Is the Consociational system reformable ? English Version

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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 Taïf 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. Contrary to class solidarity and the defence of the most destitute within a flourishing capitalistic economy, fear and manipulation had set individual people at loggerheads, while impoverishing all. Thus, the conservative revolution floated by the wartime leaders tailed off into internecine fighting, showing if necessary that the defence 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.

The choice of the consociational system

What is to be reformed? We shall be pardoned for eschewing here the endless conflict between the partisans of a «Tocquevilian» and a «Westminster-style» democracy (in other words, the majority democracy which so many in the West imagine to be the only version possible[1]) 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 the famous exhortation of Selim Abou[2] denouncing ideological discourse, be it broadcasted under the banner of arabity 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[3] example, so as to place such ideological shibboleths into better perspective. We shall be realistic, as Antoine Messarra[4] suggested, by acknowledging that communalism is what structures politics in this

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[1] Alexis de Tocqueville, "il est de l'essence même des gouvernements démocratiques que l'empire de la majorité y soit absolu; car en dehors de la majorité, dans les démocraties, il n'y a rien qui résiste", *De la démocratie en Amérique*, Paris: Librairie Médicis, 1951, p. 374.

[2] "Les défis de l'Université", discours prononcé par le recteur de l'université Saint Joseph le 19 mars 1997. Je me réfère à des extraits publiés dans *L'Orient-le Jour* le 20 mars 1997 sous le titre "Pour une approche différenciée de la citoyenneté libanaise".

[3] Louis Dumont, Essais sur l'individualisme, Paris: Seuil, 1983, p. 258.

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

country. We shall be wise, in the footsteps of Michel Chiha, when he provided «*a testimony based on necessity in favor 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 more legitimate.

Consociational theory is a little more than thirty 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 societies[7] and of the theoretical criticism of the «flawed paradigm» of majority-based democracy[8]. Its cultural rather than economistic approach is now experiencing a new spate of interest 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 infra- or trans-statal ethnic groups. But before being associated with the development of young states, consociation was first a characteristic of the old democracies on the European continent.

The application of the consociational system in countries with segmented societies depends on four principles: wide government coalition, segmental autonomy, proportional representation and a veto right for minorities[9]. In virtue of the first, a few representative leaders, between themselves and by consensus, settle the conflicts between the divided segments of society[10]. The second grants each of these segments or political sub-cultures the right to legislate on matters like personal status, education and culture[11]. This induces a trend to decentralization, which can extend to federalism and the right to conclude separate international agreements, as in the case of Switzerland's cantons. The third organizes the representation of society in the state either through an elective (for the legislative assembly) or a selective (for public service) process. This is possibly the dimension under which practical methods offer the broadest range, as the diversity and variability of rules for decision in voting display. Here, consensus democracies are not really distinct from the so-called

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[5] *Politique intérieure*, Beyrouth: Editions du Trident, 1964, p. 232.

[6] Ses principaux textes fondateurs sont le Règlement organique de 1864, la Constitution de 1926, le Pacte National de 1943 et l'Accord de Taif de 1989.

[7] Toutes les sociétés sont "plurielles", y compris celles où l'Etat est censé coïncider avec une nation stratifiée en classes sociales. Les sociétés segmentées sont caractérisées, elles, par des clivages d'ordre culturel, plus ou moins profonds. C'est à propos du Nigeria, société segmentée s'il en fût, que David Apter a introduit le terme consociation.

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

[9] C'est le politologue néerlandais Arend Lijphart qui a formulé de la manière la plus claire et la plus exhaustive le concept de démocratie consociative dans *Democracy in Plural Societies*, New Haven: Yale University Press, 1977. Il l'a affiné dans *Power-Sharing in South Africa*, Berkeley: University of California, 1985. Sous l'influence de la Konrad Adenauer Stiftung et à travers les travaux de Theodor Hanf, les intellectuels libanais font surtout référence à la "Proportzdemokratie" ou à la "Konkordanzdemokratie" théorisée par Gerhard Lehmbruch.

[10] La nature et le degré de cette division restent toutefois problématiques. Un critère proposé par les anthropologues pour repérer une société "profondément divisée" est celui des inter-mariages. L'observation nous apprend qu'il est sujet à variations.

