

United Arab Emirates: Individuality for a stronger society

Dr. Sara Brzuszkiewicz

My freedom ends where yours begins. From who to cohabit with to how to handle divorce, and from the liberty to try to assist someone during an emergency to consuming alcohol in one's own house: the United Arab Emirates have been courageously taking crucial steps towards personal freedoms that do not harm others and towards a new relevance of the notion of Individuality, which should not be confused with individualism.

At the beginning of November, President Sheikh Khalifa bin Zayed al-Nahayan issued a new decree concerning personal and family law, which covers crucial aspects such as civil marriage, divorce, alimony, joint child custody, proof of paternity, and inheritance.

Among the provisions, Non-Muslims will be allowed to marry, divorce and get joint child custody under civil law, and a new court will handle non-Muslim family matters, operating in both English and Arabic.

These developments come after the many changes introduced one year ago, which dramatically improved living standards in the country in relation to personal and civil laws.

Suicide and attempted suicide is being decriminalized. Previously, someone who tried to take their life and survived could have been prosecuted. Police and courts will now ensure vulnerable people receive mental-health support.

The law will ensure "Good Samaritans" who intervene in situations where people are in need cannot be held liable for the outcome of those they help. Under an old, albeit rarely used clause, it was possible for someone who tried to help another person, for example by giving CPR or other first aid, to be held accountable for their injury or death.

As far as women's rights are concerned, the punishments for men who assault or kill women will no longer be more lenient under alleged "honor crimes" circumstances.

On the contrary, there will be tougher punishments for men who harass women.

The law will also allow for cohabitation of unmarried couples, which was previously illegal in the United Arab Emirates.

Alcohol consumption is no longer a criminal offence. Anyone who drinks or is in possession of alcohol without an alcohol license will not face penalties provided that they are at least 21 years old.

The fil rouge connecting all these changes is a new, higher status given to the notion of Individuality, meant as the importance of personal and private choices and freedoms.

Unlike (extreme) individualism, Individuality takes nothing away from social living. On the contrary, it allows societies to exist within healthy frameworks, in which some values, practices,

choices, and worldviews simply belong to the private sphere, which in turns is protected and safeguarded by the scrutiny of the group.

With the speed that marks its entire history, the UAE are pushing towards a much higher protection of individuality in a context, that of the Gulf, historically characterized by the dominance of the group over the individual, where by group we can mean society, socially experienced religion, the tribe, or the family.

With the notion of Individuality in my mind, when the eyes of the world focus on the provisions concerning alcohol consumptions I, as a Westerner who lived in the UAE for years and still works with it, am more impressed by the other, less famous changes.

Addressing the taboo of suicide is something unprecedented for a nation in which the law was historically modeled on the Sharia, and the way in which the UAE is addressing it is nothing but incredibly brave.

In the new law, the State is telling the individual who attempted to kill himself: What you tried to do can hardly be understood by people who do not experience your pain, but we will not look at you as a criminal just because you are suffering.

Similarly, think about the so-called honor killings: the underlying idea is that men related to a woman can kill her if they believe she did something against the family honor, so that it can be restored.

The new law is saying: *Life is much more important than honor, especially than your distorted notion of honor.*

Moreover, honor should be, once again, an Individual value: it is up to the individual, man or woman, to protect their honor in ways they find appropriate. The honor of the group must stop running through women's blood.

Among all the possible ways to experience Individuality, the United Arab Emirates chose the one that will help the creation of a better society.