



**REPRODUCING VIOLENCE THROUGH  
RECONSTRUCTING THE HYMEN?  
Gender-Based Violence Against Women in Lebanon**

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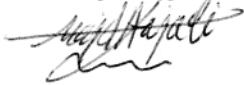
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## DECLARATION FORM

The work I have submitted is my own effort. I certify that all the material in the Dissertation, which is not my own work, has been identified and acknowledged. No materials are included for which a degree has been previously conferred upon me.

Signed      Majd Hajali      Date      22 May 2015

A handwritten signature in black ink, appearing to read 'Majd Hajali', written over the printed name.

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## ABSTRACT

Virginity in Lebanon is still a controversial and sensitive issue. Women's value and honour is linked to the "hymen mystique", which they fear losing before marriage. Regardless of the reasons for virginity loss, a non-virgin woman is deemed a sinner according to the Lebanese patriarchal social standards. With the existence of three-dimensional function of the hymen: honourable, social and physiological, hymen reconstruction surgeries emerged. Since studies and literature on hymenoplasty are limited and scarce, this research shed light on the prevalence of this practice, its causes, complications and consequences as well as its relation to women's rights. It aimed at investigating hymenoplasty's relation to gender-based violence against women in Lebanon from a structural feminist perspective. Grounded Theory was employed to analyse the data collected from personal interviews carried out with gynaecologists, psychologists and women's rights activists. The findings revealed the main aim for restoring the hymen is to ensure bleeding on the wedding night as a sign of virginity and purity. Living in a paradoxical patriarchal society controlled by gendered socially constructed norms, culture and traditions drive women to resort to hymenoplasty. Religions and laws additionally entrench and enshrine those practices with their gendered legal articles and religious legislations. Hymenoplasty is a form of GBV as this research showed. It disempowers women and forces them to submit to the framework drawn by society instead of confronting and challenging it. This study concludes with recommendations and possible solutions to fight GBV. Removing the stigma from non-virginity, introducing sexual education at schools, educating both genders about their rights and the value of their bodies as well as legislating laws that safeguard women are prerequisites to attain gender equality and empower women to stand against practices that undermine their rights.

Keywords: Hymenoplasty, Gender-Based Violence, Virginity, Women's Rights, Violence Against Women.

## LIST OF ABBREVIATIONS

<b>CAWTAR</b>	Center for Arab Women Training and Research
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination Against Women
<b>FGM</b>	Female Genital Mutilation
<b>GBV</b>	Gender-Based Violence
<b>GT</b>	Grounded Theory
<b>HBV</b>	Honour-Based Violence
<b>HRW</b>	Human Rights Watch
<b>NSD</b>	Norwegian Social Science Data Services
<b>STDs</b>	Sexually Transmitted Diseases
<b>UDHR</b>	Universal Declaration of Human Rights
<b>UNFPA</b>	United Nations Population Fund
<b>UNPD</b>	United Nations Population Division
<b>VAW</b>	Violence Against Women

# TABLE OF CONTENTS

<b>INTRODUCTION</b> .....	1
<b>BACKGROUND</b> .....	1
<b>PURPOSE OF THE STUDY</b> .....	1
<b>RESEARCH QUESTIONS</b> .....	2
<b>MAP OF THE RESEARCH</b> .....	3
<b>CHAPTER I</b> .....	4
<b>CONCEPTUAL FRAMEWORK</b> .....	4
1.1 <b>INTRODUCTION</b> .....	4
1.2 <b>DEFINITIONS OF HONOUR, GENDER AND GENDER-BASED VIOLENCE</b> .....	5
1.3 <b>HONOUR KILLING AS GENDER BASED VIOLENCE</b> .....	6
1.4 <b>GENDER-BASED VIOLENCE AND PATRIARCHY</b> .....	8
1.5 <b>ROLE OF LEGAL DISCOURSE IN GENERATING GENDER-BASED VIOLENCE</b> .....	10
1.6 <b>GENDER INEQUALITY AND CULTURAL RELATIVISM</b> .....	14
<b>CHAPTER II</b> .....	17
<b>METHODOLOGY</b> .....	17
2.1 <b>INTRODUCTION</b> .....	17
2.2 <b>RESEARCH DESIGN</b> .....	18
2.2.1 <b>Qualitative Research</b> .....	19
2.2.2 <b>Grounded Theory</b> .....	20
2.2.3 <b>Use of Qualitative Interviews</b> .....	21
2.3 <b>PRACTICALITIES AND ETHICAL CONSIDERATIONS</b> .....	23
2.4 <b>LIMITATIONS AND CHALLENGES</b> .....	24
<b>CHAPTER III</b> .....	26
<b>FINDINGS AND ANALYSIS</b> .....	26
3.1 <b>INTRODUCTION</b> .....	26
3.2 <b>CAUSES OF HYMENOPLASTY</b> .....	26
3.2.1 <b>Cultural and Social Predominance</b> .....	27
3.2.2 <b>Religious and Legal Predominance</b> .....	30
3.3 <b>HYMENOPLASTY AND WOMEN'S RIGHTS</b> .....	32
3.3.1 <b>Complications and Consequences</b> .....	32
3.3.2 <b>Hymenoplasty as Gender-Based Violence</b> .....	34
<b>CHAPTER IV</b> .....	38
<b>CONCLUSION AND RECOMMENDATIONS</b> .....	38
4.1 <b>CONCLUDING REMARKS</b> .....	38
4.2 <b>RECOMMENDATIONS</b> .....	39
<b>BIBLIOGRAPHY</b> .....	41
<b>APPENDICES</b> .....	46
<b>Appendix 1: Request for Participation in Research Project</b> .....	46
<b>Appendix 2: Interview Guide</b> .....	48

# INTRODUCTION

## BACKGROUND

In many conservative societies, a woman's virginity is perceived as the honour and dignity of her family (Gill, 2009). Pre-marital intercourse is a taboo, for it is unacceptable to be discussed nor considered a free choice for a woman to decide over her own body. The issue is perceived as a social practice tied to religion, morality, customs and traditions of a particular society (Welchman & Hossain, 2005: 140). All those elements interrelate to produce and maintain a societal framework that contributes to the prevalence of the honour code. Various myths prevail in those societies where it is believed that a girl should not ride a bicycle or become a gymnast because that may compromise her virginity (Bekker, 1996: 330). Those myths and social ideologies are primarily responsible for the breeding of violence against women (VAW) in addition to other violations of their rights (Welchman & Hossain, 2005: 140). Such is the importance of virginity that hymen reconstruction surgeries (hymenoplasty) have emanated to serve as a remedy for women who lose their virginity before marriage.

Loss of virginity is not a simple matter however. It can be caused by voluntary pre-marital intercourse or can be lost in acts of more apparent force, such as rape. It is interesting however that there is no recognition of choice in this. In both cases, a woman's family, relatives and society deem her a sinner. That is to say a woman's loss of virginity is the overriding concern. The woman, whom this 'virginity' is a part of, is secondary and culpable for the loss. Once virginity is lost – signalled by whether or not the hymen is intact, the woman becomes totally vulnerable. A broken hymen outside marriage means she could face social, cultural and legal consequences (Welchman & Hossain, 2005: 218). What do these mean? In some extreme cases, punishment and killing may occur to "wash away the shame and disgrace she brought to the family". Surprisingly, this discriminatory pattern does not apply to men (Bekker, 1996: 332). To this end, one can question the will of a "stigmatic" woman to seek "revirgination". Is it imposed on her to meet the acceptable cultural practices and satisfy the society she lives in (Gill, 2009: 4; Welchman & Hossain, 2005)?

## PURPOSE OF THE STUDY

This research intends to shed light on gender-based violence (GBV) against women in Lebanon. Using a lens of structural feminism, it examines whether hymenoplasty is an

expression of violence against women every bit as domestic violence and FGM are. It aims at investigating the nature of hymenoplasty with regard to women's rights. It also contests the concept of virginity in Lebanese male dominant perspectives. Its main purpose is to assess if hymenoplasty has a role in regenerating violence. The perception of virginity is also questioned to understand if it urges women to resort to hymenoplasty or undermines their rights over their bodies.

The research will identify the psychological violence women are exposed to. Additionally, it will examine the consequences of hymenoplasty. The paper seeks to evaluate the impact of hymenoplasty on exacerbating the cycle of violence women are subject to. It studies the role of traditions, culture and legal discourse in reproducing GBV, undermining women alongside normalising the violations of their rights and forming societal frameworks that preserve such encroachments.

Reviewing similar studies that have been previously carried out as well as examining any existing relevant data is one of the objectives of this research. This will assist in determining the missing information on the subject in study. Interviews, subsequently, will be employed to fill in the gaps and collect the missing data that serves this research and answers its questions. The fieldwork will be carried out in Lebanon targeting gynaecologists, psychologists and women's rights activists. They will contribute to the understanding of the social fabric of Lebanese society, how women are perceived in this fabric and the role of cultural and traditional practices in inhibiting women's rights.

## **RESEARCH QUESTIONS**

There has been a significant body of literature addressing GBV against women, particularly domestic violence, FGM and "honour killing". However, considering a woman's consent to undergo hymenoplasty has not been thoroughly tackled in respect of GBV. It has been touched upon from ethical and legal perspectives focusing on the deceptive character of hymenoplasty and its illegal aspect in many Arab countries including Lebanon (Galtung, 1990; O' Connor, 2008).

To this end, this research attempts to answer the following questions building upon previous studies and analysing available and collected data:

1. What is the relationship between hymen reconstruction surgeries and gender-based violence against women in Lebanon?
2. How are women represented in the dominant structures of Lebanese society?



3. Are women forced to act in ways that undermine their rights?
4. What is the correlation between such practices and acts of women suppression and segregation?

## **MAP OF THE RESEARCH**

The research is divided into four chapters. Following this introduction, chapter I will review the conceptual framework and literature relevant to this study. Concepts of honour, gender and gender-based violence will be elucidated. The so-called “honour killing” and the importance of virginity in Lebanon are further broken down. This chapter will also tackle the issue of GBV in the Lebanese patriarchal system by highlighting the role of culture, norms and traditions in breeding VAW. The role of Lebanese legal system will also be outlined. Finally, the relation between cultural relativism in implementing human rights and gender inequality will be addressed.

Chapter II will introduce the strategies, methodology and research methods employed in this research. A justification and validation for the use of grounded theory and qualitative interviews in collecting and analysing data will be portrayed. This chapter will further discuss the practicalities of interviews and ethical considerations in addition to challenges and limitations faced during data collection in Beirut, Lebanon.

Chapter III will scrutinize interviews conducted during the field research with reference to literature review when applicable. It will start with a detailed account of the social, legal, cultural and religious causes of the prevalence of hymenoplasty in Lebanese society. It will further look at the medical, financial and psychological complications and consequences of hymen reconstruction surgeries on Lebanese women. Finally, it will address the issue of hymenoplasty under the umbrella of GBV against women.