[11] La question reste ouverte de savoir si l'Etat renonce pour autant à ce droit. Ce n'est pas le cas au Liban d'après le juriste Georges Assaf, "Système communautariste et déconfessionalisation: la problématique de la mutation du système politique libanais", *Travaux et Jours* 64, automne 1999, p. 49.

«majority» democracies. Finally, the fourth represents an extra security lock in the case of societal segments being unequal. It is interesting to note that this protective bolt exists also in majority democracies through the separation of powers, the protection of minorities and the recourse to extraordinary majorities[12].

The theorist Arend Lijphart recently suggested to some specialists in comparative politics that they undertake the evaluation of the state of consociational democracy in countries where the latter is allegedly applied. Seven cases have thus been examined in a diachronic perspective. Always desirous of improving his theoretical model and of comparing it with empirical situations, in conclusion Lijphart draws up some suggestive remarks on «change and continuity in consociational theory» [13]. In three of the cases examined (Austria, the Netherlands and Luxembourg), the authors observe a slow but steady evolution from the proportional system towards the majority system. With *de-pilarisation* (the weakening of hostile sub-cultures) and the consolidation of its central political system, Austria is 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, encouraging some forms of open competition between political parties. Lijphart analyses this evolution as a success and the proof of the ability of the system to safeguard democracy by becoming «less consociational when necessary»[14].

Belgium and Switzerland are two cases in which conversely the segmental division has deepened by transposing itself from the religious to the linguistic field so that we may wonder about the ability of federal institutions to preserve state unity, when under threat from identity-based unrest. Belgium's consociational system, which had adapted itself rather well to the potential conflicts included in the religious field, is currently proving to be incapable of resolving the national linguistic crisis. Switzerland is trying to lessen the impact of the flaws of federalism by a recourse 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 recourse to myths, symbols and instruments of consociation – the establishment of the Justice and Truth Commission, the «rainbow people» theme or even the use of consociational methods in the transition period (1990-1996) – from a wholly different reality. 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 accepting a «compromise agreement» with the White minority[15]. The observation by Lijphart of the South-African example, 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*»[16].

Toward a critical evaluation of Lebanese consociation

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[12] La majorité "simple" étant de 50% plus une voix.

[13] *Revue Internationale de Politique Comparée* 4 (3), décembre 1997: "Les démocraties consociatives".

[14] Arend Lijphart, "Changement et continuité..", p. 696.

[15] Theodor Hanf, "De la dite concordance en Afrique du Sud et de son utilisation à des fins utiles", *ibidem,* p. 677.

[16] Arend Lijphart, "Changement et continuité..", p. 695. Lijphart évoque cependant le cas du Canada. Pourrait-on ajouter celui des Etats-Unis?

The advent of Lebanese «consociational democracy» which I have attempted to outline in the seventh case study, came after fifteen years of civil war and half as many again of crisis[17]. The principles suggested by Lijphart – governmental 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[18], then the leaders of independence during the adoption of the National Pact in 1943. They were endorsed at the time of the reconstruction of the country[19]. Lijphart himself had developped his theory, commented the case of Lebanon and explained his confidence in the consociational formula after the decisive episode of the «Two years' war» (February 1975-October 1976)[20]. Theodor Hanf had subtitled his major work *«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 consciousness[21].

Yet, the fact that the «Switzerland of the Middle-East» could in a few months have become a field of ruins rife with hatreds, plus the deep unrest which prevailed at the end of the war and still today subsists throughout Lebanese society, will not go away. Since post-war Lebanon has confirmed its choice of the consociational system, it is consequently more necessary than ever to attempt a critical evaluation, as has been done in democracies such as the Netherlands or Switzerland, and to draw up constructive propositions.

Having once holstered their weapons during the difficult period of the Gulf war and the Conference of Madrid, the regional and international powers decided to close the Lebanon file by forcing through the Taef compromise. The country was then grappling with the same sociological and constitutional ingredients as those prevailing when the crisis broke out in 1975. Particularly, the constitutional amendments adopted in Taef confirmed the principle of political communalism, while changing its balances and methods 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[22]. 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 application procedure of the model, in other words concerning the constitutional, administrative, and also the pragmatic answers which have been brought to queries concerning its definition of consensual democracy.

