

Is the Consociational system reformable ?

The current state of public life in Lebanon is neither the proper place for esoteric debate nor indeed for political infighting. A little more than ten years after the adoption of a new constitutional text, none of the major questions raised by the war have been resolved: neither the guilt of the militia leaders and their amnesty, nor the issue of missing and displaced persons, still less the axial choices for the country's reconstruction and its regional positioning. It is clear and obvious that the principles of Taef and their unfinished implementation have failed to bestow a consensual foundation onto Lebanese national life and that the latter is shattered by deep divisions. While considering the political system, its working and effects on the social sphere, though no ready cure for the pains the country is suffering is yet at hand, it is important at least to get down to identifying the pitfalls threatening it and to locating the windows of opportunity which may help it to overcome a decade of crisis.

The war which destroyed Lebanon also brought with it some bitter experiences: the social revolution the activists at the end of the 1960's had dreamt up had spun out of control into dreadful communal struggles. In contradiction to class solidarity and the defense of the most destitute within a flourishing capitalistic economy, fear and manipulation had set individual people at loggerheads, while impoverishing all. Then, the conservative revolution floated by the wartime leaders tailed off into internecine fighting, showing if necessary that the defense of the social order amounted to nothing more or less than that of power itself and the privileges of those who were in a dominant position. In the post-war years, the Lebanese, including Marxist groups and the majority of the Islamic fundamentalist movements, had already thrown in the sponge of revolution. But they are still wavering between immobility and the reform heralded under the Taïf Agreement.

What is to be reformed ? We shall be pardoned for eschewing here the endless conflict between the partisans of a «Tocquevillian» democracy (in other words, the majority democracy which so many in the West imagine to be the only version possible¹) and the supporters of «consociational» democracy (or otherwise, «proportional» or «subject to agreement») - a term which translates into the neologism *tawâfuqiyya*). Let us follow rather

¹ Alexis de Tocqueville, « It is of the very essence of democratic governments for the empire of the majority to be absolute ; because apart from majority, in a democracy, nothing can hold », *De la démocratie en Amérique*, Paris: Librairie Médicis, 1951, p. 374.

the famous exhortation of Selim Abou denouncing ideological discourse,² be it broadcasted under the banner of Arabism as a sacred, higher value, or in proclaiming that communities alone represent «the prime» social reality of the country. Our stance here will be to adopt a more anthropological point of view, following Louis Dumont's example,³ so as to place such ideological shibboleths into better perspective. We shall be realistic, as Antoine Messarra suggested,⁴ by acknowledging that communalism is what structures politics in this country. We shall be wise, in the footsteps of Michel Chiha, when he provided «*a testimony based on necessity in favour of denominationalism in Lebanon*».⁵ If such is indeed necessary, let us only wonder today how consociational democracy, a political system adopted stage by stage throughout Lebanese contemporary history,⁶ may in the future ensure, and more specifically better ensure, the representation of the population by the political class and its loyalty towards a State whose authority would thus appear all the more legitimate.

² *Les défis de l'Université*, speech delivered by Selim Abou, S.J., rector of Saint Joseph University on the 19th March 1997. I am referring to some extracts published in *L'Orient-Le Jour* on the 20th March 1997, under the title « Pour une approche différenciée de la citoyenneté libanaise ».

³ Louis Dumont, *Essays on individualism : modern ideology in anthropological perspective*, Chicago : University of Chicago Press, 1986 (translated from *Essais sur l'individualisme*, Paris: Seuil, 1983)

⁴ Antoine Messara, *Le modèle politique libanais et sa survie*, Beyrouth: Librairie Orientale, 1983, p.18.

⁵ Michel Chiha, *Politique intérieure*, Beirut: Editions du Trident, 1964, p.232.

⁶ Its main founding texts are the *Organic Rules* of 1864, the *Constitution* of 1926, the *National Pact* of 1943 and the *Taef Agreement* in 1989.

Opting for consociationalism

Consociational theory is nearly forty years old. It was the product of the conjunction of a form of political engineering attempting to think up a system of government suitable for segmented societies⁷ and of the criticism of the «flawed paradigm» of majority-based democracy.⁸ Today, its culturalist⁹ rather than economic approach is experiencing a new spate of interest, not only in relation to failed states, but also because of the break-up of «national» states which a common sense view had formerly envisaged as unshakeable - yesterday Yugoslavia, perhaps tomorrow Indonesia – and the increase in national claims from intra- or trans-statal ethnic groups. But before being associated with the development of new states, consociation was first a characteristic of the old democracies on the European continent.

Implementation of consociationalism in segmented societies relies on four principles: a grand government coalition, high autonomy of societal segments, proportionality of representation and a veto right for minorities.¹⁰ In virtue of the first principle, representative leaders in a limited number are in charge of settling by mutual consensus the conflicts that may arise in the society. The second grants each of the social segments or “political sub-cultures” the right to legislate on matters such as personal status, education and culture.¹¹ This induces a trend toward decentralization which can extend to federalism and even the right to conclude separate international agreements, as is the case for Switzerland’s cantons. The third principle organizes the representation of society in the state either through election (in the national assembly) or selection (in the public service). The broad range of possible practical arrangements is attested by the diversity and variability of voting rules. In this, consociational democracies are not really distinct from the so-called «majority» democracies. Finally, the

⁷ All societies are « plural », including those in which the State is supposed to coincide with a nation stratified into social classes. Segmented societies are characterized by more or less deep divides of a cultural nature. It is in reference to Nigeria, a segmented society if one ever existed, that David Apter first introduced the term *consociation*.

⁸ Arend Lijphart, « Majority Rule in Theory and Practice: the Tenacity of a Flawed Paradigm », *International Social Sciences Journal* 129, 1991.

⁹ As rightly pointed by Fearon and Laitin, analyses of consociation “border on primordialism”. James Fearon & David Laitin, “ Violence and the Social construction of Ethnic Identity”, *International Organization* 54 (4) Autumn 2000, p. 849.

¹⁰ See Arend Lijphart, *Democracy in Plural Societies*, New Haven: Yale University Press, 1977. And *Power-Sharing in South Africa*, Berkeley: University of California, 1985. Under the influence of the Konrad Adenauer Stiftung and through the work of Theodor Hanf, several Lebanese intellectuals refer to « *Proportzdemokratie* » as theorised in Gerhard Lehbruch, “Consociational democracy in the international system”, *European Journal of Political research* 3 (1975, pp. 377-391).

¹¹ The question remains open as to whether the State renounces his right in these matters. In Lebanon, it does not seem to do so. Georges Assaf, « Système communautariste et déconfessionnalisation: la problématique de la mutation du système politique libanais », *Travaux et Jours* 64, Fall 1999, p.49.

fourth principle offers an extra security lock for countries where societal segments are unequal. Note that this protective bolt exists also in majority democracies through separation of powers, protecting the minorities and resorting to extraordinary majorities.¹²

Recently, Arend Lijphart invited a few political scientists to re-assess consociational democracy in countries where it is applied. Seven cases were thus examined in a diachronic perspective. Always desirous of improving his theoretical model and of confronting it with empirical situations, Lijphart concluded the studies with new remarks on «change and continuity in consociational theory».¹³ In three of the cases examined (Austria, the Netherlands and Luxembourg), the social scientists observe a slow but steady shift from the proportional rule towards the majority rule. With «depillarisation»¹⁴ and the consolidation of its central political system, Austria was seen as leaving the category of consociational democracies to rally that of majority-based democracies. In the Netherlands, popular identification and mobilization have broken away from the grasp of the elites under the influence of a process of individualization, thus enhancing some forms of open competition between political parties. Lijphart analysed this evolution as a success and an indication of the system's capability to safeguard democracy by becoming «less consociational when necessary».¹⁵

Belgium and Switzerland are two cases in which conversely the segmental division has deepened by transposing itself from the religious to the linguistic field in such way that one wonder about the capability of federal institutions to preserve state unity from identity-based dissent. Belgium's constitutional system, which had rather well resisted the potential religious conflicts, has trouble at dealing with the national linguistic crisis. Switzerland is trying to lessen the impact of the flaws of federalism by resorting to direct democracy (referendum) whose effects are currently contradictory.

