in suburbs occupied by the community of the newly-adopted confessional group

(Lebanon is segregated unofficially along confessional lines). The individual might also obtain assistance from local religious authorities or others. However, the contact officer confirmed that the Lebanese authorities would not provide assistance or protection for converts seeking refuge in the newly-adopted community, except through normal police protection against behaviour which might be deemed to be criminal (DIMA Country Information Service 2002, *Country Information Report No.108/02 – Treatment of Sunni Muslims converting to Christianity*, (sourced from DFAT advice of 3 April 2001), 2 May – Attachment 17).

Advice on state protection of this kind was also supplied by DFAT in June 1996. At this time DFAT advised that “[t]he degree of protection offered by the State would depend on the individual circumstances, and the credibility of the threat” (DIMA Country Information Service 1996, *Country Information Report No.515/96 – Lebanon – Mixed marriages/conversion to Christianity – CIS Information Request LBN3357*, (sourced from DFAT advice of 7 June 1996), 18 June – Attachment 18)

The US Department of State’s *International Religious Freedom Report October for 2002 – Lebanon* refers to “a credible report that Syrian intelligence officials in Lebanon arrested three Syrian Druze men who had converted to Christianity in March 2001 on suspicion of membership in Jehovah’s Witnesses”. The report continues:

They initially were held in Lebanon and then reportedly were transferred to prison in Syria and held for 2 months. They were released after signing papers stating that they would cease attending their church and cease contact with their pastor (US Department of State 2002, *International Religious Freedom Report October for 2002 – Lebanon*, 7 October – Attachment 19)

Although the US Department of State is of the view that “Syrian sympathizers and intelligence agents [continue] to exercise some influence in the country” Syrian forces are no longer formally active in Lebanon having withdrawn from the country in April 2005 (US Department of State 2005, *Country Reports on Human Rights Practices for 2005 – Lebanon*, 8 March – Attachment 20).

Even so, advice received from DFAT in May 2006 indicates that Lebanon’s own laws and local authorities take a negative view of Jehovah’s Witnesses and of proselyting organisations generally. DFAT’s advice suggests that Jehovah’s Witnesses are vulnerable to mistreatment in a way that members of Lebanon’s traditional faiths are not. Extracts follow from DFAT’s May 2006 advice on the situation of Jehovah’s Witnesses in Lebanon:

2. The Lebanese Constitution extends freedom of belief to all Lebanese citizens. However, the Jehovah’s Witness Sect (JWS) is not one of the 18 religious sects recognised under the Constitution. As all family/personal status law is covered solely through the confessional courts of the 18 recognised religious sects, JWs do not have a court dealing with personal status issues. They cannot, therefore, legally marry according to their faith in Lebanon. They can, however, travel to Cyprus, marry there and register their marriage with the Ministry of Interior on their return. This is a recognised and frequently followed process by Lebanese couples not wishing to marry in a religious ceremony.

3. As we previously reported, associations not recognised in law or which have “failed to acquaint the public authorities” with their existence, membership and aims are “reputed to be secret societies ... which shall be dissolved”. The JWS cannot legally convene for public assembly or worship without prior approval from the Interior Ministry. The law also prohibits assembly “in a place open to the public” for groups of three or more persons “for the purpose

of committing an offence” or for twenty or more persons “whose attitude is likely to offend public peace”. In practice, however, the JWS are left in peace to assemble and worship. However, as advised by a contact at the Interior Ministry, they may be vulnerable to “hassle” from the security forces if, for example, someone held a grudge.

...5. Societal attitudes towards the JWS vary. In general, JWS proselytising is not welcomed amongst the population. In Lebanon, with its history of civil war and delicate religious balance, attempts to convert people to alternate faiths are frowned upon and are considered “trouble making” by the security authorities. However, we are not aware of any cases where such proselytising has resulted in criminal action being taken against JWS. Maronite Christians regard JWS as heretics and Christian contacts advise that Maronite priests regularly preach against the JWS.

6. In a society where ‘contacts’ and family affiliations with people in power hold greater sway than legal processes, JWS could be more vulnerable to discrimination than those from recognised sects (Department of Foreign Affairs and Trade, 2006, *DFAT Report 483 – RRT Information Request: LBN30096*, 11 May – Attachment 21).

## **6. Please provide any other information you think is relevant.**

Enquiries were forwarded by Email to a number of Druze experts requesting advice on the treatment, in Lebanon, of Druze males who convert to Christianity to marry in the context of the Applicant’s particular circumstances. On 3 June 2006, a reply was received from Aharon Layish (author of *Marriage, Divorce and Succession in the Druze Family* and presently of The Hebrew University of Jerusalem). Professor Layish’s advice is reproduced below along with the questions which elicited his response (the questions appear in italics).