Chapter IV will present the concluding remarks of this research project as well as offering some practical recommendations and suggestions to fight GBV in Lebanon.

# CHAPTER I

## CONCEPTUAL FRAMEWORK

### 1.1 INTRODUCTION

Research literature on hymenoplasty in the Arab world is very limited (Awwad et al., 2013: 1631). Detailed data and statistics are not easy to come by. This is understandable given the sensitive and complex nature of the issue. This chapter reviews the existent literature that will assist in understanding the research topic. The restoration of the hymen comes as a “troubling response to issues deeply rooted in sexual and gender inequality” (Nash, 2013). Therefore, it is crucial to look at domestic violence, “honour killing” and other forms of GBV against women when tackling the issue of hymenoplasty. Awwad et al. (2013: 1629) carried out a study conducted on 600 Lebanese university students (300 males, 300 females) and reported that 46.3% of men would divorce their wives if they discovered a hidden hymenoplasty. 5.3% of male participants answered they would hurt their wives while 4% said they would kill them. The sample was randomly selected from five major universities in Beirut representing diverse religions and regions (p. 1628). Furthermore, Parre (2005), cited in Baydoun (2012: 72), talks about the changing attitudes towards “honour” and female sexual behaviours; instead of resorting to fatal violence, forced hymenoplasty and forced marriages are other sanctions used when female family members get involved in sexual activities or pre-marital intercourse. However, details on the nature of the conducted research was not mentioned or explained.

Determining the actual extent of VAW is difficult due to a “culture of silence” in which women fear reporting it (Hamieh & Usta, 2011: 7). Feeling shameful to discuss private matters in addition to passive reactions from families and communities to such abuse, women feel reluctant to voice it in public (Gill, Strange & Roberts, 2014: 191-192). Baydoun tackles the implications of reporting violence in *Al-Raida Journal* (Sabat, 2011). According to a study conducted in 2009, consisting of 62 adult females, women endure violence for many years before reporting it (up to 24 years). Their level of education and/or profession does not contribute to reporting violence faster. “The preservation of the family”, the sacred perception of “home” and the private/public dichotomy were significant factors for tolerance of violence (pp. 28-29).

Moreover, Baydoun (2011: 31-33) demonstrates that social and emotional support, usually provided by parents, is essential in women's determination to seek assistance or tolerate violence. Single and divorced abused women usually lack that sort of support, allowing perpetrators to carry on with their abuse and violent acts. However, until recently, with the efforts of many women activists to combat violence against women, media reports addressing stories of VAW are becoming more common. The involvement of many social and religious actors yields good results in breaking the silence of women regarding violent acts committed against them (Baydoun, 2012: 76).

In defining hymenoplasty, it is crucial to understand what GBV is as well as the concepts of "honour" and gender. Key ideas and theories on GBV, honour and the importance of women's virginity will be outlined in this research. "Honour killing" is further broken down to interpret its relation to hymenoplasty and underline the justification of violence based on honour. The concept of "male honour and female shame" will also be reflected upon. The next section addresses GBV in the Lebanese patriarchal system. It highlights the role of the Lebanese society, culture and traditions in justifying gender inequality. That is followed by the role of legal discourse in breeding violence against women in Lebanon. The last part of this chapter reviews cultural relativism and gender inequality. It emphasises the universal aspect of human rights regardless of cultural differences among states.

## **1.2 DEFINITIONS OF HONOUR, GENDER AND GENDER-BASED VIOLENCE**

Gill, Strange and Roberts (2014) review various definitions of honour. They state that it is mostly defined as a "virtue or character trait associated with integrity, good moral, character and altruism" (p. 70). Despite diverse interpretations of honour in different cultures, it is perceived as a source of pride, dignity and esteem (p. 2). The authors define honour as a "gendered concept" that has high value as well as determining self-worth. It is perceived as a property that controls women's behaviours, thus, women determine its value for the whole family. However, women are not usually seen as holders of honour. This results in allowing men to "reclaim honour property" legally and socially through VAW (pp. 89-92).

Moving on to the concept of gender-based violence and its meaning, the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) states in its General Recommendation 19 (1992) that GBV is

Violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.

(Gill, Strange & Roberts, 2014: 31)

It further adds that GBV is any act “that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life” (Gill, Strange & Roberts, 2014: 30). The Committee made further comments on specific articles of the Convention. It draws attention to the consequences of stereotyped roles and traditional attitudes in regarding women as subordinate to men, inflicting violent acts on women and preventing them from enjoying their rights. Similarly, the UNFPA Gender Thematic Group defined GBV as “violence involving men and women, in which the female is usually the victim and which is derived from unequal power relations between men and women” (CAWTAR, 2011: 6). It is worth mentioning that Lebanon ratified CEDAW in 1996 (Wetheridge & Usta, 2010).

As per gender, it refers to “the differential values historically attributed to masculinity and femininity resulting in a patriarchal power legacy which manifests itself through relations of domination and subordination” (Gill, Strange & Roberts, 2014: 32). Gender is socially and culturally constructed in addition to being learned through socialisation. Therefore, it differs from one culture to another. It is a “critical element of power and inequality” (Amnesty International, 2004). Masculinity and femininity, in this regard, are other manifestations of “honour” and “shame”. The authority of the male in a family over the female relatives, created by religion, culture and law, maintains the traditional values of shame and honour as the fundamental basis of relationships (Haddad, 1998: 7). In this operating principle, the man is the protector of the woman, whose home is her domain (p. 5). In this regard, women face sexual, economic and ideological oppression. Their economic productivity is devalued. They are controlled by the “hymen mystique” fearing to lose virginity. Finally, they are bounded by cultural and social myths depicting them as weak, incompetent, emotional, dependent and shameful (p. 12).

### **1.3 HONOUR KILLING AS GENDER BASED VIOLENCE**

Drawing on the wide range of sources on issues closely related to hymenoplasty such as “honour killing”, this section analyses the relation between hymenoplasty and such violent

practices against women. In a public opinion poll conducted in 2013 by Pew Research Centre on global views on morality, Lebanon ranked 31<sup>st</sup> among 40 other countries with regard to tolerance for premarital sex. 40,117 respondents answered the survey across those 40 countries. When asked about their views on premarital intercourse, the Lebanese population answered as follows: 81%, 5%, 8% for unacceptable, acceptable and not a moral issue, respectively. This demonstrates the importance of virginity before marriage, which may be one of the dominant reasons for the existence of hymenoplasty.

In order to better understand the vitality of virginity and the reasons women resort to hymenoplasty, Gill, Strange and Roberts (2014) discuss violence committed against women in the name of honour, referring to it as “honour-based violence” (HBV). That includes “honour killing” among other forms of violence such as threat, rape, forced marriage and assault (p. 28). Gill, Strange and Roberts (2014) analyse this phenomenon by looking at institutions and ideologies rather than focusing on culture, religion and traditions. They look at the process of constructing “difference” and the concept of the “other” in societies. The authors discuss the concept of “male honour and female shame” in which women are perceived as male relatives’ property. The value of honour not only lies in preserving it but also in avoiding shame. Therefore, any behaviour that goes against the expectations of a society is closely associated with shame (p. 2). That being said, even rape cases in Lebanon are considered to bring shame to victim’s family, hence, require washing the shame away (Tailfer, 2010: 21).

The authors further examine these concepts in order to explain the gendered nature of honour-related violence. They shed light on how honour can be used to justify violence and in extreme cases, murder, where protecting the honour of the family overshadows the autonomy of women and the value of their lives (p. 3). This explains how crucial virginity is (the intact hymen before marriage) and the prevalence of hymen reconstruction surgeries in Lebanon. In this context, the intact hymen is the “socio-physical” sign of purity, chastity and virtue. It is a mark of virginity that women are required to protect and maintain until marriage (Abu Odeh, 2010: 917). Consequently, “honour killing” occurs if a woman fails to bleed on her wedding night (p. 918). Regardless of the causes of virginity loss (accidental, consented or coerced), the implications of such a loss may be the basis for the demand and prevalence of surgical restoration of the hymen. In such cases where “honour killing” crimes occur, the Lebanese legal system comes to entrench and support those gendered and honour-related crimes by giving lenient punishment to perpetrators. This will be discussed in depth in the following

sections.

Abu Odeh (2010: 918-919) further explains the three-dimensional function of the hymen: a sign of virginity, a depiction of the body that is known as female and a social performance of virginity that produces and sets its boundaries and limits. “Honour killing” and other forms of honour-based violence, therefore, may occur if a woman jeopardises her physical and/or social hymen. For example, if a woman is seen getting out of a strange man’s car or enjoying a talk with a male stranger, she might be subjected to false accusation of losing her good reputation and bringing shame to the family. As a result, many women have lost their lives based on suspicion (Welchman & Hossain, 2005: 140). Any behaviour of a woman that doesn’t comply with the acceptable social codes of her family and community deserves punishment. It is perceived as a challenge to male authority and a threat to a family’s honour. Shedding the blood of the shameful female member is the only method to eliminate the challenge and restore family’s honour (Sabat, 2011: 39-41).

Similarly, Gill, Strange and Roberts (2014) explain how VAW occurs based on the perception of women as “commodities” holding the “honour” of the family while men are protecting them against “shameful” acts. Consequently, women perceive themselves as responsible for their families, thus honour, which results in blaming themselves for any sorts of violence they endure. They see themselves as trigger for violence because of the “dishonouring” acts they do (p. 191). Trapped between discriminatory systems and policies on the one hand and harsh degrading and marginalising social norms on the other, women in such societies are limited to two options: bringing shame to the family through, for example pre-marital sex, or maintaining family’s reputation and honour by marrying a man of a higher social status (Gill, Strange & Roberts, 2014: 6). To this end, the value and significance of the intact hymen is illustrated by examining the possible repercussion of losing virginity before marriage.

#### **1.4 GENDER-BASED VIOLENCE AND PATRIARCHY**

The work of several authors (Price, 2012; Arendt, 1951; Foucault, 1991; Cook, 1994) can be drawn upon to demonstrate how women’s worth is bound to their ‘sale value’ at the time of marriage. Arendt (1951) explains the justification and legitimatisation of law and order by blaming the victim for willingly committing a punishable act. She argues that the isolation of a particular group within a society is a prerequisite for domination in totalitarian states. Creating a feeling of impotence and loneliness is another element used to demonise “the

other” and pronounce them “unfit to live”, hence, calling for the application of law and punishment. Depicting “the other” as inhuman exterminates the feeling of solidarity resulting in violations of human rights. As we have seen earlier, the “shameful and improper” behaviours of Lebanese women are perceived as a challenge to males’ power and dominance. Such unacceptable behaviours that do not conform to the family’s social codes require punishment in order to restore the family’s honour. Women in those situations are blamed for their misconduct while men are praised for their “protective” behaviours (Sabat, 2011: 41).