It is not only Lijphart's project, but also today the debate among Lebanese intellectuals and politicians, which encourage one to turn these fragmentary and hesitant thoughts towards policy-making. Under the 2nd Lebanese Republic, the questions of communalism and consensus democracy have been the object of some controversies whose stakes are far from being merely intellectual: conflicts of power between, on the one hand, the former and new elites which control access to society for politicians and, on the other hand, some counter-elites (ideological opponents but, mostly, new generations) who are claiming for the opening

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[17] "Le communautarisme politique et la question de la démocratie au Liban", *ibidem*.

[18] Pierre Rondot, "L'expérience du collège unique dans le système représentatif libanais", *Revue Française de Science Politique* 7(1), 1957, p. 69. La fixation du nombre de représentants et leur répartition ont été réglées par un arrêté du haut commissaire en mars 1922, maintenu en vigueur en 1926.

[19] Joseph Maila, "The Document of National Reconciliation: A Commentary," *Prospects for Lebanon* 4, Oxford: Centre for Lebanese Studies, 1992.

[20] *Democracy in Plural Societies*, en particulier pp. 147-150 et 153-157.

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

[22] Elizabeth Picard, "Les habits neufs du communautarisme libanais", *Cultures et Conflits* 15-16, 1994.

up of the system. Over and above these conflicts, remain questions concerning the future of a political construction whose rationale would seem to consist more in making itself permeable to external interferences than to the realization of a common 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 externalization 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 powers[23] and an externalisation on the part of the adversarial state, in what Ghassan Twaini has authoritatively qualified as « *war for others*»[24]. Recently, a fascinating and eloquent 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[25]. 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.

However well established and 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 eliminate its internal factors. They sometimes conceal them, they concur with them most of the time[26], 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[27].

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». 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 we have proved 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 colonizer, these external pressures, especially the conflict between Palestinians and Israelis, should, according

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[23] Daad Bou Malhab Atallah, *Le Liban, guerre civile ou conflit international? (à partir du XIXe siècle)*, Beyrouth: s.n., 1980.

[24] Ghassan Twaini, *Une guerre pour les autres*, Paris: J.-C. Lattès, 1985.

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

[26] Aristide Zolberg, "Strategic Interactions and the Formation of Modern States", *International Social Sciences Journal* 32, 1980. Sur ces interactions au Liban voir Roger Owen (dir.), *Essays on the Crisis in Lebanon*, Londres: 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).

[27] *Democracy in Plural Societies*, p. 154.

to Lijphart's theory, contribute to reinforce Lebanese national solidarity and not break it up[28]. 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.

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[29]. 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 ideas of a juridical nature, 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.

Ex pluribus unum?

According to certain authors, the unfinished character of the application of the consociationalist model, and particularly an over-timid process of decentralization, 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 Lebanese Front[30], was put forward. For them, *ta'âyush*, Lebanese conviviality, requires living in an aggressive mode, 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 defend its regal prerogatives with regard to a central State they prefer to see as weak and consider at the very most as an authority for accommodation[31].

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[28] Michael Hudson, "The Problem of Authoritative Power in Lebanese Politics. Why Consociationalism Failed", in Nadim Shehadi & Diana Haffar Mills (dirs.), *Lebanon, a History of Consensus and Conflict,* Oxford: Centre for Lebanese Studies, 1988.

[29] "Majority Rule…", p. 519.

[30] Walid Phares, *Al-Ta'addudiyya fî Lubnân,* Beyrouth: s.n., 1979. John Entelis, "Ethnic Conflict and the Reemergence of Radical Christian Nationalism", *Journal of South Asian and Middle Eastern Studies* 2, 1979.

[31] Joel Migdal, *Strong Societies and Weak States,* Princeton: Princeton University Press, 1988,

Following the example of what can now be observed in the French-speaking community of Belgium or with the authorities of Quebec, the sovereignist option is still present on the horizon of the federalist agenda, to contradict the choice of a closed political system which would guarantee a stable democracy to a society with a fragmentary culture[32].

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 those set up by the Civil Administration of the Mountain, and also in some others[33]. Subject to inventory, the implementation of territorial 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»[34] wasn't in circulation at the time), 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 have formally handed over their 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, has again been bestowed on every Lebanese[35]. 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 devolution «with a view to development»[36] 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 text might just as well be emptied of its contents. So in the name of national unity, the possibility of promoting local democracy and revivifying «grassroots» political life in order to counterbalance the central power[37] has seemingly been wasted.