In his presentation of the sixth case, that of South Africa, Theodor Hanf clearly distinguishes the resorting to myths, symbols and instruments of consociatio – such as establishing of the Justice and Truth Commission, inventing the «rainbow people» theme or even adopting consociational rules in the transition period (1990-1996) – from a wholly different reality.

¹² « Simple » majority represents 50%, plus one voice.

¹³ Arend Lijphart, « Changement et continuité dans la théorie consociative », *Revue Internationale de Politique Comparée* 4:3, December 1997, pp. 679-697.

¹⁴ «Depillarisation», the weakening of hostile sub-cultures, is the English for *Verzuiling*. J. G. A. Van Mierlo, «Depillarization and the Decline of Consociationalism in the Netherlands, 1970-1985», *West European Politics* 1 (1986), pp. 97-119.

¹⁵ Arend Lijphart, «Changement et continuité... », p.696.

South Africa, he explains, has morphed into a majority democracy. Its leaders have turned their back on «a political agreement which could have led to socio-political immobility», however negotiating a «compromise agreement» with the White minority.¹⁶ Lijphart's comment on the South-African case which had given rise to so much enthusiasm and hope after decades of apartheid, rings out like an indictment. «There is no case», he writes, «of deeply divided societies which have succeeded in remaining democratic and unified for a long time under a majority system».¹⁷

¹⁶ Theodor Hanf, «De la dite concordance en Afrique du Sud et de son utilisation à des fins utiles », *Revue Internationale de Politique Comparée* 4:3, December 1997, p.677.

¹⁷ Arend Lijphart, « *Changement et continuité.* », p.695. Lijphart however mentions Canada.

A critical evaluation of Lebanese consociatio

The characteristics of Lebanese «consociational democracy» which I have attempted to outline in the seventh case study, are in part the result of fifteen years of civil war and nearly as many again of crisis.¹⁸ The principles suggested by Lijphart – government coalition, segmental autonomy, proportional representation and the right of veto - are the very same which guided the framers of the Lebanese Constitution in May 1926 and of the Electoral Law in that same year,¹⁹ then the leaders of independence when they adopted the National Pact in 1943. They were again endorsed In his comment of the situation of Lebanon after two years, Lijphart himself displayed his trust in the Lebanese consociational “formula”.²⁰ In 1993, another supporter of the Lebanese consociatio, Theodor Hanf, subtitled his major work on Lebanon *Rise of a Nation*, in the aura of satisfaction of peace recovered and with the conviction that common misfortune had at last forged a Lebanese national identity.²¹ Truly, their confidence was shared by the statesmen who endorsed and reinforced the Lebanese consociational rule through the Taif agreement at the end of the civil war in 1989.²² In the wake of the civil war, the country was grappling with the same sociological and political ingredients as those prevailing when the crisis broke out in 1975. Particularly, the constitutional amendments adopted in Taif confirmed the principle of political communalism, while changing its balance and procedure only. The reconstruction of the Lebanese political system after fifteen years of war thus consisted in a restoration which the pre-war liberal elites would not even have dared dream of.²³

Yet, the fact that the «Switzerland of the Middle East» could morph within a few months time into a field of ruins rife with hatreds, the lasting unrest which prevailed for years after the war and the current fragility of the consensus at societal level, all attract attention and raise concern. Since post-war Lebanon has confirmed its choice of the consociational rule, it is consequently more necessary than ever to attempt a critical evaluation, as has been done in

¹⁸ « Le communautarisme politique et la question de la démocratie au Liban », *Revue Internationale de Politique Comparée* 4:3, December 1997, pp. 639-656.

¹⁹ Pierre Rondot, « L'expérience du collège unique dans le système représentatif libanais », *Revue Française de Science Politique* 7:1 (1957) p.69. The fixing of the number of representatives and their repartition were settled by an order of the High Commissioner on March 1922, still enforced in 1926.

²⁰ *Democracy in Plural Societies*, particularly pp. 147-150 and 153-157.

²¹ Theodor Hanf, *Coexistence in Wartime Lebanon. Decline of a State and Rise of a Nation*, London: I.B. Tauris, 1993.

²² Joseph Maila, *The Document of National Reconciliation: A Commentary*, Prospects for Lebanon 4, Oxford: Center for Lebanese Studies, 1992.

²³ Elizabeth Picard, « Les habits neufs du communautarisme libanais », *Cultures et Conflits* 15-16, 1994, pp. 49-70.

democracies such as the Netherlands or Switzerland, and to draw up constructive propositions that might be worth for countries like Sudan and Iraq. Therefore, since the Lijphart model is bold enough not only to be analytical but to be normative to boot, the crisis and the restoration provide food for thought concerning the constitutional, administrative, and also the pragmatic procedure of consociational democracy.

Beyond Lijphart's model the issues of communal representation and consensus democracy have been the object of controversies whose stakes are far from merely intellectual for Lebanon: conflicts of power between, on the one hand, the incumbent elites who control access for the society to the political sphere and, on the other hand, counter-elites (ideological opponents and members of new generations) who are claiming for the opening up of the system. And, over and above these conflicts, questions concerning the future of a political construction whose rationale seems to consist more in making itself permeable to external interferences than to the realization of a common domestic project.

In undertaking this examination, there is no point, however, in denying the share of external factors in the war and in the destruction of Lebanon, starting with the externalisation of the Arab-Israeli conflict onto its political space, and the domination over a part of its territory and its populations by the Palestinian armed forces. After the disruptive episodes of the 19th century, history has seemed to repeat itself, through an instrumentalization by the great powers²⁴ and the importation of external conflicts, in what Ghassan Twaini has authoritatively qualified as « war for others».²⁵ Recently, a fascinating book has developed this thesis, contrasting the harmony and prosperity of the 1960's, and the imbalances introduced into Lebanese society and policy since the war in June 1967.²⁶ Over and above its projection of the causes of war into a space beyond the control of the Lebanese elites of the period, the advantage of this revisionist overview is to draw attention to the relations these elites maintain with the masses in each community, as well as their methods for domestic management of outside challenges and threats.

Indeed however decisive the external factors in the destiny of a country with the surface, the geopolitical situation and the voluntary vulnerability (as made clear in the formula «the strength of Lebanon lies in its weakness») of Lebanon, they do nothing to lessen its internal

²⁴ Daad Bou Malhab Atallah, *Le Liban, guerre civile ou conflit international ? (à partir du XIXè siècle)*, Beirut: s.n, 1980.

²⁵ Ghassan Tuéni, *Une guerre pour les autres*, Paris: J.-C. Lattès, 1985.

²⁶ Farid El-Khazen, *The Breakdown of the State in Lebanon, 1967-1976*, Cambridge: Harvard University Press, 2000.

factors. They sometimes conceal them, they concur with them most of the time,²⁷ as confirmed in Lijphart's diagnosis. The 1975 war, he writes, was triggered by outside interventions within a system weakened by the excessive rigidity of its constitutional arrangements, which especially fell short of what is requisite for consensus.²⁸

It is far from fortuitous that the debate on the external or domestic origin of the crisis has raised, and still today is continually raising, a considerable controversy, in particular concerning the numerous calls for an outside intervention –Syrian, American, Israeli, French, Iraqi...- emitted throughout the wartime period by those who were paradoxically called the «isolationists», the Christian militants. Even today, there is no crisis within the political class which cannot find its root cause and consequently seek its solution outside the national territory, especially within the nearby foreign state environment or, within the boundaries of its territory itself, through the denunciation of migrant workers or of a refugee population.