This may still not explain how such a state of affairs continues. For that we can draw on the work of Cook (1994). She looks at understanding GBV as torture that is not less grave than other degrading and inhumane treatments that are prohibited by international and customary laws. She explains the physical and psychological suffering women undergo, resulting in destroying their autonomy. Fear, depression, anxiety, passivity and stress are among the psychological components that leave women to blame themselves for violence they are exposed to (pp. 122-125). Cook refers to GBV as intimate violence, a family matter that is not viewed as violence, rather justified as discipline. This perception of VAW as well as the public/private dichotomy is the main hindrance to the treatment of GBV as human rights violations (pp.116-117). Cook (1994) describes GBV as “systemic and structural, a mechanism of patriarchal control of women” (p. 120). Consequently, violence is viewed as a legitimate way to enforce the patriarchal system by dehumanising women and depicting them as servants and properties. Creating the us/them dichotomy encourages violence by embedding the belief that men are superior and women are inferior; women are dependent on men, who in turn possess them.

Cook (1994: 69) goes on to state that this distinction is gendered, giving power to the public male world while muting the private sphere and the invisibility of women’s concerns. Women, as noted above, are expected to behave in ways that males are not and characterised differently for the same behaviour. A sexually active male is a source of pride. For a woman, the same behaviour brings shame on her family leaving them disowned and ostracized. Through that, women’s power is destroyed and denied (p. 121). Welchman and Hossain (2005: 113) similarly assert that patriarchal hierarchies are the main drive for crimes committed against Lebanese women. Those concepts that serve the patriarchal society and undermine women derive their authority and validity mainly from “the dominant culture, popular and religious heritage and law”.

Looking at ideological constructions and social practices embedded in the Lebanese society is crucial in women's rights discourse. These ideologies resist legal change and impinge on women's rights. The belief that women are weak and need the protection of the family is one of the ideologies that resist the implementation of women's rights (Cook, 1994: 42-56). Women have been socialised throughout their lives to be dependent and vulnerable, unaware of their rights and subordinate to men whereas men are empowered during their socialisation process. They are socialised to dominate women without being aware of the privileges they enjoy based on their gender (Ruxton, 2004: 8-9). Therefore, the infringements of women's rights are being normalised and regulated within a societal framework reproducing VAW.

Examining the ideologies Lebanese children are exposed to and the representations of men and women in their school textbooks is one way to understand the existence of ideological resistance to women's rights in Lebanon. On the one hand, women are portrayed as mothers and wives, working in traditional jobs such as teaching and nursing and playing their traditional roles at raising children. On the other hand, men are depicted as strong, protective and occupying decision-making positions. These patriarchal values influence children's perspectives resulting in disempowering Lebanese women and creating principles that oppose gender equality (Tailfer, 2010: 54-55).

Drawing this analysis together, we see the various ways in which women's rights violations are institutionalised and legitimised. Certain socially constructed practices and patriarchal values are embedded by the state itself and entrenched in Lebanese society to the extent that people do not question them (Ruxton, 2004: 31; Hamieh & Usta, 2011: 6-7). They are normalised and taken for granted, leading to the dehumanisation and segregation of women, followed by the commitment of crimes against them.

## **1.5 ROLE OF LEGAL DISCOURSE IN GENERATING GENDER-BASED VIOLENCE**

Price (2012) addresses the cycle of violence women endure along with the experience starting from the agencies and institutions that respond to violence such as law makers, courts, police, etc., to the language used in everyday life. This section will focus on highlighting this cycle in Lebanon by providing examples from the Lebanese legal codes. They tend to normalise the repeated violations of women's rights reducing those practices to the level of "a common



dynamic that cut across social boundaries” (p.2).

Price tackles the complicity of institutions and the public and societal structure in the course of violating women’s rights. This is exemplified in the pedagogy of the Power and Control Wheel (pp. 22-24). Price explains the wheel of power that maintains VAW and regenerates it. Within the frame of physical abuse (beating, kicking, punching, and slapping), economic, sexual and emotional abuse is being committed against the victim. Threats, isolation and intimidation are also common in VAW as well as using male privilege by making all the important decisions and treating women like servants. This mainly highlights the components of domestic violence. Price also criticizes women movements for focusing on sameness and commonalities within the marginalised group, women in this case, while forgetting to address the most suppressed and marginalised women within the same group such as those from different race, age and class. While this is an important and interesting point, it falls outside the scope of this study.

Foucault (1991) is another important source of understanding. He argues that reproduction of power and social order occurs through discourse. Power relations are intentional as Foucault (1976: 95) describes them; they are tactics with specific aims and objectives. In this sense, norms, traditions and cultures constitute a form of oppression entrenched into society and left unchallenged. They derive their legitimation from the status of “objective knowledge” they are given because they are already known in society (Scott, 1988: 34-36). In Lebanon, we see this in the legal framework, as Foucault may have predicted. Lebanese women suffer from legalised discrimination that serves the patriarchal system. Lenient punishment and supportive legal system of perpetrators encourage the commitment of GBV against women. The language used in national legislations underlines its maleness, reinforces the inferiority of women and domination of men and preserves a hierarchical system based on gender (Cook, 1994: 65-68). Deeply rooted norms and traditions that subordinate women to men also expose them to different forms of violence such as economic, social, verbal, sexual, physical and psychological (Tailfer, 2010: 20-22).

As GBV is a taboo in Lebanon, a private matter not to be discussed or spoken of, women tend to be silent about it. Therefore, it is difficult to provide statistics about the actual number of female victims of violence. According to KAFA, a Lebanese organisation working to end VAW, approximately “three-quarters of Lebanese women” have experienced violence during their lives (p. 21). On domestic violence for instance, 35% of 1,415 Lebanese women interviewed in 2002 by UNFPA were victims of domestic violence. This is stated in one of

the studies conducted in 2011 by KAFA (Hamieh & Usta, 2011: 5). Examining the Lebanese legal statute provides a better understanding of the gravity of the issue, the reasons why VAW is still considered a private matter and the role of the legal system in reinforcing VAW.

Up until 2011, Article 562 of the Lebanese Penal Code provided a lenient sentence to perpetrators of the so-called “honour killing” crimes. The article stated that if a man “finds his wife or his sister or one of his female agnates in the act of (witnessed) illegitimate sexual relations and kills or harms one of the actors”, he would be exempted from charges. The article was amended in 1990s giving the perpetrator a mitigated sentence instead of exemption (Welchman & Hossain, 2005). The amendment did not give equal treatment to wives however. It preserved the right to legal excuse to male family members only. In August 2011, Article 562 was revoked after years of pressure from many activists (HRW, 2011). However, the repeal of one article does not put an end to crimes committed against women under the name of honour; neither does it terminate the legal protection of perpetrators of crimes framed within the honour discourse. The following section reviews various articles from the Lebanese Penal Code that illustrate its connection to VAW and still pass lenient sentences to murderers. Those articles need to be amended in order to overcome VAW and change the entrenched gender practices and attitudes that subordinate women to men (Baydoun, 2012: 37).

Looking at the Lebanese Penal Code, honour is mentioned in different articles. The concept is embedded in the law forming a “pervasive socio-legal category” (Mikdash, 2011). For example, Article 252 gives a lessened sentence to “he who commits a capital crime in a state of anger caused by an unlawful act” on the part of the victim. Similarly, Article 193 “if the motive was honorable and characterized by chivalry and decency” and Article 253 “if there are any “mitigating” circumstances” both provide lenient reduced sentences if the perpetrator is the husband in particular. They authorise the judges to “waive or reduce” the punishment for any crime committed on the basis of honourable intent (HRW, 2009; Welchman, 2013). Welchman and Hossain (2005: 121-128) illustrate the use of those articles by Lebanese judges giving examples of some case files.

It is worth noting that punishment for an intentional murder is 15 to 20 years (Article 547). Article 550 punishes by “hard labour for a term of at least five years” anyone who causes death of a person by “beatings, violence, assault or any other intentional act”. Moreover, Articles 503 and 504 allow marital rape while Article 522 encourages the rapist to marry his victim (HRW, 2011). The latter proclaims, “If there is a contracted marriage

between the man who commits rape, sexual abuse, kidnapping, sexual harassment and the victim, then there is no charge or the punishment is stopped” (Xie & Barber, 2011). Therefore, many rapists tend to marry their victims to avoid punishment. Moreover, the victim’s family seek to cover the incident up by forcing the girl to marry her rapist and avoid the social stigma of being a non-virgin.

In April 2014, the Lebanese Parliament passed a law on the protection of women and family members against domestic violence after years of campaigning by various Lebanese women’s rights organisations such as KAFA and ABAAD. The new law finally recognises women’s need for protection from abusive husbands and other family members. It establishes protection procedures and measures such as getting a restraining order against an abuser, founding shelters for survivors of abuse and processing complaints by specialised family violence units (HRW, 2014). However, the Parliament amended the original draft of the law, which considered marital rape a crime, as a result of religious pressure. Once again, the law fails to protect women from marital rape and other forms of abuse.

Welchman and Hossain (2005) explain how legal systems are established from varieties of legal articles that produce and form social norms within a society. Therefore, the annulment or amendment of one article would not change the entrenched practices within the Lebanese legal system, hence the social practices and norms that justify crimes committed against women (p. 134). National laws are used to deny women access to the public sphere including professions, marketplace and political life. Lack of regulation and non-intervention by the state in the private sphere – in the name of family and privacy protection – legitimate the power of husbands over wives and male family members over female relatives. Those are two aspects of the public/private dichotomy that are prevalent in Lebanese society (Cook, 1994: 70-71). The private/public distinction is a colonial legacy that needs to be challenged. Personal laws and their approaches to the private sphere should be carefully examined in order to bring equal rights into the family and eventually to the society.

Up to this point, it is obvious how the accountability system enshrines GBV within the formulation of – as an example but not limited to – the aforementioned articles. According to Baydoun (2012: 71-75), the law encourages perpetrators to commit crimes of killing against their female relatives, knowing they will be exempted from punishment or serve a lenient sentence. For instance, Baydoun (2012) provides evidence of some crimes committed against women using “family honour” as a cover to escape punishment while the real motive is inherited piece of land. Female victims are socially constructed to perceive themselves as

weak, inferior and in need for male protection (Tailfer, 2010: 67). They tend to dehumanise themselves or other women if involved in sexual activities out of wedlock because such sinful acts inflict “punishment”. In this context, the legal discourse gives a man the right to commit a crime while taking away or ignoring to regulate a right for a woman to have control over her body and personal life. This instigates the reproduction of VAW that maintains power relations and social order within the Lebanese society.