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 was to produce on another society, as functionally mixed and with as small a territory as those of Lebanon[38]. But the question remains as to whether the segmentary autonomy and the right of veto which are the

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p. 4, 237 & 264.

[32] Arend Lijphart, *Typologies of Democratic System*, Londres: Sage Publications, 1968, p. 212.

[33] 33 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 (dir.), Berkeley: University of California Press, 2000.

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

[35] Reste à savoir si tous les Libanais jouissent de ce droit à égalité (ce que j'examinerai plus bas) et surtout s'ils peuvent en bénéficier pratiquement, face aux politiques foncières discriminatoires recommandées par certaines autorités communautaires et aux pratiques d'intimidation à l'échelle locale.

[36] Elias Hrawi, cité par *al-Hayât* 13 décembre 1989.

[37] Agnès Favier (dir.), Les dimensions juridiques et administratives des municipalités au Liban, Beyrouth: Document du CERMOC 4, 2000.

[38] Xavier Bougarel, "La Bosnie résistera-t-elle aux accords de Dayton?" in Jean Hannoyer (dir.), *Guerres civiles. Economie de la violence, dimensions de la civilité,* Paris: L'Harmattan-Cermoc, 1999.

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 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, the leaders of the Maronite community. At times a source of paralysis (especially since 1968, the beginning of the Palestinian crisis in Lebanon) this veto had thus 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), increasing the resistance from some deputies and many organized groups in society. Notwithstanding these new unconstitutional practices observed under the 2nd Republic, the revision of Taef confirmed the principle of a two-third 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 consociational democracy well understood. The Armenian minorities, which the collapse of the Soviet system has rooted in their Lebanese choice, 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[39].

According to Lijphart's theory, the recognition and especially the institutionalization of segmental autonomies are therefore particularly suitable to post-war Lebanon. The lines of communal cleavage were considerably widened 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) and to exit from the war, as collective security had

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[39] Sur la guerre productrice d'identités sociales, voir Anthony Giddens, *The Nation-State and Violence,* Berkeley: University of California Press, 1985; et Martin van Creveld, *The Transformation of War,* New York: Maxwell Macmillan Int., 1991.

been threatened several times and as the reference to public good embodied by the State had faded. But this refound 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 Corm [40] 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 them 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 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 main events of the war) and inter-communal dialogue so as to instill this 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, which reposes, according to some commentators, in communal difference[41]. 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 common *summa divisio* is definitive (the example of Switzerland) and exclusive, and that according to which the common marker can become blurred (the example of Holland) or can combine with others (the example of Austria). In short, they question 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

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

[41] Comme en témoigne, si louables soient ses intentions, le "Mânîfîst li-tajdîd ma'na Lubnân", *Mulhaq al-Nahâr* 375, 15 mai 1999.

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 segmental 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[42]. But we also 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», and are thus deprived of their blocking power. A consociational adjustment such as the adoption 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 however 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 Jumblatt and the Lebanese National Movement in 1976 of the Frangieh 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. Beside the requests for secularization and adoption of a quantitative majority system, many fear the ambition of the representatives of a sociological majority, who might be tempted to impose their system of meaning and law on all Lebanese. Ending the end of political confessionalism as advocated by Kamal Jumblatt could open the way to democratization only if accompanied with a step towards the secularization of society, in other words towards the lifting of community status and the recognition of a secular Lebanese citizenship. If both of these processes – the de-confessionalization 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. The quantitative, or demographic, processing of the imperfections of the Lebanese system would unfailingly immediately open a crisis between the majority community (or rather, the first of the minorities) and the others. As Lijphart warns, the balance of power would then be broken, and the relation of consensus 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[43].

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[42] Les listes électorales comptent 1 558 000 musulmans (56,55%) et 1 197 000 chrétiens (43,45%) en 2000. Au vu de la plus forte émigration des chrétiens et de la ventilation communautaire des moins de 21 ans, le rapport musulmans/chrétiens serait de 60 à 40, voire de 62 à 38 en ce début de siècle. Cf. Samir Kassir, "Dix ans après, comment ne pas réconcilier une société divisée", *Maghreb-Machrek* 169, 2000, p. 17, n. 28.