However, once it is demonstrated that consociational democracy was the best political system possible for a multi-communal Lebanon, to go on to assert that the system worked, and could still work, to the satisfaction of the parties concerned until such a time that it has to bear the brunt of some over-weaning external pressure, harbors a contradiction in reasoning. Because, following the example of the threat of a prolongation of the French Mandate in 1943, which aroused a patriotic uprising and favored a «national» consensus against the colonial power, these external pressures, especially the conflict between Palestinians and Israelis, should, according to Lijphart's theory, contribute to reinforce Lebanese national solidarity and not break it up.²⁹ Indeed, there is no doubt concerning the decisive role played by foreign intervention in the implosion of the Lebanese political system. The focus given to their modalities and their significance is perfectly legitimate. But thinking cannot grind to a halt there and it is necessary to analyze the Lebanese crisis as a civic crisis, that of a society and its political system. So we must locate the sites and moments in which the Lebanese institutions were unable to resist to social pressure and political overloading. That is to say, understand the weaknesses of the system and consider the means of their correction.

²⁷ Aristide Zolberg, « Strategic Interactions and the Formation of Modern States », *International Social Sciences Journal* 32, 1980. On these interactions in Lebanon, see Roger Owen (ed.), *Essays on the Crisis in Lebanon*, London: Ithaca Press, 1976 ; Georges Corm, *Géopolitique du conflit libanais*, Paris: La Découverte, 1986 ; Elizabeth Picard, *Lebanon, a Shattered Country*, New York: Holmes & Meier, 2001 (1996).

²⁸ *Democracy in Plural Societies*, p.154.

²⁹ Michael Hudson, « The Problem of Authoritative Power in Lebanese Politics. Why Consociationalism Failed ? », in Nadim Shehadi & Diana Haffar Mills (eds.), *Lebanon, a History of Consensus and Conflict*, Oxford: Centre for Lebanese Studies, 1988.

Systematizing somewhat the subtlety of his reflection, Arend Lijphart has summed up consensus democracy through nine major characteristics drawn up as against the characteristics of majority democracy.³⁰ Some of them refer to the degree of unity/federation: the choice of the bicameral system, decentralization and even federalism, constitutional rigidity and minority right of veto, the control of constitutionality through an independent organ. Others relate to the system of government: the establishment of a coalition cabinet, the balance of powers inside the cabinet and the parliament, multipartism, the multidimensionality of parties and finally the adoption of proportional representation. Without going into juridical analysis, we understand that in Lebanon these characteristics boil down to four questions of political sociology: (1) pluralism, (2) the system of representation, (3) citizenship and finally (4), the role of the elites. So the practice of consociation in Lebanon will be successively explored from each of these points of view.

³⁰ « *Majority Rule...* », p.519.

Ex pluribus unum?

According to certain authors, the unfinished character of the application of the consociationalist model, and particularly an over-timid process of decentralisation, go a long way to explaining the deadlock into which the Lebanese representative system has fallen. According to them, a plural society such as that of Lebanon cannot content itself with the individual federalism organized by the code of personal status and the Electoral Law, whose devices, while relatively functional during periods of civil peace, have proved to be highly inefficient in the security field during a period of discord. Therefore during the war a claim for regional autonomy, especially on the part of the supporters of «cultural pluralism» and the intellectuals of the (Christian) Lebanese Front,³¹ was put forward. For them, *ta'âyush*, Lebanese conviviality, requires voluntary choice, through a real autonomy of the communities, in other words without either physical or legal constraint from the central power over the communal segments. The good working of consensus democracy therefore involves the territorialization of communal identities, which supposedly entails federalism being easier to apply. They strongly recommend not only the monitoring by each community of its educational system and cultural affairs, but even the appropriation and redistribution of local resources, and especially the control of its economic co-operation and political relations with foreign countries. Thus, they covet the regal prerogatives of the central State they prefer to see as weak and consider at the very most as an authority for accommodation.³² Following the example of what can now be observed in the French-speaking community of Belgium or with the authorities of Quebec, the sovereigntist option is looms on the horizon of the federalist agenda, in contradiction with the choice of a closed political system which would guarantee a stable democracy to a society with a fragmentary culture.³³

The war period was not only one of claims for more autonomy. It was the opportunity to put into practice and test the social and political effects of this choice, in the areas under the control of the Lebanese Forces, in the Druze region set up by the Civil Administration of the Mountain, and also in some others.³⁴ Subject to inventory, the implementation of territorial

³¹ Walid Phares, *Al Ta'adduyya fi Lubnân*, Beirut: s.n., 1979. John Entelis, « Ethnic Conflict and the Reemergence of Radical Christian Nationalism », *Journal of South Asian and Middle Eastern Studies* 2, 1979.

³² Joel Migdal, *Strong Societies and Weak States*, Princeton: Princeton University Press, 1988, pp.4, 237 & 264.

³³ Arend Lijphart, *Typologies of Democratic System*, London: Sage Publications, 1968, p. 212.

³⁴ Judith Harik, « Change and Continuity among the Lebanese Druze Community: The Civil Administration of the Mountain, 1983-1990 », *Middle Eastern Studies* 29:3 (1993). Elizabeth Picard, « The Political Economy of Civil War in Lebanon », in *War, Institutions and Social Change in the Middle East*, Steven Heydemann (ed.),

federalism has had two major results, one being to locally provoke the disappearance of minorities (communal or political), and the other to subject the population to powers with no legal limits. Despite the forced transfers of more than one third of the population (the word «ethnic cleansing» wasn't in circulation at the time),³⁵ the cantonization of Lebanon under its warlords has lost its impetus. Especially, the partition between a Christian «small Lebanon» and the rest of the country has failed, so that the «de facto» forces finally handed over its prerogatives to the central State almost everywhere. Theoretically at least, the right to reside wherever one pleases in the country and to call the legal government to account, two basic characteristics of democracy, have again been bestowed on every Lebanese.³⁶ With a view to putting an end to the divisions of the war period, the federal formula was firmly rejected by the authors of the Taef compromise. At the most an administrative decentralization «with a view to development»³⁷ might be carried out. The specter of separatism remains so formidable, and dissension so hard to manage for a power which claims to represent consensus, that the decentralization provided by the Taef accord might just as well be emptied of its contents. So in the name of national unity, the possibility of promoting local democracy and revivifying grass-roots political life in order to counterbalance the central power has seemingly been wasted.³⁸

A perusal of the text of the Dayton agreements on Bosnia affords us a retrospective idea of the disruptive effects that the imposition of territorial federalism might produce on another society, as functionally mixed and with as small a territory as those of Lebanon.³⁹ But the question remains as to whether the autonomy of communal segments and the right of veto which are the consociational guarantees of minority respect, are properly enforced in the Lebanese constitutional system. Indeed, although deprived of a territorial basis, the constitutive elements of the autonomy of communal segments are nonetheless officially guaranteed, especially by Articles 9, 10 and 95 of the Constitution. The exercise of minority

Berkeley: University of California Press, 2000.

³⁵ Robert Kasparian, André Beaudouin, Selim Abou, *La Population déplacée par la guerre au Liban*, Paris: L'Harmattan, 1995.

³⁶ It remains to be seen if all Lebanese enjoy this right equally (something I will examine further on) and especially if they can benefit from it in practice, faced with discriminating real estate policies recommended by some communal authorities and practices of intimidation on the local level.

³⁷ President Elias Hrawi, cited by *Al-Hayât*, 13 December 1989.

³⁸ Agnès Favier (ed.), *Les dimensions juridiques et administratives des municipalités au Liban*, Beirut: Document du CERMOC 4, 2000.