## **1.6 GENDER INEQUALITY AND CULTURAL RELATIVISM**

Some scholars such as Saharso (2003), Chambers (2004) and Bekker (1996) discuss the subject of gender inequality by analysing the relationship and/or clashes between culture and women’s rights. On the one hand, Saharso (2003) argues in favour of hymenoplasty as a method to enable women to engage in premarital intercourse while remaining within the boundaries of their communities. She claims that hymenoplasty is “good feminism” (p. 211). On the other hand, Chambers (2004) argues that such surgeries cannot serve gender equality. If the surgery conforms to a norm where only female virginity is essential to marriage, leaving women who are not virgins subject to inhumane social practices, then hymenoplasty is not pro-feminism. Bekker (1996) adds that hymen reconstruction reproduces gender and social inequalities. It looks over the main reasons of the “problem” that is being treated surgically. The “real problem” is having double-standard approaches to virginity (Awwad et al., 2013: 1634). Additionally, it leaves women with serious psychological consequences such as anxiety, depression, loneliness and feelings of guilt (Bekker, 1996: 331-333). Virginity is not a prerequisite for men in societies ruled by honour and virtue like Lebanon. This represents a form of sexual inequality and social injustice (p. 332).

Other authors such as Zechenter (1997), Binion (1995) and Donnelly (1993), focus on cultural relativism and its impact on gender-based abuses against women. They argue that “culture” should not be used as an excuse to violate human rights and dismiss gender issues. Living in a culturally diverse world does not “justify a failure to rectify the conditions in which women live worldwide” (Binion, 1995: 522). In this regard, violations of women’s rights in Lebanon should not be justified by religion and/or culture framing the Lebanese society.

Similarly, Donnelly (1993) argues that practices embedded within cultural traditions do not mean they should be tolerated on the human rights level (pp. 109-124). Accommodating the cultural particularity of human rights does not strip away their universal aspect. Applying

cultural relativism radically defines women by group membership instead of recognizing them as human beings (p. 112). Donnelly (1993) further highlights that “we must not be misled by complaints of the inappropriateness of “Western” human rights made by repressive regimes” (p. 119).

Freeman (2011: 124) believes that the protection from domestic violence, for instance, is not practiced in countries that follow Shari’a Law as a main source for its laws and regulations. It is considered an invasion to the right to privacy of the family. The reason is they conflict with rights mentioned in national laws and legislations, which are derived from Quran and based on Islamic rules and rituals. However, Welchman and Hossain (2005: 15) indicate the occurrence of “crimes of honour” among Lebanese non-Muslim communities as well. It is also worth noting that the Personal Status Law in Lebanon is not unified. Each religious confession has its own law, which in principle does not conform to gender justice and equality (CAWTAR, 2011: 15-16; Tailfer, 2010: 69-83). Such an example reconfirms what Donnelly (1993: 112-118) means by the use of cultural relativism argument in justifying human rights violations. The fundamental rights of women to be protected from abuse and to live a life of dignity are universal.

Cultural relativism “allows human rights to be traded as negotiable commodities; that it reconstructs the ‘domestic jurisdiction’ screen behind which authoritarian governments can shelter”, Charlesworth and Chinkin demonstrate (2000: 223). They explain that it would be difficult to reach an international agreement on women’s rights and freedoms if all cultures were to be considered having special particularities. The issue of cultural relativism narrows down the scope of universal human rights; it places culture in the “private sphere” the same as national legislations, in Lebanon for example, consider GBV a private matter. However, violence is not peculiar to Lebanese culture to be justified by the argument of cultural relativism.

As noted earlier, Lebanon ratified CEDAW in 1996 (Wetheridge & Usta, 2010). However, Lebanon has not succeeded in meeting its obligations according to the international laws and regulations. The convention emphasizes the eradication of all forms of discrimination against women by adopting and legislating laws that ensure equal treatment of men and women. It urges state members to modify and abolish existing laws that discriminate against women as well. Looking back at the Lebanese Penal Code, Lebanon has not implemented the required amendments in line with the articles and provisions of CEDAW. On the opposite, the Lebanese Penal Code encourages gender inequality and discrimination

against women because they are women. This is what GBV is based on according to the General Recommendation 19 (1992) of CEDAW (Rouhana, 2014).

Those concepts of human rights mentioned in the UDHR and the two Covenants are universal. However, the implementation of those concepts in different countries does not need to be identical. According to Abu-Lughod (2002: 787-788), respecting differences does not imply being relativistic and accepting unjust interpretations of rights and freedoms. Cultural differences are the product of different histories, different circumstances and different visions about what justice is and what each person wants. Therefore, limited relativity can be combined with the universality of human rights in a way that ensure implementing them worldwide (Donnelly, 1993: 116-118).

# CHAPTER II

## METHODOLOGY

### 2.1 INTRODUCTION

Tackling hymenoplasty from a poststructural feminist perspective is essential in conducting a research of this kind. As the research centres on women and GBV against them, poststructural feminist perspective underlines how women are treated with discrimination, inequality and marginalisation in Lebanon. It also highlights the dominant male perspectives even on issues related to women and their bodies (Neville, 2007: 10). Where gender relations are unjust and unfair, poststructural feminism comes to address the common interests women share such as a gendered social position in order to achieve change (Ramazanoglu & Holland, 2002: 7). It also conceptualises the “taken-for-granted male power” as a crucial element in understanding abuse and violence against women (p. 147).

Poststructural feminism further draws attention to how this gender-based inequity is embedded in social practices, values and institutions. It is evident that gender permeates culture. Therefore, it cannot be overlooked or isolated when studying social processes (Neuman, 2013: 116-119). Poststructural feminist approach plays an important role in empowering women to make changes, raising their awareness on issues related to their rights and revealing hidden forces and powers that limit their choices based on gender. Neuman (2013: 120) describes this approach as aiming at gathering systematic observations based on empirical analysis and theoretical knowledge. It does so through publically shared research procedures that are “self-reflective and open ended”.

Foucault enriches poststructural feminist research by analysing power and knowledge, in addition to their relation to law (Foucault, 1976: 83). He further highlights the impact of patriarchal power on all levels of women’s experience starting from everyday rituals to marriage and other ideologies and institutions that administrate every aspect of their lives (Hekman, 1996: 159-161). According to Foucault, language and discourse are key concepts in poststructural feminist analysis (Belsey, 2002: 107). They are the starting point to understand how social processes and institutions are formed and organised; they are produced and governed by and through discourses of those in power (Baxter, 2003: 7, 24, 25). Questioning these dominant ideologies as well as contesting the contextual construction of social

meanings is important in achieving social change. However, those who challenge the system risk becoming marginalised and suppressed (Scott, 1988: 36).

This chapter maps the research design chosen for addressing the research topic including the techniques for data collection and analysis. The strategy employed in conducting this study is qualitative. This approach will be outlined in detail in the following section. That is followed by an explanation of Grounded Theory used to analyse the collected data while linking the research methods to the findings. Moreover, this section presents the adopted research methods as well as the justification for their employment. An illustration of the practicalities of interviews in addition to ethical considerations that need to be taken into account is then addressed. The last section tackles the limitations and challenges that may arise out of conducting a research of this type.

## **2.2 RESEARCH DESIGN**

Although using both qualitative and quantitative approaches is essential in enriching and strengthening the research, quantitative methods such as surveys will not be used in this project. Understanding a social phenomenon such as hymenoplasty is the main aim of this research. Therefore, the generalisation that quantitative research methods seek to achieve is not relevant to this study. Moreover, it is difficult to obtain data through structured data collection mechanisms due to the sensitivity of the case in study. The highly structured nature of quantitative research does not enhance the possibility of gaining access to informants' direct meanings and concepts during the process of data collection (Silverman, 2013: 144).

Quantitative research methods produce abstract, limited and narrow dataset owing to the numerical descriptions they provide. As a result, they do not allow elaborated and detailed accounts of participants' perception. Also, they do not assist in the interpretation of results or the explanation of variations as they ignore the context in which they occur (Silverman, 2013: 128). Pre-set answers and structured questions are other weaknesses of quantitative methods that do not serve this research. They lead to bias and do not necessarily reflect the actual viewpoints of participants on the research topic. Consequently, error, inaccuracy and misrepresentation of data and findings may occur (Bryman, 2012: 408-411). To avoid dealing with those disadvantages, the primary data will be collected and analysed using qualitative research methods. This section outlines the strategy, methodology and methods used to produce knowledge that best answer the research questions.



### **2.2.1 Qualitative Research**

Qualitative research is a way of learning about aspects of social life. It is an inductive process used to explore and explain social phenomena (Leavy, 2014: 278). Qualitative methods provide the “insider’s perspective” of the issue in study (Reed & Padskocimaiti, 2012: 49-51). They are the best technique to collect rich data that provides a deeper understanding of hymenoplasty and its consequences on Lebanese women’s rights. Qualitative research methods assist in producing the knowledge needed to understand how gender power dynamics are being reinforced and maintained within the Lebanese society (Leavy, 2014: 92). Leavy also stresses the importance of qualitative methods in feminist research as they give room to emotions and exploration of daily experiences of marginalised groups (p. 93). Qualitative research methods allow the study of the examined phenomenon in a natural environment without any manipulation of conditions (Bryman, 2012: 408-411).

Reliability and validity in qualitative research are perceived differently from those in quantitative research. On the one hand, reliability means consistency in observations, which is required in any research. However, each researcher uses a different mix of measures and diverse methods for data collection. This is a key factor in highlighting different aspects and dimensions of the issue in study. On the other hand, validity in qualitative research represents authenticity. Providing an objective, accurate and clear account of informants’ viewpoints regarding a particular case or event of social life is the main interest (Neuman, 2013: 218; Leavy, 2014: 679-681).

Checking consistency in the information provided by different informants is essential to verify and validate evidence. The great volume of data produced from the fieldwork, such as written notes, verbatim description as well as references to sources, quotes and paraphrasing are other ways to authenticate collected data (Neuman, 2013: 171-172). Moreover, a multi-method approach is employed combining interviews with data collection and analysis (analysing documents and texts for instance) (Bryman, 2012: 383).

While employing qualitative methods in collecting data and reporting findings is influenced by personal insight and experience, being aware of that fact is one way to overcome assumptions and prior perceptions. In qualitative research, this is called confirmability, which is an alternative criterion to objectivity used to evaluate quantitative research (Leavy, 2014: 680). By acknowledging the effect of existing values, beliefs and preconceptions, one can use that to the benefit of the research by recognising their influence.

Personal background and experience can be an asset to the issue in study if identified and treated properly (Neuman, 2013: 165-175).

### **2.2.2 Grounded Theory**

Grounded Theory (GT) is an empirical inquiry that constructs theories through data analysis. It gives the opportunity to study different possible theoretical explanations for the research findings. While reviewing the gathered data, repeated ideas, perceptions and concepts are being coded and categorized by making comparisons and looking for similarities and differences (Leavy, 2014: 119). Therefore, GT is employed in this research to identify the central concepts about hymenoplasty in Lebanon. The social context in which they occur is emphasised because the meaning of any social statement or action strongly depends on the context. It requires continuous reflections on data and context. GT aims at uncovering broader principles. It further allows the exploration of certain concepts in greater depth based on the modification of interview format after conducting the first interviews (Denzin & Lincoln, 2011: 360-363).