[43] Georges Corm, *Contribution à l'étude des sociétés multiconfessionnelles*, Paris: LGDJ,

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, the Lebanese oppose the constitutional methods adopted by the majority of the Arab states succeeding to the Ottoman Empire in the Middle East to their own constitutional system. Even though Lebanon chose to give to the communities an access to political representation, the other States challenged this «traditional» system of organization. Claiming their modernity, they have theoretically 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 incomplete since Islam, or *Sharî'a*, figures under one heading or another in their constitutions. Particularly these regimes, far from ensuring fair competition between individuals and groups, favor the domination of one community (or of an ethnic or religious segment of the population) over the others[44]. Consequently, the so-called secularization of these States conceals a more virulent system of communal preference and expulsion than institutionalized communalism, because it acts beyond the scope of constitutional regulation.

By denouncing the dictatorial nature of the «modern» and supposedly secularised regimes, by proclaiming that Lebanon is the only State in the area which has escaped totalitarianism, the supporters of political communalism have highlighted another problem: that of the democratic deficit. Now, it is not because they are secularists and in majority that such Arab regimes are dictatorial[45], but rather because they are so only by dissimulation and because, basically, they are fiercely communalistic. They have spirited away the principle of the separation between religion and politics by identifying the State with a 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, however clear-cut it may be in such militarized and patrimonialist States, the democratic deficit is no less notable in the communal regime. 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 whose domination relies on the perpetuation of communal divisions, while the access of individuals and groups to the benefits of the State are channeled through a competition whose effect is to add to the cleavages, and finally to paralyze public policies[46]. This is 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 this community. In order to hold onto its power over the State, it denies individual freedom, especially that of unbelievers, which the constitutional text ignores, and

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1971, p. 128.

[44] Par un procédé démontré par Michel Seurat, *L'Etat de barbarie*, Paris: Le Seuil, 1989. Les dirigeants utilisent leurs liens de solidarité communautaire (la *'asabiyyya*) pour accaparer le pouvoir au nom de l'intégration nationale. Ils interdisent aux autres communautés d'en faire autant.

[45] Le déficit démocratique de l'Etat d'Israël (autre successeur de l'Empire Ottoman) tient au traitement inégal de ses citoyens juifs et des autres, à son refus de prendre en compte le caractère binational de sa société ainsi qu'a l'occupation et la colonisation de la Cisjordanie.

[46] Voir en particulier les débats sur l'action de l'Etat dans les régions du sud après la fin de l'occupation israélienne en mai 2000, et sur la déprivation relative des différentes régions périphériques du pays (Jabal 'Amel, Hermel, 'Akkar).

appeals to collective interest, which it alone deems itself able to defend in the political order[47].

Thus, the problematic of a change in the political system remains shut into a vicious circle which forcibly entails perpetuating its «transitional» nature by evoking reform only within the horizon of an ever improbable future[48]. «Lebanon» concludes Lijphart in his comment on my analysis, «has used some consociational methods without being flexible enough»[49]. While admitting that we 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 we don't want it to break down anew.

From subject to citizen

Overcoming the obstacle of the rigidity of the implementation of communal consensus therefore implies looking in another direction than numerical correctness for the enlargement of participation and the improvement of its working, in order to move on from a democracy with a fragmentary culture to a stable democracy[50]. It is not enough however to acknowledge this requirement so as to master its practical methods, although an ineluctable development toward a «realer» democracy, with an open competition through an «instrumental logic» is not much testified to by facts[51]. We should only observe that the new communal 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 works, once again, by delaying and even banning the access to people (*ahl*) of each community to the political arena, by upholding the communal social order (*tâ'ifî*)[52]. Because it would have been requisite, in order to implement such a change, for some elements of a complement or an alternative to communalism to pre-exist in the texts and especially in practice.

The major weakness of the pact, and more 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, so that it is interpreted as a Christendom/Islam dichotomization. As the constitutionalist Hubert Gourdon 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, non-egalitarian inter- and infra-communal allocation of wealth, individualization of social relations, all social, economic and cultural facts which the legal-

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[47] Là encore, l'obsession démographique est un facteur puissant et occulté.

[48] Georges Assaf, "Système communautariste..", p. 68-70.