I am not acquainted with the special situation in Lebanon, and unfortunately, I have no time to embark on research to this end, but i can offer some indications which may perhaps be of some help. See below.

*...A. Are you aware of any instances in which a Druze male has been physically harmed as a consequence of his conversion to Christianity (or another faith) and/or his marriage to a non-Druze female?*

I did not come across a single case in which a Druze male had been physically harmed as a result of his conversion for the purpose of marriage, but the possibility cannot be ruled out. Conversion of Druze to Christianity used to be common practice in the region for survival considerations. See below my list of publications, section 5, especially article no. 5.12.

*B. Are the Druze communities of Lebanon’s Barouk region characterized by practices or traditions which might make a violent reaction likely? (And is it likely that such a reaction might pursue the Applicant beyond the locality of his home village?)*

I have no idea.

*C. Could the well-being of the Applicant be affected in other ways (that is to say, might he face significant problems in terms his ability to subsist and would the loss of clan-based security expose him to harm from others)?*

Yes, by all means. This is highly likely. The main instrument to this end is religious ban or excommunication. A couple of years ago I gave a legal opinion (in Hebrew) on this issue in civil court. So far no judgment has been handed down (Layish, A. 2006, Email to RRT: ‘RRT

Country Information Request LBN30136: consequences of intermarriage for Druze males', 3 June – Attachment 25; RRT Country Research 2006, Email to Aharon Layish: 'RRT Country Information Request LBN30136: consequences of intermarriage for Druze males', 19 May – Attachment 24).

The article recommended by Professor Layish, which he published in *Asian and African Studies* in 1985, has been ordered for the RRT's library holdings and will be made available as soon as it has been received as Attachment 26 (Layish, A. 1985, 'Taqiyya among the Druzes', *Asian and African Studies*, vol. 19.3, pp.245-281 – Attachment 26).

Enquiries were also forwarded Nissim Dana and Robert Betts but no replies were received (to view the content of these enquiries, see: RRT Country Research 2006, Email to Nissim Dana: 'RRT Country Information Request LBN30136: consequences of intermarriage for Druze males', 17 May – Attachment 22; RRT Country Research 2006, Email to Robert Betts: 'RRT Country Information Request LBN30136: consequences of intermarriage for Druze males', 19 May – Attachment 23).

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#### Internet Sources:

#### **Government Information & Reports**

Lebanon Internal Security Forces (ISF) website

<http://www.isf.gov.lb/English/Header/Home+Page/Homepage.htm>

US Department of State website <http://www.state.gov>

#### **Non-Government Organisations**

Catholic Near East Welfare Association (CNEWA) website <http://www.cnewa.org>

Gendercide Watch website <http://www.gendercide.org>

#### **International News & Politics**

CNN website <http://www.cnn.com>

*The Daily Star* website <http://www.dailystar.com.lb/home2.asp>

*YnetNews* website <http://www.ynetnews.com>

#### **Topic Specific Links**

Druze Studies website <http://www.druzestudies.org/>

#### **Search Engines**

Google search engine <http://www.google.com.au/>

#### **Library Networks**

University of Sydney Library website <http://www.library.usyd.edu.au/Home.html>

#### **University Sites**

Academic College of Judea and Samaria website <http://www.yosh.ac.il/>

The Hebrew University of Jerusalem website <http://www.huji.ac.il/>

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University of Balamand website <http://www.balamand.edu.lb/english/index.asp>

University of Haifa website [http://www.haifa.ac.il/index\\_eng.html](http://www.haifa.ac.il/index_eng.html)

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<u>Databases:</u>		
Public	<i>FACTIVA</i>	Reuters Business Briefing
DIMA	<i>BACIS</i>	Country Information
	<i>REFINFO</i>	IRBDC Research Responses (Canada)
RRT	<i>ISYS</i>	RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State <i>Country Reports on Human</i>

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5. Layish, A. 1982, *Marriage, Divorce and Succession in the Druze Family*, E.J. Brill, Leiden. (RRT Library)
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9. Chahine, J. 2003, 'Marriages across faith, sect are on the increase', *Daily Star*, 17 February. (CISNET Lebanon CX73259)
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14. Gendercide Watch (undated), 'Case Study: "Honour" Killings and Blood Feuds'. ([http://www.gendercide.org/case\\_honour.html](http://www.gendercide.org/case_honour.html) – Accessed 17 May 2006)

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