

## Queering Citizenship, Queering Middle East Studies

MAYA MIKDASHI

Department of Anthropology, Columbia University, New York, N.Y.;

e-mail: mm4247@nyu.edu

doi:10.1017/S0020743813000111

Critical citizenship studies have argued that researchers should not take the myth of the universal unmarked citizen to heart, but rather focus on the distance between the ideal of citizenship and its everyday embodied practices and on what the citizen and the state do rather than on the state's narration of itself.<sup>1</sup> As Partha Chatterjee writes in his critique of Benedict Anderson, to endorse "unbound serialities" such as the universal and anonymous citizen is to imagine that nationalism and state practices can function without governmentality.<sup>2</sup> In fact, the state's job is to organize and regulate the shared life of its structurally and practically unequal citizens and residents. Normative political theory of citizenship elides the ways that governmentality and biopower produce *each* citizen (as well as groups of citizens) as a particular derivation from the norm. It is with each iteration of these technologies that the state comes into view as a bounded entity.<sup>3</sup>

A focus on citizenship as a set of formalized and institutionalized practices invariably leads to the study of law and bureaucracy. It is upon these evidentiary terrains that citizenship and gender reveal themselves to be mutually constitutive.<sup>4</sup> The citizen is always gendered and always sexed.<sup>5</sup> Jacqueline Stevens has insisted that, because political society is constituted through state-regulated kinship, one must study gender, sex, and their embodiments and regulations in order to approach the state and its citizens.<sup>6</sup> Queering citizenship studies (and studies of the state) offers us a lens for studying the regulative and disciplinary apparatus of the ostensibly "natural" or "normal."<sup>7</sup> Furthermore, it offers a theoretical framework to interrogate the assumed coherence of the universal abstraction of "the citizen," by insisting that particularities, often in tension with one another, mark every practice of citizenship and that the ungendered body does not exist, just as the unclassed body does not exist. In this way, citizenship may itself be queer, as queer theory is not necessarily about queers, just as gender is not a synonym for women. Rather, queer theory can be a methodology, a way of interrogating normative practices of and assumptions about race, class, the state, and the body. By "queering" these supposedly nonqueer categories and terms, we demonstrate how they are inextricable from the production and regulation of gendered and sexual regimes.<sup>8</sup> Crucially, queering citizenship allows us to study difference without assigning normative value.<sup>9</sup> In practice, citizenship is an assemblage that is contingent, tense, and often articulated through contradiction.

While citizenship is performative, it is always a marked form of citizenship that is being practiced and/or iterated. It is only through repetition across a disciplinary matrix that the stability of the category of the citizen appears (and disappears). Crucially, the citizen can only emerge as a legal and embodied subject position if its negation, the noncitizen, is present. The modern state, through the technologies of biopower, governmentality, and necropolitics, produces, quantifies, and regulates individuals and groups with individuating and totalizing identifiers: region, gender, name, sect, sex, religion, age, race, refugee, and, finally, citizenship. In Lebanon, for example, a citizen's sect, class, and gender together structure and contingently frame each practice of citizenship.

I have found that queering citizenship through focusing on the legal infrastructures of sex, personal status, and gender has allowed me to queer sectarianism, a normative trope that has dominated much of the intellectual archive on Lebanon.

There are eighteen officially recognized religious sects and fifteen personal status laws in Lebanon. These laws have jurisdiction over marriage, divorce, inheritance, and adoption and all of them differentiate between the rights of men and women and of adults and minors. Civil law, which applies to all citizens, also differentiates systematically between these categories; the most far-reaching legal discrimination is citizenship law itself, which prohibits female citizens from transferring their legal status to spouses and children. Thus there are almost thirty articulations of structural sex-based differentiated citizenship in operation. Neither a Sunni Muslim nor a Maronite Christian woman can transfer their Lebanese citizenship to their foreign husbands or to their children; however, the Sunni woman can file for divorce under Hanafi personal status, while the Maronite woman cannot under canon law. Similarly, while both a Jewish and a Shi'i Lebanese man is the legal guardian of his children, those children will inherit their parents' estate differently: one under a civil code that organizes inheritance rules for non-Muslims, the other under Ja'fari law. The interstitial nature of personal status and civil laws enables one of the main functions of the nation-state: to produce a body of people that, although differentiated by sex and sect, are unified under the overarching category of Lebanese citizenship.

The case of Elie, a female-to-male preoperative transsexual who recently won the right to change his sex to "male" in government census records, illustrates how citizenship is a practice that knots together sect, sex, and gender. In the decision, the judge wrote that there is a difference between "social sex" and "medical sex," and that in cases that rested on this disarticulation, social sex could take precedence.<sup>10</sup> The reasoning was that while "social sex" emerges from multiple registers of recognition predicated on the presence of others, "medical sex" relies strictly on biological markers that determine whether one is male or female. Social sex, in this understanding, is a denser category. Crucially, it is one that is constituted through shared life.