Sampling in GT is purposive. It aims at identifying and interviewing informants that best inform and enrich the research topic as well as allowing the development of a theory in which the topic fits. It is also essential to obtain adequate samples that allow the development and testing of theory. Sample selection in GT is open. The initial sampling differs from the sampling done during data collection. The former is guided by the researcher's preliminary theory and knowledge about the topic. It is then altered to yield in-depth collection of new information based on collected data (Bryant & Charmaz, 2007: 237-241).

Data collection in GT stops when interviews no longer produce any new information or knowledge. Reaching the saturation point implies that sampling is done and interviews produce very little additional new information (Bryant & Charmaz, 2007: 161,162). One of the advantages of GT is minimising the effect of preconceived ideas about hymenoplasty. Tackling the issue with little notions about its nature or looking for answers to its research questions leads to more objective findings (Strauss & Corbin, 1998: 12-13). However, as Ian Dey said "an open mind does not imply an empty head" (Bryant & Charmaz, 2007: 20).

Data analysis occurs simultaneously with data collection. It is done by comparing interviews and emerging concepts to those derived from the literature when applicable in addition to testing theoretical constructs against evidence as Strauss and Corbin explain (1998: 93-100). It is a continuing interactive process that allows coming along with new

ideas, which provide directions to analyse the collected data as well as new ways to guide the collection of additional information. GT provides a scope for on-going development and refinement of the research design after embarking on the field research (Neuman, 2013: 204-220; Silverman, 2013: 153). Identifying core concepts, properties and dimensions across cases is the first step in coding. The researcher here is required to interpret the phenomenon and its components to define and form initial categories (Strauss & Corbin, 1998: 113-114).

Axial coding then comes to reproduce a continuum that helps understand the researched matter by relating concepts and categories to each other and reassembling them. This stage also involves identifying key concepts that better serve the focus of the research (Strauss & Corbin, 1998: 123-126). GT should be clear, provide an adequate level of understanding to the phenomenon in study and offer a meaningful explanation to it. Therefore, it is crucial to sidestep the influence of one's personal and professional experience on the research as well as the implicit hypothesis when analysing the material. Being self-reflective of one's own ideas is also important to realise other hypothesis, concept and notions in the data (Leavy, 2014: 509).

### **2.2.3 Use of Qualitative Interviews**

The method chosen to conduct this research is the most appropriate to answer the research questions. With the scarce existence of literature and secondary data on hymen reconstruction and its relation to GBV in Lebanon, interviews help gather the needed data to analyse and demonstrate the impact of hymenoplasty on GBV. This method comes to fill in the gaps and collect the missing information with regard to potential forces that lead women to act in ways that undermine their rights. It further highlights the pervasion of gender-structured power relations through all spheres of social life (Neuman, 2013: 116). To this end, after locating the gaps in the existing literature, qualitative interviews come to complement the research regarding hymenoplasty and its relation to sustaining power discourse on the one hand and gendered social order in Lebanese society on the other. Interviews represent a qualitative approach that is utilised to gather detailed data and obtain thorough information about the research topic. Its main objective is “interpreting the meaning of the described phenomena” (Kvale, 1996: 5-6).

This research aimed at interviewing a total of 20 medical doctors and activists. After conducting the first interviews, the need to interview some psychologists arose in order to get a better understanding of the psychological and emotional conditions of women who resorted

to hymenoplasty. Therefore, informants were gynaecologists, psychologists and women's rights activists and researchers. The total number of participants was 22, 10 of which were medical doctors. Informants were located using my professional and personal social network in Beirut, Lebanon. Accessing local organisations and NGOs working for women's rights was feasible, particularly nowadays, due to their active role in combating VAW in Lebanon. However, identifying gynaecologists who perform hymenoplasty was difficult. Some challenges concerning interviewing them will be addressed at the end of this chapter.

Individual interviews were conducted in person with medical doctors. They took place in doctors' clinics due to the sensitivity of the issue. This was to allow confidentiality and build trust, to some extent, between the researcher and the informants (Leavy, 2014: 289). The aim of those interviews was to yield a better understanding of the medical, psychological, social and ethical aspects of the surgery. They formed a crucial source of producing knowledge with reference to the research project. Further interviews were conducted with human rights activists and researchers – specifically those working on women's rights, and Lebanese NGOs personnel. The objective of those interviews was to give an in-depth analysis and practical comprehension of the issue in study. They contributed to this research by explaining the legality of the surgery, its relation to GBV and its influence on the gendered context of women's lives and gender inequality.

Interviews were semi-structured. This allowed flexibility and encouraged in-depth discussions while giving participants a greater leeway in answering the questions. It gave the opportunity for further elaboration and exploration allowing informants to diverge in pursuing notions and perceptions (Bryman, 2012: 470-472). Semi-structured and open-ended questions were also beneficial to find common shared interpretations and understanding on GBV and hymenoplasty. It gave the researcher the opportunity to focus on matters that she saw important to the research project. It further provided scope for additional questions to pick up on participants' statements (Leavy, 2014: 286-287; Reed & Padskocimaiti, 2012: 38).

Some key questions used to guide the interviews are introduced in the appendices. Their main goal was to define and highlight the main subject of this research in an attempt to generate answers and possible solutions. However, questions were not limited to the interview guide attached.

## **2.3 PRACTICALITIES AND ETHICAL CONSIDERATIONS**

Personal interviews were conducted in Arabic, as it is the mother tongue of participants and the researcher. An audio device was used, when approved by informants, to record all discussions and interviews. Otherwise, the data was registered manually on paper. Audio recordings were systematically transcribed and translated into English by the researcher. That assisted in interpreting ambiguous statements. Another advantage was the ability to recollect and note nonverbal signs and other features of the interaction that took place during interviews, which cannot be taped (Leavy, 2014: 290).

Informed consent forms were used to acquire participants' written permission to record and use the data collected for the purpose of this research. An information letter was distributed to informants alongside informed consent form. The form was provided by the Norwegian Social Science Data Services (NSD). It is the Data Protection Official for Research for all Norwegian universities including the University of Tromsø to which this research project is submitted. Therefore, informants were treated according to the ethical standards and guidelines set by NSD.

Informed consent forms presented a written request for informants' voluntary participation in this research. The main aim of the form was to establish the informants' volunteerism and free will to take part in this project without being influenced by any fraud, deceit and coercion. It gave them the right to withdraw from the research at any chosen time without stating any reason or providing any justification. Moreover, withdrawing did not entail any negative consequences or disadvantages on informants; data they have provided would be anonymised and will not be used in the research. However, the researcher did not face cases in which participants decided to withdraw. The consent forms were kept separate and not connected to the data material. The information letter further explained the project, its purpose, what participation implies and the way collected data will be used (Leavy, 2014: 64).

The information letter was interpreted to Arabic in order to avoid any misunderstandings due to language barriers. The researcher carried out the interpretation as she was in a better position to offer a clear explanation about the research while ensuring accuracy and confidentiality. This task was not challenging due to the researcher's extensive experience throughout her professional career. The informed consent process was done in person during the first meeting with informants before conducting interviews to guarantee they were aware of the letter content, to clear any ambiguity if any and to avoid storing the forms electronically (National Committees for Research Ethics in Norway, 2006). One

disadvantage of the latter was its time consuming nature. In some cases, the form was electronically sent to informants in advance to help them familiarise themselves with the research topic in addition to managing time conveniently. However, the form was signed in person during the first meeting.

Anonymity and confidentiality were adhered in all circumstances as mentioned in the information letter. Participants' names were not registered at any stage during the research, hence not mentioned in the findings due to the sensitivity and illegality of hymenoplasty in Lebanon. Numbers or initials were used instead (Leavy, 2014: 63-65). Sensitive personal data or information about third persons were not acquired either. Other background information was not gathered as deemed unbeneficial for the research. A private computer with Internet access was used to register and store the data collected. Data was protected from unauthorised access by using a password-protected personal laptop. No one had access to the data except the researcher and project leader. Furthermore, participants were informed that notes and recordings would be deleted after the completion of the research project, scheduled for December 2015.

## **2.4 LIMITATIONS AND CHALLENGES**

Some of the complications that occurred during field research were related to identifying gynaecologists who perform hymenoplasty because it is socially rejected in Lebanon. They were reluctant to participate or unwilling to be named regardless if they perform the surgery or not. Therefore, random gynaecologists were interviewed based on their medical knowledge. The use of a recorder was not approved in all cases (5 out of 22 participants). Therefore, written notes were taken instead.

Another challenge that emerged from using interviews was the interpretation of meanings. Information provided by informants sometimes had multiple readings. That required careful interpretation by the researcher as well as attention to multiple and contradictory meanings. This issue was addressed by including the interpretation of meanings in the conversation with informants. This gave them the chance to interpret their own words rather than merely articulating them (Leavy, 2014: 288).

The research did not aim at interviewing women who resorted to hymenoplasty. As the surgery carries with it potential risky repercussion of dishonouring the family – in addition to being a social taboo, patients usually use pseudonyms in order to remain anonymous. Trying

to identify and interview patients may endanger their lives regardless of the unfeasibility of pinpointing them.

Another limitation in this research concerns the use of feminism and gender. It overlooks the differences among women such as social class, educational level, race, age, etc. However, identifying Lebanese women as a group with a focus on their commonalities and sameness serves the purpose of this research. It focuses on male dominance in Lebanon as well as power relations that subordinate women to men despite their social statuses, educational backgrounds, age and religion (Tailfer, 2010: 20; Hamieh & Usta, 2011: 6). Moreover, the time frame of this research and its required length were other challenges that needed to be taken into consideration.

# **CHAPTER III**

## **FINDINGS AND ANALYSIS**

### **3.1 INTRODUCTION**

Following the fieldwork that was carried out in Beirut, Lebanon, this chapter examines the outcome of interviews conducted with gynaecologists, psychologists, women's rights activists and researchers. Using GT as a method of analysis, findings will be divided into core concepts and themes developed from collected data. Comparison among information provided by each participant based on their own experience as well as theoretical comparison among emerging concepts and those derived from the literature is the main analytic tool to reach the findings.

This chapter introduces causal conditions of hymenoplasty. It explains the drivers for its emergence in a social, cultural, religious and legal context. That is followed by an examination of hymen reconstruction surgeries under the umbrella of women's rights. It discusses the complications and consequences of hymenoplasty on women's lives psychologically, emotionally, financially and physically. This chapter also explains how and why hymenoplasty is considered a form of GBV against women in Lebanon. It looks at its relation to "honour killing" crimes and other forms of VAW.

### **3.2 CAUSES OF HYMENOPLASTY**

According to most participants (20 out of 22) and based on their experience in the field, reconstructing the hymen is a common practice in Lebanon. It is prevalent to a very high extent. However, there are no statistics on this phenomenon because it is discreetly carried out. Three of the participants stated that the demand for hymenoplasty is decreasing over time based on the number of women approaching them seeking hymenoplasty. Cohabitation is becoming, to some extent, accepted among certain communities in Lebanon as Participants 8 and 20 stated (interview, 13 & 23.04.2015).