³⁹ Xavier Bougarel, « La Bosnie résistera-t-elle aux accords de Dayton ? » in Jean Hannoyer (ed.), *Guerres civiles, Economie de la violence, dimensions de la civilité*, Paris: L'Harmattan-Cermoc, 1999.

right of veto is guaranteed by Article 57. Up to the war, it secured the country against any authoritarian leanings on the part of the hegemonic group - in other words, before the constitutional amendments of September 1990, of the Maronite leadership. Although at times a source of paralysis (especially since 1968, the beginning of the Palestinian crisis in Lebanon) this veto had been a key factor in the consociational working of pre-war Lebanon, and many authors consider that the settlement of the 1958 crisis with «neither victor, nor vanquished» as the outcome, positively illustrated the effectiveness of the model.

After the war, this principle has been under threat several times, as shown by the «exceptional» and «temporary» amendments imposed on the parliament to prolong the presidential mandate of Elias Hrawi (October 1995) and to amend the Electoral Law (1992, 1996, December 1999), against the growing resistance from some deputies and many organized groups in society. Notwithstanding these new unconstitutional practices observed under the 2nd Republic, the revision adopted at Taef confirmed the principle of a two thirds majority for the adoption of important decisions by the parliament or the government and heightened control over the latter by the creation of a constitutional Council. The autonomy of minorities and the acknowledgement of their veto right so definitely remain at the heart of Lebanese institutional logic, that we may now wonder if the objective of pluralistic representation hasn't taken precedence over that of national integration.

But, apart from the fact that it was not respected on several occasions, is the constitutional text organizing the protection of parties in the minority since Taef really satisfying? It is obvious that it hasn't appeased all frustrations and communal fears. Minority members of all kinds have continually complained about being neglected, picked on, and even excluded from the Lebanese system, and this has been more than ever the case in the post-war period. Members of the Christian minority are far from being sanguine about having lost their status as a political majority, tokenised by Maronite centrality in the State of Greater Lebanon and embodied in the presidential position and its functions. The relative Shiite Muslim majority was legally consigned to the minority until the creation of its Higher Council in 1973 and politically until the revaluation of the presidency of parliament which has been promoted as the third pillar of power since 1992. The Druze minority, whose relative demographic weight has been diminishing for two centuries, is claiming for the presidency of a communal Senate, in the name of a consociational democracy well understood. The Armenian minorities, which the collapse of the Soviet system has rooted in their Lebanese identity are now refusing to be marginalized inside it. Etc. One cannot underestimate to what a degree the system is underpinned by inter-communal tensions. Not only was the war itself the indicator of such

tensions and structural imbalances, but it moreover amplified them by giving birth to a particularly divided and agonistic social formation.⁴⁰

According to Lijphart's theory, the recognition and especially the institutionalization of segmental autonomies are therefore particularly suitable to post-war Lebanon. Communal cleavage were considerably deepened by the militarization of the conflict, territorial withdrawals and also by the reactivation of antagonistic memories. The Lebanese have all the more strongly felt the need to freely claim their specific identities (through educational, cultural and most, of all spiritual choices) in order to exit from the war, as collective security had been threatened several times and as the reference to public good embodied by the State had faded. But this restored security is not being accompanied by a (re)birth of democratic life inside the national space. Between the constitutional references guaranteeing the security of each community separately, and the unitary discourse on reconstruction and the loyalty of citizens towards the State, post-Taef Lebanon lacks any intermediary link, on which to found the consociational political process.

How can the guarantees for minorities be implemented by the State, understood and accepted by society, if the reasons justifying them are concealed and the values founding them are denied ? Even more than by a legal system, Lijphart's principle concerning the representation of minorities within the political system is relayed by the mediation of a political culture which organizes the relations between State and society. Let it be said once and for all, a political culture can't come into being on command. It feeds on a historical experience and is built up through the formulation of differences and negotiation over their settlement. Between the «culture of discord» denounced by Georges Corm⁴¹ and the official discourse of reconciliation, through Lebanese common references seeps the huge silence of amnesia which prevents any expression of grievances and prejudices. Between the defense of particularism and the acceptance of a common political order, there lacks the bond of civility which would enable the Lebanese to guarantee an ethical basis for the respect of minority difference, and the recognition of its limits in political practice.

The paradoxical contradiction between the respect of the minority provided for in the constitutional text and its negation through amnesia or by the rejection of the other, represents the first deficiency of the Lebanese political system with regard to the principles of

⁴⁰ On war as productive of social identities, see Anthony Giddens, *The Nation-State and Violence*, Berkeley: University of California Press, 1985 ; and Martin van Creveld, *The Transformation of War*, New York: Maxwell Macmillan Int., 1991.

⁴¹ Georges Corm, *Les guerres de l'Europe et de l'Orient, 1840-1992*, Paris: Gallimard, 1992, p.225.

consociational democracy. Some intellectuals and organizations of the civil and communal society are aware of this and are trying to remedy it through a work of collective memory (concerning missing persons, or the commemoration of main events of the war) and inter-communal dialogue so as to instill a democratic political culture as a foundation of the State's legitimacy.

Between taboo and tyranny

The difficulty however lies in two contrasting characteristics of the minority system of government: the first is that of the variability of numbers and proportions. The second originates from the unyielding nature of the transcendental reference on which the communal difference reposes, according to some commentators.⁴² Both of them hark back to an operative distinction of consociational doctrine, too often forgotten in Lebanon: a distinction between the open or closed nature of the regime, between the suggestion according to which the religious *summa divisio* is definitive and exclusive (the example of Switzerland), and that according to which the communal marker can become blurred (the example of Holland) or can combine with others (the example of Austria). In short, the problem lies in the flexibility of the model and its ability to evolve quantitatively and qualitatively by modifying distributive proportions and by revising its own criteria.

In Lebanon, the taboo on any demographic reference is the flip side of the obsession raised by the issue. It is likely that if the Lebanese had some reliable figures drawn up by an uncontested authority at their disposal, the controversies fuelled by contradictory estimations should give way to better argued, and especially better finessed, interpretations. Thus, the debate on modifying the Electoral Law might rest as much on the balance of regional representations as on that of communal representations, if not even more. However, the logic of representation within a consociational system, which is not founded on demographic data, expresses not so much concerns of demographic balance as questions of power ratio. We can easily see that since Taef the Christians, while constituting less than 40% of the Lebanese living in the country, have half of the parliamentary seats at their disposal.⁴³ But we also

⁴² See for example the « Mânîfist li-tajdîd ma'na Lubnân », *Mulhaq al-Nahâr* 375, 15 May 1999.

⁴³ The electoral lists numbered 1,558,000 Muslims (56,55%) and 1,197,000 Christians (43,45%) in 2000. Considering a higher emigration of the Christians and the separate valuation of people under 21 years old by community, the Muslim/Christian ratio could be said to be 60 to 40, even 62 to 38 at the beginning of this century. Cf. Samir Kassir, « Dix ans après, comment ne pas réconcilier une société divisée », *Maghreb-Machrek* 169, 2000, p. 17, n. 28.

know that the majority of the Christian deputies elected in 1992, 1996 and 2000 were so thanks to a number of Muslim votes and especially to the acquiescence of the «poles of power» (*aqtâb*), and are thus deprived of their veto power. A consociational adjustment such as the adoption at Taef of a Christian / Muslim parity is therefore the cause of a general frustration, since it in no way corresponds to the «reality» presented in a contradictory manner by the parties. It is in no position to safeguard the minority but has opened the way to alliances and coalitions, of which it has become the hostage. Precisely because the Lebanese political system is not a system of majority democracy, it is illusory to think that its improvement would only require a quantitative adjustment.

From the beginning of the war onwards, it became evident that what was at stake was not a quantitative adjustment but the upholding or the surrender of political communalism, as the rejection by Kamal Jumblat and the Lebanese National Movement in 1976 of the Frangié proposals for constitutional revision makes clear. All the projects elaborated during the war refloated these proposals under modified form, and their reiterated rejection confirms that the problem was elsewhere, in the very principle of communalism itself and not in the methods of its enforcement. With all of History's irony, the text finally imposed in Taef fourteen years and one hundred and twenty thousand dead later doesn't differ that much, although the criticisms have remained the same. What has changed, between 1976 and 1989, is the power ratio on Lebanese soil and, most of all (the champions of the externalist analysis have it right) the international and regional situation.