We can employ insights gained from the disarticulation of sex and gender in the Lebanese legal system to study similar disarticulations between *madhhab*, sect, and religion, which are brought into sharp relief when Lebanese citizens change their religion to lay claim to a different personal status law and the gendered rights enshrined within it. Two of the most common patterns of what I call "strategic conversion" are predicated on the differentiated categories of male and female enshrined in Lebanese personal status laws. Catholic men who convert to Islam so that they can remarry do so in order to utilize the rights afforded Shi'i and Sunni *men*. Similarly, men and women sometimes convert from Sunni to Shi'i Islam so that their female offspring will inherit under Ja'fari personal status law. In fact, Riad al Solh and Salim al Hoss, two former prime ministers—a political post reserved for Sunni Muslims—were both strategic converts who changed their *madhhab* to ensure that their daughters inherited all their wealth. While they were (and are) legally Shi'i, they were and continue to be socially recognized not only as Sunni Muslim but also as legitimate leaders of the Sunni sect in Lebanon.

Elie acknowledged that as a Maronite man he would be legally obligated to financially care for his future wife and children, a prospect he finds daunting given his lack of formal education. For years, he had been unable to join the formal economy because he would

have had to present his employer with identification papers that listed him as female. Since he had been living as a man for years, that was not an option. Once his papers conformed to the life he was already living as a male, he felt that he could continue his education or enter the workforce without fear of being “discovered.” Reflecting on the privileges and responsibilities of being a “Maronite male” in Lebanon, Elie said that he was now a “real man” because he was legally able, and in some cases legally and/or socially *obligated*, to perform them. He also expressed joy at the prospect of being able to marry his future wife in the church where his brother is a priest.<sup>11</sup>

Sex and gender are constitutive parts of Lebanese citizenship, determining which practices of citizenship are available and which are foreclosed. Because he is man, Elie’s children will be Lebanese citizens. Because he is a Maronite man, divorce will be foreclosed to him unless he gains an expensive annulment or converts to a sect whose personal status law allows divorce. Here, in this knot of law, life, and corporeality we see how class, gender, sex, *madhhab*, and sect are tied and retied in the constitution of one Lebanese citizen. Elie’s case, like those of strategic converts, emphasizes that Lebanese citizenship is produced at these historical, social, and legal intersections and impasses. To queer citizenship is to pause on the tensions and potential reversals between these markers and to not assume the subject is constituted through their inevitable coherence and alignment.<sup>12</sup> It is to recognize that a man may have a vagina and a Sunni Lebanese prime minister may be legally Shi’i. By queering the idea of the autonomous, abstract, universal citizen, queer theory helps us to understand sectarianism and citizenship in Lebanon, disrupting the normative and insisting on the distance between discourse and practice, between the naturalization of categories like sex and sect and their legal, bureaucratic, and social seams. This is life as it is lived: complicated, messy, and often contradictory.

## NOTES

<sup>1</sup>Wendy Brown, *States of Injury: Power and Freedom in Late Modernity* (Princeton, N.J.: Princeton University Press 1995); Rogers Brubaker, *Nationalism Reframed: Nationhood and the National Question in the New Europe* (Berkeley, Calif.: University of California Press, 1996); Lisa Wedeen, *Peripheral Visions: Publics, Power, and Performance in Yemen* (Chicago: University of Chicago Press, 2007).

<sup>2</sup>Partha Chatterjee, “Anderson’s Utopia,” *Diacritics* 29 (1999): 128–34.

<sup>3</sup>Timothy Mitchell, “Society, Economy, and the State Effect,” in *The Anthropology of the State*, ed. A. Sharma and A. Gupta (Oxford: Blackwood, 1999).

<sup>4</sup>Suad Joseph, “The Public/Private—The Imagined Boundary in the Imagined Nation/State/Community: The Lebanese Case,” *Feminist Review*, no. 57 (1995): 73–92.

<sup>5</sup>Carole Pateman, *The Disorder of Women: Democracy, Feminism and Political Theory* (Stanford, Calif.: Stanford University Press, 1990).

<sup>6</sup>Jacqueline Stevens, *Reproducing the State* (Princeton, N.J.: Princeton University Press, 1999).

<sup>7</sup>Michel Foucault, “The Subject and Power,” *Critical Inquiry* 8 (1982): 777–95.

<sup>8</sup>Ann Laura Stoler, *Race and the Education of Desire: Foucault’s History of Sexuality and the Colonial Order of Things* (Durham, N.C.: Duke University Press, 1995).

<sup>9</sup>J. Jack Halberstam, *The Queer Art of Failure* (Durham, N.C.: Duke University Press, 2011).

<sup>10</sup>Maya Mikdashi, “Practicing the Citizen: Da’wa Secularism and Strategic Conversion in Lebanon” (PhD diss., Columbia University, forthcoming).

<sup>11</sup>Ibid.

<sup>12</sup>Elizabeth A. Povinelli, *The Cunning of Recognition: Indigenous Alterities and the Making of Australian Multiculturalism* (Durham, N.C.: Duke University Press, 2002).