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Sectual Healing is a Process

Nadine Elali, January 5, 2011



Interior Minister Ziad Baroud issued a circular in 2009 granting the Lebanese the right to remove their religion from their records. (AFP photo/Ramzi Haidar)

While the constitution gives Lebanese civilians the right to not belong to a sect, there is no legal system in which people without a listed religion can exist –religious courts hold jurisdiction over all laws and contracts in Lebanon.

But on February 9, 2009 Interior Minister Ziad Baroud issued a circular giving the Lebanese the right to remove any reference to their sect from their Civil Registry Records, though they are still subject to the wider sectarian system prevailing in Lebanon.

The action followed prolonged efforts from Lebanese individuals and civil society groups advocating secularism and the creation of a civil state and laws.

But now, almost two years later, there has been talk about obstacles involved in striking one's religion from his or her record, especially when matters involve personal affairs and employment.

Yet while media outlets have highlighted the risks involved in striking one's religion from the record, much can be done to stop what Talal Hussein refers to as "administrative reluctance," from public sector employees.

Hussein, president of the Civil Center for National Initiative, says that the Lebanese are still unaware that they can be public citizens not bound by their sect. "The biggest obstacle" he told NOW Lebanon, "is in the heads of the Lebanese people, civilians and employees in the

administration.”

Before their baby was born, the Hajj Alis had their confession struck from their records, but when the time came to register their newborn, they faced reluctance from an employee at the Directorate General of Personal Status. The officer said the child should have his sect recorded or else he could not exist officially. The Hajj Alis took their case to a higher authority, and eventually the employee was informed of the parents’ right to register their child without including his religion.

In another case, several young men who had had their confessions stricken from their records applied for positions at the Internal Security Forces, but were stalled by the admissions committee because their names couldn’t be classified within a sect, and ISF positions are doled out according to officers’ religion. The men’s applications were returned to them, and they were requested to provide records clearly stating their sect. However, Minister Baroud intervened and requested the committee create a new category for those who wish not to be classified under a sect. Only then were the men’s applications accepted, though some had already gone back to the Directorate General of Personal Status to put their religions on their records again.

Bassel Abdallah, lawyer and General Director of the Civil Society Movement, says that religious figures in a sense “punished” the applicants for striking their sect from their records by pushing admissions board employees to leave their applications pending until Baroud’s intervention.

“There is no law forcing the Lebanese to present which sect they belong to when applying for a post that is not of the first category,” Hussein said, referring to high-ranking official positions, which are still allotted based on a person’s religion. “The post-Taif Accord law stressed on freeing public jobs from sectarianism, and whenever there is a violation of this law, the minister must intervene to solve the issue.”

“These actions [of civil society activists and Minister Baroud] are telling the religious figures to move over because we want to replace you with a civil system, but they will not allow it; they are preserving their power,” lawyer and human rights activist Marie Rose Zalzal said. But Zalzal says that the Lebanese are not being active enough in seeking to remove religion from all official and legal aspects of life in the country. They should “come up with means of pressure, and going to the courts is one of them,” she said. “One needs to at least exercise the right that he has to gain the right that he doesn’t have.”

Vartan, who chose to only go by his first name, applied to strike his religion from his records before 2009, and when he felt he was being denied the right to do so, he filed a lawsuit against the Lebanese state and the Ministry of Interior.

“The lawsuit was put on hold because of the issuance of the circulation, and now I don’t have reference to my confession in my records. For me I got my right, but if at any point I feel that my civil rights are being stripped from me, I am more than ready to go to the courts again.”

Vartan, Zalzal and Hussein believe that if there is a reasonable number of Lebanese who wish not to be governed by their sect in any capacity, they can see the establishment of a secular judicial and legal system in the country.

"We may be weaker than the sectarians," Hussein said. "They have platforms and more human and financial resources, but we are stronger than the sectarian system. We exist."



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