In the post-war period, the defense of political communalism can be explained at first by the shift in the power ratio. Behind the requests for secularization and adoption of a majority system, many fear the ambition of the representatives of a sociological majority (namely, the Shiite community), who might be tempted to impose their system of meaning and law on all Lebanese. For the de-denominationalization of the political system and adoption of the majority rule as advocated by Kamal Jumblat could open the way to democratization *only* if accompanied with a step towards the secularization of society, in other words towards the lifting of communal status and the recognition of a secular Lebanese citizenship. If both of these processes – the de-denominationalization of the State and the secularization of society - are not implemented simultaneously, the first alone, with the adoption of a majority system, would amount to imposing the political view of the demographically predominant group. Such a quantitative, or demographic, cure for the imperfections of the Lebanese system would unfailingly open a crisis between the majority community (or rather, the first of the minorities as no communal group can claim 50 percent of the nation) and the others. As Lijphart warns,

the balance of power would then be broken, and the consociational link would give way to a dictatorship of the majority community insofar as political communalism, which imprisons communal subjects, and the personal status, which codifies the inequality between communities, would have been maintained.⁴⁴

This defense of communalism is then justified by an argument according to which the adoption of a non-denominational system of representation, based on a demographic majority, entails serious risk of development towards totalitarian outcomes. In support of this argument, some analysts oppose the constitutional methods adopted by the majority of the Arab states succeeding to the Ottoman Empire in the Middle East to the Lebanese constitutional system. While Lebanon chose to give the communities an access to political representation, the other States challenged this «traditional» system of organization. Claiming their modernity, they have in principle chosen the path of secularization, and national integration, under which citizens equal in rights and duties have the State as partner. In principle, therefore, the political majority of these countries is composed by the sole law of numbers, by virtue of the «Westminster» mode of representation. In practice, their secularization is still incomplete since Islam, or *shari'a*, figures under one heading or another in their constitutions. Moreover these regimes, far from ensuring fair competition between individuals and groups, favor the domination of one community (of *an* ethnic or religious segment of the population) over the others.⁴⁵ Consequently, the so-called secularization of these States conceals a more virulent system of communal preference and exclusion than institutionalized communalism, because it acts beyond the scope of constitutional regulation.

By denouncing the dictatorial nature of the «modern» and supposedly secularized regimes, by claiming that Lebanon is the only State in the Middle East which has escaped totalitarianism, the supporters of political communalism have highlighted another problem: that of the democratic deficit. For it is not because they are secularists and have adopted the majority rule that such Arab regimes are dictatorial,⁴⁶ but rather because they only *pretend* to respect the majority rule while, basically, they are fiercely communalistic. They have spirited away the principle of the separation between religion and politics by identifying the State with a

⁴⁴ Georges Corm, *Contribution à l'étude des sociétés multiconfessionnelles*, Paris: LGDJ, 1971, p. 128.

⁴⁵ According to a process analyzed by Michel Seurat, *L'État de barbarie*, Paris: Le Seuil, 1989. The leaders make use of their bonds of communal solidarity (*'asabiyya*) to seize power in the name of national integration. They prohibit the other communities from doing the same.

⁴⁶ The democratic deficiency of the State of Israel (another successor to the Ottoman Empire) lies in the unequal treatment meted out to its Jewish citizens and to the others, in its refusal to take into consideration the binational nature of society, as well as in the occupation and colonization of the West Bank and Gaza.

single community. They have changed the «one man, one vote» rule and turned it into a plebiscite without choice. They have de-legitimized and excluded their opponents from political life by charging them with sedition.

However clear-cut it may be in such militarized and patrimonialist States, the democratic deficit is no less notable in a communal State. Firstly, because communalism affords a favorable ground for patronage which substitutes for citizenship relations. In such a system, the political decision belongs to a few patrons *zu'âmâ'* whose domination relies on the perpetuation of communal divisions. The access of individuals and groups to the redistribution of the State are channeled through a competition whose effect is to deepen the cleavages, and finally to paralyze public policies.⁴⁷ Secondly, because the community tends to impose its own form of totalitarian imprisonment onto the individual by denying him a free will and the right to exist outside it. In order to hold onto its power over the polity, it denies individual freedom, especially that of unbelievers, which the constitutional text ignores, and appeals to collective interest, which it alone deems itself able to defend in the political realm.⁴⁸

Thus, the problematic of a change in the political system remains closed into a vicious circle which forcibly entails perpetuating its «transitional» nature by evoking reform only within the horizon of an ever improbable future. There again, the demographic obsession is a powerful and concealed factor.⁴⁹ «Lebanon», concludes Lijphart in his comment on my analysis, «has used some consociational methods without being flexible enough».⁵⁰ While admitting that the Lebanese should start everything all over again after the war and adopt an incremental approach, the necessity of making the consociational system more flexible is thus becoming urgent, if they don't want it to break down anew.

From subject to citizen

⁴⁷ See in particular the debates on the role of the State in the Southern areas after the end of Israeli occupation in May 2000 and on the relative depravity of the peripheral areas of the country (Jebel 'Amel, Hermel, 'Akkar).

⁴⁸ Here again, the demographic obsession is a powerful and concealed factor.

⁴⁹ Georges Assaf, « Système communautariste.. », pp.68-70.

⁵⁰ « Changement et continuité... », p. 696.

Overcoming the obstacle of the rigidity of the communal consensus therefore implies looking in another direction than numerical change in order to enlarge participation and improve its working, and finally move on from a democracy with a fragmentary culture to a stable democracy.⁵¹ It is not enough however to acknowledge this requirement so as to master its fulfillment, as facts do not bear witness of an ineluctable development toward a more «real» democracy through an «instrumental logic».⁵² We can only observe that the new political share-out of Taef has been powerless to bridge the rift between communities or to re-enforce this «common good» which is the foundation of a political project. On the contrary, it contributes, once again, by delaying and even banning the access of people (*ahl*) of each community to the political arena, to upholding the communal social order (*tâ'if*).⁵³ In order to implement the necessary change, some elements of a complement or an alternative to communalism should have pre-existed in the texts and have worked in practice.

The major weakness of the Lebanese pacts, and particularly of the «National» Pact of 1943, when compared to the Lijphart model, consists in the neglect of these elements. The provisions of the constitutional text opening the way to other modes of popular representation remain inert, and the communal dimension is posed as exclusive, to the point that it is finally interpreted as a Christendom/Islam dichotomization. As a French constitutionalist analyses, «the 'sociology' which founded the Lebanese constitutional architecture indeed expelled outside the system the indicators of anything which might have taken change into account: demographic growth, unequal distribution of wealth between and within communal groups, individualization of social relations - all social, economic and cultural facts which the legal-constitutional agenda was striving to bury under the recognition, and the exclusive taking into account of communal identities».⁵⁴

My purpose here is not to re-open the inexhaustible debate on the political effects of economic and social changes in Lebanon in the 1960's and up till 1975, nor to make a critical assessment of the latter. Neither is it to oppose an analysis in terms of classes or social strata, to the segmental approach of politics, in Lebanon in particular and the Middle East in general.

⁵¹ Vladimir Goati, « Les effets de la démocratie majoritaire dans l'espace yougoslave », *Peuples Méditerranéens* 61, 1992, quoting Arend Lijphart, *Typologies of Democratic System*, London: Sage publications, 1968, p. 211.

⁵² Contrary to what Ghassan Salamé suggests. Ghassan Salamé, « Small is Pluralistic: Democracy as an Instrument of Civil Peace », in *Democracy without Democrats ? : The Renewal of Politics in the Muslim World*, London: I. B. Tauris, 1994, p. 132.