From a medical viewpoint, hymenoplasty is a reconstructive procedure that aims at restoring the hymen to ensure bleeding during the first sexual intercourse after it, which is usually on the wedding night. Patients undergo the surgery after getting involved in premarital intercourse or breaking the hymen during certain activities or sports such as



horseback riding. In few cases, victims of rape resort to hymenoplasty. However, it is very rare based on participants' experience. The justification of its rareness could be due to victim's rejection and loathing of the whole idea of marriage and the Lebanese law that encourages the rapist to marry his victim (HRW, 2011).

The surgery is done under local or general anaesthesia. It is carried out in doctors' clinics due to confidentiality and discreetness. On the one hand, the patient does not want to be identified or registered in a hospital. In many cases, patients provide pseudonyms and never return for medical follow-ups. On the other hand, it is against hospitals' policy not to register a surgery. One of the participants explained that the surgery could be easily done in clinics, as it does not require general anaesthesia. The question to be answered here is, why is there a demand on the intact hymen and bleeding on the wedding night?

There are many considerations and factors behind the prevalence of hymenoplasty and emphasis on girls' virginity before marriage. Participant 1 explained, "The surgery satisfies family, society and cultural practices, which are the main drivers for women to undergo hymenoplasty and be socially accepted for marriage" (interview, 04.04.2015). Participant 13 further stated that the surgery is a form of submission to patriarchal norms and ideologies rooted in the Lebanese society in which "authoritarian honour" exists. This authoritarian honour is reflected in Lebanese laws, culture and social practices (interview, 16.04.2015). Lebanese upbringing is the main issue in entrenching the value of girls' virginity and intact hymen as Participant 10 added (interview, 14.04.2015). "Serving male machismo or male self-image" is the reason losing virginity is a taboo in Lebanon according to Participant 5 (interview, 09.04.2015). The grounds for the existence and demand for hymenoplasty can be broken down into two major categories: cultural/social drivers and religious /legal influences.

### **3.2.1 Cultural and Social Predominance**

All participants in this study expressed the impact of social and cultural ideologies in highlighting the value of the intact hymen before marriage, hence, the emergence of hymen reconstruction surgeries. Three participants pointed out the physiological nature of the human body as one of the reasons virginity is not a prerequisite for men; there is no "sign of losing virginity" in men's bodies, contrary to women.

While the majority of participants (19 out of 22) stressed the paradoxical nature of Lebanese society in which virginity is required from women only, Participants 8, 16 and 20 explicitly indicated that even men in some conservative communities are required to be

virgins before marriage (13, 20 & 23.04.2015). This illustrates diversity in the Lebanese social fabric and the existence of varied communities within one country. However, the study carried out by Awwad et al. (2013: 1630), mentioned in the literature review, highlights the paradox and duality in Lebanese society with regard to attitudes towards hymenoplasty and premarital intercourse. In the study, “Lack of trust in the other” was the main reason for male student participants to reject marrying a non-virgin (75% of the 300 students). Yet, 80.9% of those students approved premarital coital sex “out of love” and 70.5% “for a physical need”.

The general perception emerging from the fieldwork shows that women generally resort to hymenoplasty in order to restore the “marriage material” aspect they lost according to Lebanese social norms and traditions. The intact hymen is a marriage prerequisite among Lebanese men for many reasons. The concept of property and ownership of women and their bodies is one of the deeply entrenched perceptions in Lebanese society. It is a product of a patriarchal society that aims at keeping women under men’s dominance and power. The need for incomparability is another reason men seek to marry virgins. A man wants a woman’s sexual life to be limited to him so that she will not be able to compare him to other men. This mainly serves male self-image.

Women are raised on the idea that marriage is the only recognised relationship in which they can have sexual intercourse. As a result, they experience lack of freedom over their bodies. They are nurtured to value virginity, perceive it as a symbol of virtue and link it to the reputation and honour of the family, particularly male family members. They do not question those practices and ideologies because they are passed down from one generation to another. Up to this point, both parents contribute to the reproduction of VAW. As Participant 14 expressed “patriarchy is made of men and women”. She further described mothers who raise their children on gender discrimination as “patriarchal women” (interview, 16.04.2015). The language used within society and popular proverbs children are raised on strengthen the significance of the intact hymen. For instance, one of the proverbs says that the honour of a girl is like a matchstick, once it is lit, it becomes useless and unusable. Therefore, it is quite common to refer to a non-virgin girl as “second hand”, “used” and “open”.

However, with advancement, openness and technological development, concepts of sexual freedom and freedom over the body have been adopted by many Lebanese women and men. Having more opportunities and freedoms to travel, pursue higher level of education, work and interact with other cultures pushed the average age of marriage from 23.2 in 1970 to 28.9 in 2012 according to UNFPA (CAWTAR, 2012: 16). This contributed to the objective

reasons for women to engage in consensual premarital intercourse as a way to express freedom and liberation from customs and traditions, some informants expressed (7 out of 22). When she wants to get married, she collides with the reality of the social context she lives in. The internalisation of social norms and patriarchal practices forces a woman to re-submit instead of challenging them, thus, resort to hymen reconstruction surgeries to be accepted in the societal framework.

Fear of families and grooms' reactions, dishonouring the family, becoming an outcast, having a bad reputation and becoming victims of violence and/or "honour killing", in some extreme cases, are the main drivers to resort to hymenoplasty. This is in line with the study conducted by Awwad et al., where hymenoplasty was approved by female students for the following reasons: saves from husband prejudice (72.3%), preserves women's right, autonomy and sexual freedom (70.2%), saves from physical harm and death (63.8%) and saves from social embarrassment (61.7%).

Very few girls have courage to confront their grooms and families with their premarital sexual activities. Women usually feel sinful and ashamed of their sexual relationships. They blame themselves for indulging in "wrongful acts". Therefore, they try to "clean" and "fix" what they have done in an attempt to forget and start a marriage based on socially known and acceptable standards. Another reason for hiding loss of virginity is weakness and lack of power equilibrium women feel and experience. They do not want to enter a marriage with an issue that can add to their weaknesses and turn them into an easy target for humiliation and degradation.

For Participant 20, the common notion of fear and social pressure is not always the cause for restoring the hymen. It is how the West depicts Eastern women as not having sexual lives, not owning their bodies and selling their virginity to their husbands. Based on Participant 20's experience, regret after having premarital intercourse is common regardless of marriage. Additionally, he deals with many cases when girls lie to their partners about their intact hymen. When things develop between couples and reach marriage, girls seek to restore their hymens because they cannot face their grooms with the reality that they deceived them for a period of time. According to Participant 20, this is a very common story he hears from patients. They also add that they know their grooms would not reject them had they known the truth from the beginning (interview, 23.04.2015). Participant 21 explained that fear of people's reaction is the reason girls lie about loss of virginity. They are not reconciled with

their bodies because they feel faulty and imperfect. They feel they lack something that society requires (interview, 24.04.2015).

One of the main concepts rising from this research is the impact of financial, economic and educational background of Lebanese families and partners on their perception of virginity and its value, thus their resort to hymenoplasty. The more educated and open minded they are, the less they link the intact hymen to virginity, honour and virtue. This does not exclude the existence of hymenoplasty among highly educated girls, as participants emphasised, as long as the family has patriarchal mentality. Referring to Awwad et al. study (2013), harming and killing a wife (5.3%, 4% respectively) were among the responses to finding out about hidden hymenoplasty. The other point to be considered regards the girl herself. The more independent, educated and mature she is, the more courage she has to confront and challenge the embedded social and cultural practices.

Nevertheless, we cannot turn a blind eye to the shift in Lebanese society. Twenty years ago, virginity was more of an issue. Cohabitation and engaging in premarital intercourse was not as common as now, as 7 participants reported. Openness to the West and technological advancement has had its influence on some Lebanese families' mentality. This contributed to the duality Lebanese society experiences. Trying to adopt social and economic developments while preserving some of the old-fashioned traditions and conservative practices present in religious and legal discourses led to double social standards that are somehow schizophrenic. This perception is highlighted below.

### **3.2.2 Religious and Legal Predominance**

While all participants agreed on the role of cultural and social norms in entrenching and reinforcing gender inequality in Lebanon, the degree to which religion plays a role in the prevalence of hymenoplasty was controversial. The observation reached from the fieldwork (18 out of 22 participants) is that religion, in principle, comes second when discussing women's virginity and their resort to hymenoplasty. For Participant 20, the base for the value of virginity is religion. It is interpreted in social practices. For Participant 8, it is not religion that discriminates against women, rather religious figures that misrepresent religions. Premarital intercourse is condemned in every religion. However, hymenoplasty is prevalent among all as reported by participants. The percentage of Muslim females who resort to hymenoplasty could be higher. This might be valid as per the study conducted by Awwad et al. (2013: 1630). It shows that male Muslim participants are more likely to disapprove

marrying a non-virgin than Christians (39.9% vs. 18% respectively). However, with the lack of statistics on the connection between hymenoplasty and religious affiliation, no confirmation can be made.

To this end, the impact of religion, in particular, on women and their rights is immense. Living in a country ruled by religion impinges on women's rights and strengthens the patriarchal society in which women are perceived as property. That is reflected in the politicisation of religion and its use as a base for the Lebanese Status Laws (interview, 21.04.2015). With the absence of a civil law in Lebanon, each religious confession (17 in total) has its own Personal Status Law that does not always conform to the principle of gender equality. That affects women's rights in inheritance, marriage, divorce, property and custody over children. For instance, the Personal Code of the Orthodox Church considers adultery by women only a valid reason for divorce (Tailfer, 2010: 68-83). This point will be further elaborated in the next section when discussing hymenoplasty and women's rights.

Religious figures, politicians and governmental personnel have dominance in the Lebanese society. They benefit from embedding taboos in society in order to maintain power relations and keep women submitted to men. For instance, Participant 10 mentioned the new law concerning domestic violence against women. Both religious and governmental figures did not want to pass a law that addresses women in specific. As a result, the law was amended to "Law on the Protection of Women 'and Other Family Members' against Domestic Violence". In this sense, religion and society breed each other. Morals are being politicised under the name of religion while honour is systematically reflected in law, culture and social ideologies. The patriarchal society is reinforced by religious dominance and political authoritative powers. Lack of separation between religion and politics is the main dilemma. For instance, non-virginity is a valid reason for divorce stated in the Personal Status Code of many religious confessions (interview, 16 & 21.04.2015).

As for the reason women resort to hymenoplasty due to religion, two participants mentioned marriage based on a Sheikh contract only (religious marriage, which is not legally registered in courts) where they engage in sexual intercourse then separate. According to Islam, the annulment of such a religious contract will be considered divorce and the girl will be registered as "divorced" in civil records. Conversely, if the girl remains a virgin, the contract will be considered an engagement rather than an official marriage. In such cases, girls may resort to hymenoplasty to avoid being registered as divorced, which decreases their chance of remarriage (interview, 13 & 16.04.2015).