⁵³ Ussama Maqdissi, « Reconstructing the Nation-state. The Modernity of Sectarianism in Lebanon », *Middle East Report* 200, 1996.

⁵⁴ Hubert Gourdon, « Consociation et consolidation des politiques constitutionnelles de la transition », Paper presented at the Vth Congress of the French Association of Political Science, Aix-en-Provence, 1996.

The seeking for the most complete representation possible which constitutes the basis of the consociational theory however requires that a way of looking at this representation exclusively based on confessional identities be called into question. For example, beyond Labor Unions weakened by communal maneuvering, and a batch of extremely minority Leftist parties «clientelized» by foreign powers and barely rooted in popular culture (the 1975-1976 «Two Years' war» rapidly got the better of the latter's militancy), nothing much in the way of a trans-communal public space has even existed since independence, where social conflicts could be expressed and negotiated. During four decades of independence, most of the tensions in the country (except the 1958 crisis) were however economic and social.⁵⁵ It is also significant that the grievances of the Shi'ites were long based on social objectives and formulated in economic terms before being converted, from 1974 onwards, into communal claims.⁵⁶ During the ten years prior to the Civil war, Lebanese society conceptually and practically strayed away from the values and the hierarchies imposed by communalism, and acquired a new *habitus* favoring the enlargement of political representation and the construction of a common national interest. Two elements in particular testify to a growing gap between the institutions based on communal consensus and the social dynamics of the country, and lead to concur with Michael Hudson when he wonders about the relation between Lijphart's prescription and the state of pre-war Lebanese realities.⁵⁷

The first relates to the importance of rural depopulation and the urban sprawl of the metropolis. Just before the war, half the population of Lebanon (a little more than three million inhabitants) was concentrated in Greater Beirut. Saida, Tripoli and Zahlé, the main secondary towns, accounted for almost one fifth. With the modification of economic activity (growth of employment in the tertiary sector and a strong increase in the semi-proletariat) and the rise of new forms of sociability (the dispersal of enlarged families in flats located in random vicinities, commuting outside the area of residence, the decline in endogamy), the traditional hierarchies underwent radical change. In particular, the coexistence of clan segments and the codification of vicinity rules by the elites in the village areas were rehashed and partly gave way to relations of anonymity, even of alienation, and were partly subsumed

⁵⁵ The sociological survey commissioned by Theodor Hanf reveals that in the thick of the war the majority of the interviewees considered the conflict «between rich and poor people» as more important than the conflict between communities. Theodor Hanf, *Coexistence...*, p.495 sq. This was still true between the end of the war and Summer 2001, when the quasi-totality of domestic conflicts were serious social conflicts.

⁵⁶ Elizabeth Picard, «The Lebanese Shi'a and Political Violence in Lebanon», in David Apter (ed.), *The Legitimization of Violence*, London: MacMillan, 1997.

⁵⁷ «The Problem of Authoritative Power...», pp.227-8.

by new professional requirements and functional norms. Simultaneously, this resettled society was characterized by a re-communalization under the aegis of religious or sectarian counter-elites.⁵⁸ However vote, parliamentary representation and the allocation of appointments in civil service went on proceeding on the basis of the family's place of origin – not even the birth place of the individual. As a result, they reflected the rigid structure of the patriarchal rural family – the famous «culture of the Mountain» described by Albert Hourani.⁵⁹ They expressed a conservative political culture, outdated with regards to the changes in values and customs perceptible in the 1960's and 1970's. As a result, at the parliamentary elections of 1972, half the deputies were nothing more than the heirs to the great families who had dominated the country since the beginning of the century and even earlier.⁶⁰ Are we to be surprised that the proportion was quite as considerable as in 1996 (after a parenthesis of wavering and a strong rate of abstention in 1992), as the system of representation continued? The second element is not unrelated to the first. It concerns the birth of the individual in Lebanon over a century, under the influence of factors linked to modernization, especially academic training, the idea of a cumulative and linear career and that of promotion.⁶¹ Even without questioning the representative ability of political communalism, one should acknowledge with Nawaf Salam that modern citizenship is developing in Lebanon through a tension between two contrary logics, the communalist and the individualist, as the frequent use by the political authorities of the term *muwâtin* so as to appeal to communal grass-roots indicates.⁶² Citizenship, systematically thwarted by the imprisonment imposed by the communal militias during the war, experienced a short-lived but dazzling renewal during the pacifist demonstrations in Summer 1987. Since the end of the hostilities, it has been re-emerging under a new and still little studied form, that of militancy within NGOs of development, environmental protection and advocacy, especially for the defense of Human rights, whose ethics and recruitment indicate the opening (or re-opening?) of a dynamic trans-

⁵⁸ See Fuad Khuri, *From Village to Suburb, Order and Change in Greater Beirut*, Chicago: University of Chicago Press, 1975 ; Guilain Denoeux, *Urban Unrest in the Middle East. A Comparative Study of Informal Networks in Egypt, Iran and Lebanon*, Albany: State University of New York Press, 1993.

⁵⁹ Albert Hourani, « Ideologies of the Mountain and the City », in *Essays on the Crisis in Lebanon*, pp.33-41.

⁶⁰ Samir Khalaf, *Lebanon's Predicament*, New York: Columbia University Press, 1987, especially pp. 126-140 for the analysis of the gap between social transformations and political change.

⁶¹ Ahmad Beydoun, « Des traditions collectives aux aspirations individuelles », in Dominique Chevallier (ed.), *Renouveau du monde arabe 1953-1982*, Paris: A. Colin, Paris, 1987, p. 154.

⁶² Nawaf Salam, *La condition libanaise : des communautés, du citoyen et de l'Etat*, Beirut: Dar An-Nahar, 1998.

denominational public sphere.⁶³ Woven by a network of communications between individuals, this public sphere is superimposed over the mosaic-like communal structure. The network structure and the mosaic structure interconnect in some strategic places: The institutions of «civil society» and sometimes the political parties. They interact at some crucial times, especially during the pre-electoral phases when the real stakes of politics are negotiated. In such places and times are to be witnessed a certain number of debates and conflicts which shatter the sham «consensus» as politics appear for what it truly is: a negotiation about disagreements and compromise.⁶⁴

Albeit, the constitutionalist, both in 1926 and in 1989, signally failed to free up the area of subsidiarity announced under the shape of the creation of a civil status, which would have constituted the legal recognition of a trans-denominational public sphere. The State proved unable to break free from the religious, and the «citizen» remains under the thumb of the communal hierarchy, so that the very principle of equality before the law (Article 7 of the Constitution) has been overturned, under the influence of the communal rule.⁶⁵ Representation being thus impounded, the political elite is free to give itself over to the game of consensus.

Troika and «grand coalition»

Because the Lebanese formula has failed to organize the consensus, even more in the implementation of a government coalition than in the guarantee of communal autonomy. In Lebanon, the stable coalition which is at the heart of Lijphart's model had depended since independence on the 1943 Maronite-Sunni agreement, the National Pact. It was supported by a carefully balanced proportional representation between (currently) eighteen religious communities, and particularly between the seven largest (Sunni, Shi'ite and Druze among the Muslims; Maronite, Greek Orthodox, Greek Catholic and Armenian Orthodox among the Christians). Thus has been sought for and laboriously enacted the requirement of a multiple *balance of power* stipulated in the model. However, the text of the Constitution partly corrects the principle of consensus implemented in the coalition governments, by conferring onto the President of the Republic up to 1990 and, since then onto the government (in practice the

⁶³ Karam Karam, « Associations civiles, mouvements sociaux et participation politique au Liban dans les années 1990 », in Sarah Ben Nefissa (ed.), *ONG et Gouvernance dans les Pays Arabes*, Paris: Unesco, 2001.

⁶⁴ Carl Schmitt, *The Concept of the Political*, Chicago: Chicago University Press, 1996, pp. 27-34.

⁶⁵ Edmond Rabbath, *La Formation historique du Liban politique et constitutionnel*, Beirut: Librairie Orientale, 1986 (1973), pp. 630 sq.

Prime minister himself) a wide set of executive powers, an exclusive control over foreign policy and extensive legislative powers under the form of a veto and executive orders (Articles 49 to 59 of the Constitution [Vérifier chez Maila ce qui est au président et au 1er ministre](#)).

Are we looking at a coalition government or at the hegemony of a president and the community from which he is issued? In this contradiction, unresolved both by the Liberals from 1943 to 1958 and by the Shihabists in 1958-1970, reposes one of the main problems in implementing consensus democracy in Lebanon. Some commentators lay the emphasis on the concentration of power and the presidential nature of the Lebanese formula, as well as on the centrality of the Maronite *hegemon*.⁶⁶ I myself have argued that, more than as a formula of communal proportionality, politics in Lebanon has worked as a system of patronage, whose keystone was the President, in a position to choose his clients within all the communities without exception.⁶⁷ Even if the Pact of 1943 introduced a kind of partnership between the Maronite president and the Sunni Prime minister, this was to be an unequal partnership, between an unaccountable executive leader and a government leader threatened by parliamentary wrath and popular revolt. The undeniable advantage of this arrangement was that a logic was then imposed onto Lebanese state-building – that of a *hegemon* – although the sense of national interest was generally lacking, except maybe at the hour of independence (Summer and Autumn 1943) and, as some have claimed, at the peak period of the ‘Aounist adventure (November – December 1989). Conversely, its weakness lies in the rigidity of its system of power-sharing, which has sunk ever deeper into deadlock for lack of openness. Camille Chamoun experienced this to his cost in 1958 when his obstinacy in holding onto power provoked a revolution, and later Amine Gemayel, after the communal leaders assembled in Geneva (1983) and Lausanne (1984) had given vent to their discords.

Other commentators on the contrary insist on power-sharing as a necessary pre-condition for political stability and insist on the difficulty of linking such power-sharing with the concentration of the presidential system of government.⁶⁸ They see in the government tandems yesterday, as in the troika of the three presidents today,⁶⁹ the evidence that no major political decision in the history of independent Lebanon has ever been taken without the consent of communal partners. The signing of the Cairo agreement with the PLO in 1969 was

⁶⁶ Ghassan Salamé, « *Small is Pluralistic...* », p.134.

⁶⁷ Elizabeth Picard, *Lebanon, a Shattered Country*, pp. 58-61.

⁶⁸ Michael Hudson, « *The Problem of Authoritative Power...* », p. 234.

⁶⁹ The Maronite president of the State, the Sunni Prime minister and the Shi‘ite president of the Parliament.

one example; the paralysis of the governments in Spring 1973 during the second open conflict with the Palestinians provides another, *a contrario*. They go so far as to cite the decisive character of the veto mutually exerted by the Prime minister, by the president of the Republic and the president of the Parliament today, as evidence of a systematic seeking for consensus, and of the reality of inter-communal co-operation.

But then the question of the meaning of such co-operation and, consequently, of the legitimate problematic (to use Bourdieu's term) which today underlies the Lebanese constitutional formula logically arises.⁷⁰ A transaction between communal, indeed private, segmental interests, cannot compensate for the absence of a dominant interest, still less for that of a common interest. Since the fall of the Maronite *hegemon* through the trials of war and under the off the record meanders of Taef, the Lebanese «grand coalition» has become a combination of political forces which cancel each other out far more than they combine. It is true, as Lijphart observes, that «the greater equality within the troika introduced by Taef means that Lebanon has become a little more consociational».⁷¹ However, as a result, it has introduced politics as a zero-sum game while external interests, those of two neighboring powers (Syria and Israel) currently fill the vacuum of the collective sense in Lebanon. Inevitably both the supporters and critics of political communalism end up by converging to criticize the application of the consociational model and denounce its obvious inability to handle the expectations of a plural society on issues of legitimacy and stability.

Here may be located another delicate point of Lijphart's model, raising the question of its validity, particularly in States under development.⁷² Far from being only a mode of pluralist composition, the institutions which organize the consensus have other social effects and especially a power of allocation (of symbolic resources and wealth), which for the groups concerned preempts all possibility of achieving their interests. In Lebanon, the pact between communal groups has thus placed at the nexus of all political stakes the cartel of elites who originally instigated the pact itself, and who are also its main beneficiaries. It is precisely the question of the promotion of general interest by the «grand coalition» of these elites which we must now examine.

⁷⁰ Robert Dekmejian, who particular focuses on the issue of state autonomy, makes similar remarks on the unfinished nature of the « grand coalition ». Robert Dekmejian, « Consociational Democracy in Crisis: the Case of Lebanon », *Comparative Politics* 10 (2), 1978.

⁷¹ « Changement et continuité... », p.687.

⁷² See especially the chapter 5 of *Democracy in Plural Societies*, « Consociational Democracy in the Third World ».

The Lebanese communal consensus rests on (to say the least) normative premises according to which the inter-elites agreement negotiated since the beginning of the 19th century has reflected the expectations of the grass-roots of each community and not only the alliance of powerful families who are hardly representative of such a social base. Far from me any idea that the so-called popular base might be said to have been the bearer of some Lebanese trans-communal nationalism which the elites purportedly have systematically repressed. The unanimous fervor of Autumn 1943 stands out, as I have said before, as an exception. On the contrary, most of the big populist demonstrations of the country – the 1958 Nasserist street revolution, the sit-in of Southern underprivilegeds in 1974, the pilgrimage towards General ‘Aoun at Baabda in 1989 – were carried out, consciously or not, along lines of a communal nature – Sunni, Shi’ite or Maronite, in these three examples. But, in a highly hierarchical society, one in which the distance between the *khâssa*, the elite, and the *‘amma*, the people, is deeply programmed into collective consciousness, these masses have constantly been subjected to the communal framework, while the edification of a national identity has been hampered, and the existence of a general interest ignored. If there has been an attempt at social and economic integration at the national level, under the presidency of Fu’ad Shihab in the 1950’s-1960’s, nothing further has been done on the political level since 1943 to integrate the «real country» into the coalitions of government.⁷³ The objective of the National Pact was nothing more than to ensure the structural predominance of the elite, to the exclusion of all other social groups - when all is said and done, to perpetuate an oligarchy. So that in spite of the existence of universal suffrage, the Lebanese consociational system has remained a (hidden) census-based democratic system, in which at the very best the populations themselves can be considered as «secondary beneficiaries».⁷⁴

The norm of the «grand coalition» was imposed all the more overwhelmingly in Lebanon as its authors were for a long time indeed in a position to preserve their autonomy. Their alliance with the Mandate power since 1920, then the means which the oil-powered financial boom of the Middle East had procured since the 1950’s, dispensed them for decades from having to question its underlying principles, continually restated in order to guarantee the legitimacy of their domination. These principles had found their source in the production of values and the

⁷³ As acknowledged by Antoine Messarra, *Le modèle politique libanais*, p.399.

⁷⁴ The word is Ghassan Salame’s in « Small is Pluralistic.. », p.134. I am referring to the critics of the French electoral system in Daniel Gaxie, *Le cens caché : inégalités culturelles et ségrégation politique*, Paris: Seuil, 1978.

building of hierarchies mainly aimed at hard-wiring the «social time of the Origins»,⁷⁵ cast in the mould of an a-temporal religious sacrality while the logic of consociational power-sharing was invoked *a posteriori*. Like any social production, this narrative not meant only at defining representations and setting up a «meaningful Universe»^{Geertz ??}. It was eminently strategic and worked to distributively channel the sharing-out of wealth – beginning by that of the State, considered as a power-stake and not as an instance of arbitration – and to organize the exclusion of some categories from getting any share. Particularly, the practice of trans-communal electoral lists, adopted under the pretext of contributing to the transcendence of group limits, had ensured to the main leaders (*zu'âmâ'*) and to the *aqtâb* – the real poles of power - domination over the local political scene to the detriment of small candidates and newcomers, while guaranteeing the loyalty of their communal base on a country-wide level.⁷⁶ Which may well once again lead us to wonder if the constitutional norm organizing communal consensus doesn't encapsulate its own self-contradiction: either it is to remain the guarantee for the domination of an oligarchy and thus through its rigidity be an obstacle to all political change, or it opens the way to composition in response to social change, and by becoming more flexible, as Lijphart reclaims, then induces its own decline.