The existence of “honour killing” and crimes motivated by honour in the Lebanese Penal Code is another cause for hymen reconstruction according to participants. Participant 21 explicitly stated “the legal legislator on a woman’s body is a man who takes great pleasure in writing legal articles about her body” (interview, 24.04.2015). Participant 21 clarified that a male’s legal legislations are driven by his sexual fantasies. This is to emphasise the patriarchal influence on women’s rights. Religions do not call for murdering non-virgins. Even in cases of adultery, killing is not justified. Moreover, it is very difficult to prove adultery, as it requires specific conditions such as witnesses. However, as long as the Lebanese law protects perpetrators and gives them mitigating sentences, women fear being killed or exposed to justified violence, thus resort to hymenoplasty. This has been thoroughly discussed in the conceptual framework where the role of the legal discourse in preserving and regenerating violence was tackled. Participants confirmed that the annulment of the legal Article 562 on “honour killing” does not abolish the “authoritarian honour” that still exists in Lebanese society. That is what Welchman and Hossain (2005) refer to when talking about the relation between legal systems and social norms in reproducing VAW. The following section will address the complications and consequences of hymenoplasty as well as its relation to GBV in Lebanon.

### **3.3 HYMENOPLASTY AND WOMEN’S RIGHTS**

After a thorough discussion of causal conditions of hymenoplasty, it is substantial to examine its implications on Lebanese women and their rights in order to better understand the severity of the issue. This will be carried out by scrutinising participants’ viewpoints on the complications of the surgery as well as the reasons it is considered GBV against women.

#### **3.3.1 Complications and Consequences**

When tackling the implications of hymenoplasty on women, participants raised various aspects such as medical, financial and psychological based on their experience and cases they dealt with. They all pointed out the importance of the peculiarities of each case, however. Those aspects will be broken down in this section. The consequences on women, if hymenoplasty is discovered, will also be addressed.

From a medical point of view, the interviewed doctors indicated that the surgery could result in infection and bleeding, which are common complications of any surgery, especially

if not performed by specialised doctors operating under high sterilisation conditions. Since some beauty clinics are performing hymenoplasty, the possibilities of more complications increase according to Participant 12 (interview, 15.04.2015). Another complication could be surgical inefficiency to cause bleeding if a girl was sexually active for a long time before hymenoplasty. It also depends on the elasticity and shape of the hymen (interview, 23.04.2015).

Financially, some doctors exploit women who seek hymenoplasty by charging high rates. They take advantage of women's weakness and vulnerability because, "again, we live in a gendered society under the control and power of patriarchy" as Participant 12 depicted (interview, 15.04.2015). It is worth noting that the surgery fee varies between \$300 and \$800 as stated by Participant 20 (interview, 23.04.2015). In some cases, it has been said that doctors charged patients without performing hymenoplasty. This has been mentioned by one of the participants based on their experience (interview, 9.04.2015). Another participant revealed that some women reported being harassed by doctors during medical procedures (interview, 22.04.2015).

Moving on to the psychological impacts, patients are usually depressed and traumatised because they fear the consequences of being discovered. They try to avoid the scandal, stigma, bad reputation and/or abuse, which could reach killing in some extreme cases. They sometimes carry that trauma with them even after undergoing the surgery, which results in serious psychological repercussions. Participant 11 talked about cases where women were afraid of getting involved in sexual activities after doing hymenoplasty, fearing not to bleed (interview, 14.04.2015). Several participants (8 out of 22) explicitly described the surgery as intrusive. Lack of knowledge about hymenoplasty and sexual education is another reason for women to feel intimidated and distressed.

Moreover, hymenoplasty has greater impact on women who are forced to do it, intellectually, emotionally and psychologically. "They feel lost as if they have double personalities without being schizophrenic" (interview, 24.04.2015). Participant 21 explained that hymenoplasty is caused by anxiety and produces a new form of anxiety because women are forced, consciously or unconsciously, to start their lives based on a lie. Participant 19 described the condition of women who approach them seeking hymenoplasty as being intimidated, shy and inferior due to the guilt and shame they experience. They also give excuses and come up with stories about how they lost their virginity because of the fear of being judged or blamed. Participant 14 considered the surgery "an insult to women's dignity

and self-image; it destroys their self-esteem leading to perceiving themselves as products that should be flawless” (interview, 16.04.2015).

Self-blame may occur depending on each case. Some feel “rigid” and “relieved” after the surgery because they avoided humiliation. Others feel guilty having to deceive their husbands and start their marriages based on a lie. Some women live in constant anxiety even after undergoing the surgery, as they fear blackmail by an ex-partner or a doctor. To this end, all participants agreed that a woman’s decision to undergo the surgery is not based on free will. Even when she goes to a gynaecologist without being forced, she feels socially and culturally obliged to restore her hymen. Participants 10, 14 and 20 explained that there is no free will when you are held responsible for your hymen from childhood, taught to be cautious and not to have premarital intercourse.

On the consequences of hymenoplasty if discovered, participants, especially doctors, explained that women usually do not return for check-ups or counselling after doing the surgery. However, they believe that if the husband knows his wife was not a virgin, she may become a victim of violence and threatened with divorce. Furthermore, 8 of the participants explained that it is very common for a husband to shame and humiliate his wife for marrying her a non-virgin even if he knew or she lost her virginity to him before marriage. Awwad et al. (2013: 1629) reported that 46.3% of male student participants would divorce their wives if they discovered hymenoplasty. If the family learns about the non-virginity of their daughter, they may force her to do hymenoplasty as well as deprive her from studying and/or working. Forced marriage, violence and “honour killing”, in extreme cases, may occur if the family is conservative. All participants clarified that the reaction will differ depending on the social and educational backgrounds of families. This leads to the next section with respect to GBV and other forms of violence against women.

### **3.3.2 Hymenoplasty as Gender-Based Violence**

All participants interviewed considered hymenoplasty a form of GBV against women. The idea of virginity in itself and the discrimination between men and women in terms of their freedom over their bodies is GBV as reported by Participants 8 and 22. Having to start a new life based on what the Lebanese society requires makes women submit to gendered values. Going back to play the role and satisfy the image society drew for them is GBV (Participant 13).



Instead of dealing with the main issue, which is inequality and lack of protection, hymenoplasty comes to conceal it. It is a sign of weakness as Participant 13 called it. The informants stated that hymenoplasty entrenches women's feelings of guilt and shame for doing something "wrong", for committing a "crime" against social and cultural guidelines set for their sex, therefore, they seek to "fix" their hymen and repair the "damage" caused. The surgery does not serve women's rights and their struggle to achieve change on the long run. Instead of confronting and challenging social standards and values, women withdraw and submit to conservative norms. They are forced to give up their rights and beliefs in order to be accepted by the other, men in this case. In this sense, hymenoplasty is disempowering for women according to the majority of participants (17 out of 22). It keeps them limited to the framework patriarchal society imposes on them and strengthens paradoxical standards and duality in Lebanese society. Trying to fit an image drawn by society is disempowering even when it is not hymenoplasty.

On the other hand, five of the participants stated that it is not black or white. It could be empowering if it is going to save a woman from killing or other forms of violence and give her the chance to have a "normal" life according to the societal framework she lives in. Although it is against women's rights and does not achieve power equilibrium between men and women, we cannot encourage (or discourage) them not to do it as long as they do not have the required tools and alternatives to empower and protect themselves. This issue is not separated from other socially constructed gendered relations in Lebanon according to Participant 4.

Moving on to hymenoplasty's relation to "honour killing", it is worth noting that with lack of statistics on cases of "honour killing" and hymen reconstruction surgery, it is challenging to give an accurate depiction of the relation between the two. However, based on participants' experience and their activism in the field of women's rights, they provided their viewpoints on the issue. In principle, participants were clear about the infrequency of such crimes in Lebanon compared to other Arab countries. They believe it still happens among highly religious and conservative communities regardless of their geographical presence.

Although four participants believed that hymenoplasty decreases cases of "honour killing" (as long as it is not discovered), the majority of participants think such crimes are not motivated by hymen reconstruction in general. They usually occur at an earlier stage if a male family member has suspicions or doubts about the behaviours of a female relative. Therefore, hymenoplasty does not affect the frequency of such crimes. Participant 17 added that social

determinants are what control “honour killing”. If a woman behaves in a way that does not fit the social and “honourable” rules set for her, she may experience violence or killing. Legal articles that mitigate the sentences for crimes committed under the name of honour as well as the use of VAW are utilized even when a girl is still a virgin (interview, 04.04.2015). Women are becoming victims of domestic violence without losing their virginity before marriage. However, loss of virginity could definitely be used as a pretext for the husband to abuse his wife or for honour crimes to occur (Participants 5 & 6).

Being forced, consciously or unconsciously, to undergo hymenoplasty was considered, as it stands, an act of VAW by 10 of the participants, equivalent to forced marriage, FGM and circumcision for instance. Participant 15 gave the example of many gay men who get married to women in order to hide their sexual orientation. Consenting to marriage does not mean they have free will. If they had rights and freedoms, they would not resort to such humiliating acts. The same case applies to hymenoplasty, which Participant 15 described as humiliating (interview, 18.04.2015). Hymenoplasty is a form of coercion. For women, not having control over their bodies means not having control over anything in the relationship with their partners. If a man cannot accept a woman’s freedom over her body, he will not accept or give her any other form of freedoms according to Participant 13.

Participant 8 explained that the intact hymen is the other extreme of sexual freedom the West fosters. Just like losing virginity is a taboo in the East in general, being a virgin is a taboo in the West. She described how freedom over the body in Western countries is turning women into slaves to men’s desires. She gives an example of a commercial ad where a man says, “I am free, I am vaccinated, I can have sexual intercourse”. For her, such messages imply that women do not have an excuse to say no to men’s desires. Participant 8 supports the free will and decision of men and women to decide over their bodies without being forced by any social practices or ideologies.

Azza Baydoun, Participant 13 and 16 pointed out that the religious legislation of Lebanese Personal Status Codes encourages and entrenches the concept of virginity. For some religious confessions in Islam, the dowry (Mahr in Arabic) for a non-virgin is less than that of a virgin. Non-virginity is a valid reason for divorce in the Personal Status Codes of some confessions as well. For instance, Articles 68 and 69 in Roman Orthodox Personal Status Code as explained by Mikdashi (2010) give the right to men to demand divorce if they find out their wives were not virgins on the wedding day. Unlike abortion in cases of pregnancy out of wedlock (UNPD, 2002), there is no mentioning of hymenoplasty in the Lebanese law

that legalise or criminalise the surgery. Nevertheless, gynaecologists fear the social repercussions if people know they perform the surgery. Since hymenoplasty is socially condemned and non-virginity is a legal reason for divorce in some cases, gynaecologists will be perceived as accomplices in hiding the shame and deceiving people. This view was conveyed by half the participants. What is more, two participants mentioned a case when a gynaecologist was killed after being known for performing hymenoplasty.