To illustrate this dilemma, we must go beyond the normative nature of the theory of consensus and confront it with the realities of communalism in the recent period. We understand that the concentration of power within the hands of the new elites has precedence over its inter- and intra-communal distribution. Still more, that the latter is indeed organized to make the former easier. During the war, Lebanese communalism didn't fade away but was exacerbated to the point of taking «revolutionary» and especially militarized forms. The replacement of the traditional notables at the head of each community by militia lumpen-elites was in no way a break with the formula of consensus, but rather the strategic outcome of the manipulation of identities and communal memories in the interest of these same elites. The people of each communal group responded to these manipulations by promoting even more radical elites, who drove the segmental logic to its outer limits: the closing off of the communal territory, the demonization of the Other, the reduction to servitude of the communal subject.⁷⁷ Thus, the decommissioning of militias and the adoption of a law of

⁷⁵ Ahmad Beydoun, *Identité confessionnelle et temps social chez les historiens libanais contemporains*, Beyrouth: Université Libanaise, 1984.

⁷⁶ Arnold Hottinger, «Zu'ama in Historical Perspective», in Leonard Binder (ed.), *Politics in Lebanon*, New York: John Wiley, 1966.

⁷⁷ Elizabeth Picard, «De la domination du groupe à l'invention de son identité: milices libanaises et

amnesty which was to be discretionary in application, presented as a return to the pre-war «civic» communal consensus, corresponded in fact to a contrary logic: that of the re-integration into the very core of the communal system of the militiamen who had originally sown the seeds of discord, enabling them thus to grab their slice of the benefits of power-sharing, within the framework of a reconstruction process whose financial stakes are by far in excess of anything that the pre-war communal elites had been accustomed to fighting over.

Heirs to the traditional oligarchy / ex- militia leaders covertly in sworn complicity with a foreign power / venture capitalists operating at the confines of a privatized State. Such is the trilogy toward which the coalition of communal elites has allowed itself to drift, as the sole winners of a war which has destroyed the State and atomized society. For example, a study on the incumbents of the Greek-Orthodox community at the 1996 parliamentary elections reveals the links between parliamentary representation and the State political and military-security instances of power, as well as the growth in the number of members of parliament from the really high-income bracket levels of society, endowed with «liberal» quasi-unanimity and a common alienation from the grass-roots of the community of which they are in no way representative.⁷⁸ The extension of such a study to the other communities would only serve to confirm the generalization of the phenomenon.⁷⁹ However, it would be erroneous to consider the civil war as its sole cause, since the restoration of communalism was precisely chosen to close the parenthesis of the war and bring a society torn by deep divisions to settle back into pre-existing categories. By reorganizing power-sharing between communal elites and giving up the demands of governability to it, the consensus democracy thus restored after fifteen years of violent confrontation has turned the parliament into an extension of the centers of power rather than an effective organ of representative control. The «grand coalition» governs and organizes its own internal consensus. And so things have come their full circle, tightly locking a society into the very coils which threaten to make it explode.

The observation of the working of politics in post-war Lebanon has enabled us to identify the flaws in the application of the Lijphart model (and even sometimes the weaknesses of the

paramilitaires nord-irlandais », in Denis-Constant Martin (ed.), *Cartes d'Identité. Comment dit-on « nous » en politique ?*, Paris: Presses de la FNSP, 1994.

⁷⁸ Georges Nassif, « Renouveau des élites ou réduction: le cas orthodoxe », *L'Orient Express*, 11 (1996).

⁷⁹ Farid El-Khazen & Paul Salem (eds.), *Al-Intikhâbât il-ûla fî Lubnân mâ ba'd il-harb*, Beirut: Dar el-Nahar, 1993 ; Joseph Bahout, « Les élites parlementaires libanaises de 1996. Etude de composition », in *La vie publique au Liban*, Beirut: CERMOC, 1997.

model itself) as well as the obstacles which are to be met on the road to the reform of Lebanese consociation. The suggestions which will serve as a conclusion to this study will be preceded by a warning.

Fifteen years after the adoption of the Taef text, the apories of political communalism have rendered still more manifest the need to update the consociational formula. But they also call for caution. However great the impatience to break with the vicious circle of the post-war crises may be, a hasty reform could have the effect of tearing a weak social fabric apart. The demonstrations which followed the proposal by president Elias Hrawi to organize facultative civil marriage in 1996 has provided proof of this. The radical stands against the adoption of an optional civil status in 1998, when immobilism seemed to have been the only way to preserve consensus, have provided another. Because the margins of Lebanese democracy are so narrow (and all the narrower for being hedged around by foreign constraints) even a slight change, if correctly identified, is liable to entail great consequence. The margins, that may mean the health system, an educational policy, the management of public services... To reform the working of the country, the political elites dispose of a whole range of areas open to escape from the exclusivities of communal logic.

Do they really want that ? The suspension of the project of a civil status by the highest authorities of the State has illustrated how much the preservation of the status quo has been their main preoccupation, how much their concern with safeguarding their power positions was able to override that of public interest and especially of democracy. The problem is however less that these elites are hardly or not at all democratic (how many really are, even under a majority system?) – a fact which is easily to be explained by the political economy of war and by their modes of reproduction and access to power. It is more the absence of methods to urge, or even compel, these non-democratic elites to make some consensual choices which would be really democratic.⁸⁰ As we have seen, the «grand coalition» works thanks to the reproduction of its members and through the absence of popular control. The voters sanction their elected representatives for the personal services they may or may not have rendered, not for having realized the public objectives with which they adorn their campaign rally speeches. The member of parliament is tributary to a pole of power to which he himself may address requests for services, but which is in no way accountable to him. My

⁸⁰ According to Dankwart Rustow and Adam Przeworski's arguments expounded by John Waterbury in « Democracy without Democrats ? The Potential for Political Liberalization in the Middle East », in *Democracy without Democrats*, pp.111 sq. In a situation of insolvable conflicts of interests, a pact concluded by some non democratic elites may entail some democratic practices « out of habit ».

first suggestion is therefore that in order to reform the consociational system, there has to be some changes in mode of selection of the elites. And, rather than through an electoral arithmetic indefinitely argued about, by diversifying the instances of social reproduction and by favoring the interactions between these instances of civil society and the political elites, although they can be expected to resist to any erosion of their power.

My second suggestion is related to political culture. Introducing some reforms does not imply their always being wholeheartedly welcomed by society. At least they need to be comprehensible to the latter, with referring to its values and aspirations. I have evoked some ethical principles and the recognition of a common historical heritage. Others might emphasize the rare parliamentary tradition and the role of intellectuals, which contribute to make the Lebanese «open society» paradigmatic for the Arab world. It is anyway obvious that the rejection of foreign occupation, however widespread and consensual it may be among the Lebanese population, is not enough to durably found the sovereignty of the State within its own domestic space. The communal consensus (*tawâzun tâ'ifi*), on the other hand, is in no position to set up a national consensus (*tawâzun watanî*)⁸¹ without initiating its own decline, in the name of patriotic values. The reform of the communal system implies its programmed obsolescence.

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⁸¹ As called for by the respected intellectual Samir Frangié, « As-Sinûdus wa i'âdat ta'hîl al-masîhiyyin », *Awraq il-Hiwâr* 10 (1996).