The Lebanese Constitution itself, as well as Lebanese laws, enshrines gender inequality, Baydoun reported. For instance, it does not mention that all Lebanese citizens are equal before the law regardless of their gender (interview, 10.04.2015). Baydoun further explained the reservations Lebanon made on CEDAW with respect to Articles 9/2, 16/1 and 29/2. With the reservation on Article 16 in particular, Lebanon escapes its obligations to eliminate gender discrimination and inequality against women in marriage and family relations, which implies changing the multiple Personal Status Codes each confession follows. However, Article 2 and 5 of CEDAW declare that state parties agreed to eliminate and modify existing discriminatory legislations and social and cultural practices that discriminate against women. Lebanon still has not acted in accordance with the convention.

Up to this end, some of the activists interviewed mentioned that the issue of cultural relativism is not a valid argument to justify women's rights violations in Lebanon in particular and the Arab countries in general. For example, we cannot accept that women in the KSA do not have the right to drive because of the particularity of its culture, Participant 4 demonstrated. Politicians and religious figures claim that international human rights instruments are "Western and imported" while they adopt different aspects of that "Western life" such as the way they dress, the cars and mobiles they own as well as the food they eat (interview, 09.04.2015). Participant 13 asked those who consider women's rights "Western", is taking women as sex slaves our Eastern culture? Finally, Participant 14 reported:

We talk about basic universal rights such as the right to dignity, freedom of expression, freedom over your body, freedom in decision-making without subduing to and being held accountable to society. Those are basic rights we fight for. There is a platform where we all come together. We cannot use that argument to justify violations of women's rights.

(interview, 16.04.2015)

# **CHAPTER IV**

## **CONCLUSION AND RECOMMENDATIONS**

### **4.1 CONCLUDING REMARKS**

Research and literature on hymen reconstruction surgeries within the scope of GBV in Lebanon is scarce and almost non-existent. This research offers significant insights and sheds light on the practice of hymenoplasty in Lebanon. This phenomenon is highly prevalent, as the findings of this study suggest, due to emphasis on girls' virginity before marriage; virginity in this sense is linked to the intact hymen in particular. Although the sample used in this research is limited to a small number of participants, core concepts that emerged from interviews are unanimous. One can conclude that prevailing cultural and societal frameworks, legal systems and religions are predominant factors for the emergence of hymenoplasty in Lebanon. The existence of a paradoxical patriarchal society in which power relations and gender inequality are enshrined and cherished is the main driver for women to resort to hymenoplasty. It is evident from this research that women are obliged, consciously or unconsciously, to act in ways that undermine and impinge on their rights and freedoms.

Based on the findings, hymenoplasty has been considered and labelled, by participants, as gender-based violence against women. It is mainly a tacit form of psychological violence. Women who lose their virginity before marriage fear the consequences of being discovered by their families and future husbands. Fear of stigma, dishonouring their families, bad reputation, becoming an outcast, divorce, experiencing violence and in extreme cases getting killed are the main drives for women to seek hymen reconstruction. Linking virginity (intact hymen) to honour, dignity and virtue is still common in Lebanon. Loss of virginity is still a taboo as well. However, there have been some positive changes in the attitudes and mentalities of some Lebanese communities. The degree to which a family is conservative/open minded, highly educated/illiterate, financially comfortable or coming from an economically and educationally poor background also play a role.

In principle, the surgery is perceived as disempowering and does not serve women in their struggle for gender equality because it forces them to succumb to and strengthen the gender-constructed social norms and customs. The Lebanese legal system is short on laws that serve women's rights and gender equality. The Penal Code as well as the religious

legislation of the Personal Status Laws serve and enshrine GBV against women as thoroughly explained in this research. As a signatory of CEDAW, Lebanon is far from abiding to the convention and its provisions. This research shows that instead of dealing with the main issue embedded in Lebanese society, hymenoplasty serves as a cover to regenerate and reinforce GBV against Lebanese women, keeping them subjugated and submitted to the patriarchal society. The following section will present some of participants' recommendations and potential solutions for fighting gendered practices and realising gender equality within the Lebanese society.

## **4.2 RECOMMENDATIONS**

Drawing on participants' contribution, there are some practical suggestions and recommendations to combat GBV against women in Lebanon in general and hymenoplasty in specific. Participants collectively stated that hymenoplasty is not the solution for the main problem in Lebanese society but more a temporary workaround. According to Participant 12, the solution is social rather than medical. Several participants explained that making a shift towards gender equality is a continuous struggle that requires time to realize, since social practices do not easily change. Women require assertiveness. "You do not ask for a right, you assert and impose it" as Participant 5 emphasised. Struggling for one's rights implies long and hard work on both legal and social levels simultaneously.

Incorporating sexual education, or family education as few participants preferred to call it, in school curricula is one of the most effective methods to fight gender inequality and other forms of VAW. As many "honour killing" crimes and violent acts are committed against women based on men's ignorance of different types of the hymen for instance, family education comes to educate both genders about their bodies and their value, the healthy emotional and sexual rules of relationships and the rights and obligations of each gender to achieve equality. It further teaches them about STDs, which is more important than focusing on reconstructing a hymen as Participant 6 stated.

Legislating laws that protect women from discrimination and violence is crucial to support them in their struggle for their rights. However, it is not enough on its own. Besides educating people about those rights, advocacy and activism are equally essential. Working on social and cultural levels is a prerequisite to achieve change. For instance, Participant 4 explained that ten years ago, domestic violence was an unspoken matter in Lebanon. Nowadays, people are empathising with women victims of violence, parents are being

supportive and women are reporting it. On the one hand, customs, norms and traditions need to be challenged to achieve a positive shift. On the other hand, the law comes to deter the perpetrators and protect the victims. Law and culture breed each other. They are two sides of the same coin.

Civil society plays a crucial role in raising awareness about equal power relations, offering the needed instruments and tools to support and empower women, educating them about their rights and providing legal and social protection. Social campaigns, lectures, workshops and TV programmes are also efficient in educating people about sexuality and stripping away its taboo nature. Removing the stigma from non-virginity is also required in order to stop the prevalence of hymenoplasty. Reaching out to social, religious and political gatekeepers is a key factor in changing gendered mentality of Lebanese people. Including men in the wheel of change is one of the most effective strategies to attain gender equality. Providing support by organisations, associations and social circles is necessary for women to confront and face old-fashioned social customs and traditions.

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# APPENDICES

## Appendix 1: Request for Participation in Research Project

### **Reproducing Violence Through Reconstructing the Hymen? Gender-Based Violence Against Women in Lebanon**

#### **Background and Purpose**

This project is a master's research under the supervision of the University of Tromsø, Norway; it is not implemented in cooperation with any other institutions. The aim of this research is to shed light on gender-based violence against women in Lebanon. Using a lens of poststructural feminism and focusing on the practice of hymen reconstruction (hymenoplasty), its purpose is to understand if an invasive medical procedure such as this is an expression of violence against women every bit as much domestic violence and FGM. The research will look at hymenoplasty and its possible role in highlighting the cycle of violence Lebanese women are exposed to. That will be addressed by analysing the role of law, society and culture in reproducing gender-based violence against women alongside normalising women's rights violations and forming societal frameworks that preserve such violations.

Gynaecologists will be interviewed to yield a better understanding of the medical and ethical aspects of the surgery. They will form a crucial source of producing knowledge with reference to the research project. Further interviews will be conducted with human rights activists – specifically those working on women's rights and Lebanese NGOs personnel. The objective of those interviews is to give an in-depth analysis and practical comprehension of the issue in study. They will, moreover, contribute to this research by explaining the legality of the surgery, its relation to GBV, its effect on the gendered context of women's lives and gender inequality at the personal and social level.

An audio device will be used to record all discussions and interviews. If informants do not approve this method, the data will be registered manually on paper. Audio recordings will systematically be transcribed and translated into English by the researcher. That will assist in interpreting ambiguous statements. Another advantage will be the ability to recollect and note the nonverbal signs and other features of the interaction that take place during the interviews, which cannot be taped.

#### **What Does Participation in the Project Imply?**

Data collection requires active participation; interviews will be the main research method to collect data and produce knowledge on the issue in study. The approximate duration of this process is 1 month. There would be no collection of data about the participants from any other sources. Data collection will solely depend on the information provided by participants.

Data to be collected is related to gender-based violence against Lebanese women and its relation to hymenoplasty (hymen reconstruction). The questions revolve around the impact of hymenoplasty on Lebanese women's rights, the reinforcement and maintenance of gender-based violence against them as well as the legality of the surgery. The role of society and social structure will be touched upon with regard to their possible influence on such surgeries.

## **What Will Happen to the Information About You?**

All personal data will be treated confidentially. Names of participants will not be registered at any stage during the research, hence not mentioned in the final findings. Participants will be completely anonymous in the research paper (final project). They will be identified by numbers, codes or initials based on their preferences. Other directly identifying information, such as date of birth, email address and phone numbers, will not be collected. Moreover, informants will not be indirectly identified by any background information or recordings. Sensitive personal data or information about third persons will not be acquired either. However, other background information if deemed beneficial for the research, will be gathered when needed.

The project is scheduled for completion by December 2015. Personal data will not be collected at any stage during the research. Participants are completely anonymous. Any notes/recordings will be deleted after the submission of the final research project.

A private computer with Internet access will be used to register and store the data collected. The data will be protected from unauthorised access by using a password-protected personal laptop. No one will have access to the data except the researcher and the project leader. Moreover, informed consent forms will not be linked to the data material. They will be kept separate and not stored electronically.

## **Voluntary Participation**

It is voluntary to participate in the project and you can at any time choose to withdraw your consent without stating any reason. If you decide to withdraw, all your personal data will be made anonymous and the information you already provided will not be used in the research. If you would like to participate or if you have any questions concerning the project, please contact Dr Aisha Gill. Email address: A.Gill@roehampton.ac.uk. Telephone number: +44 (0) 2083923893/ 07956116278.

The study has been notified to the Data Protection Official for Research, Norwegian Social Science Data Services (NSD). It is in line with their ethical standards and guidelines.

## **Consent for Participation in the Study**

I have received information about the project and am willing to participate

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(Signed by participant, date)

## **Appendix 2: Interview Guide**

1. To what extent is hymenoplasty prevalent in Lebanon?
2. What are the reasons for women resort to hymenoplasty?
3. What are the implications of hymenoplasty on women's lives?
4. Do you see hymenoplasty as a method to empower or disempower women?
5. Would you argue in favour of hymenoplasty?
6. What is the relationship between hymenoplasty and honour killing in your opinion?
7. What do you think may happen if a woman's family (Parents, siblings, or partner) found out she did hymenoplasty?
8. Can you think what might be the emotional and psychological conditions of women approaching gynaecologists for hymenoplasty?
9. Do you agree that a woman's decision to undergo the surgery will strip away the violent aspect of the practice, if any?