[49] "Changement et continuité..", p. 696.

[50] Vladimir Goati, "Les effets de la démocratie majoritaire dans l'espace yougoslave", *Peuples Méditerranéens* 61, 1992, citant Arend Lijphart, *Typologies of Democratic System*, Londres: Sage publications, 1968, p. 211.

[51] Malgré ce que suggère Ghassan Salameh. Ghassan Salameh, "Small is Pluralistic: Democracy as an Instrument of Civil Peace", in *Democracy without Democrats?: the Renewal of Politics in the Muslim World,* Londres: I. B. Tauris, 1994, p. 132.

[52] Ussama Maqdissi, "Reconstructing the Nation-state. The Modernity of Sectarianism in Lebanon", *Middle East Report* 200, 1996.

constitutional agenda was striving to bury thanks to the recognition, and the exclusive taking into account of communal identities»[53].

My intention 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. The seeking for the most complete representation possible of what is at the basis of the theory of consensus however requires that a conception of this representation exclusively based on confessional identities be called into question. For example, beyond a Confederation of Unions weakened by communal maneuvering, and a batch of extremely minority Leftist parties, «clienteliszed» by outside powers and barely rooted in popular culture (the 1975-1976 «Two Years'» war rapidly got the better of the latter's militancy), since independence nothing much in the way of a trans-communal public space where social conflicts could be expressed and negotiated has even existed. During those decades, most of the tensions in the country (except the well-known 1958 crisis) were however economic and social[54], and it is significant that the claims of the Shi'ites were long based on social objectives and formulated in economic terms before being converted, from 1974 onwards, into communal claims[55]. During the fifteen years prior to the Civil war, Lebanese society conceptually and practically strayed away from the values and the hierarchies, which had arisen under communalism, and acquired a new habitus favoring the enlargement of political representation and the construction of national interest. Two elements in particular testify to a growing gap between the institutions of communal consensus and the social dynamics of the country, and lead one to concur with Michael Hudson when he wonders about the relations between Lijphart's prescription and the description of pre-war Lebanese realities[56].

The first is connected with 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. Sidon, Tripoli and Zahleh, 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 at the very same time as they were enacting a re-communalization under the aegis of certain religious or sectarian counter-elites[57]. In particular, the coexistence of segments and the codification of vicinity rules controlled by the

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[53] Hubert Gourdon, "Consociation et consolidation des politiques constitutionnelles de la transition", Communication au Ve congrès de l'Association Française de Science Politique, Aix-en-Provence, 1996.

[54] L'enquête commanditée par Theodor Hanf révèle qu'au plus fort de la guerre la majorité des interviewés considérait le conflit "entre riches et pauvres" comme plus important que le conflit entre communautés. Theodor Hanf, *Coexistence..,* p. 495 sq. C'est également vrai entre la fin de la guerre et l'été 2001, où la quasi-totalité des conflits ont été de graves conflits sociaux.

[55] Elizabeth Picard, "The Lebanese Shî'a and Political Violence in Lebanon", in David Apter (dir.), *The Legitimization of Violence*, Londres: MacMillan, Londres, 1997.

[56] "The Problem of Authoritative Power..", p. 227-8.

[57] Pour l'approfondissement de ces remarques voir 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.

elites in the village areas were rehashed and partly gave way to relations of anonymity, even of alienation, and were partly subsumed by new professional requirements and functional norms. However parliamentary representation and the allocation of top tier appointments in public service - even that of the lower categories – went on proceeding on the basis of the family's place of origin – or even the birth place of the person. They thus reflected a rigid structure – that of the patriarchal rural family. They expressed a conservative political culture, outdated with regards to the changes in values and customs perceptible in the 1960's and 1970's – that famous «culture of the Mountain» analyzed by Albert Hourani[58]. As a result, in 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[59]. 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), after the system of representation had been renewed?

The second element is not unrelated to the former. 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[60]. Without questioning the representative ability of political communalism or pretending to shove it over it into the superstructure, one should recognize with Nawaf Salam that modern citizenship is developing in Lebanon through a tension between two contrary logics, the communal and the individual, as the frequent use by the political authorities of the term *muwâtin* so as to appeal to community grassroots [61] indicates. 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 non-governmental organizations of development, that of environmental protection and especially of the defense of Human rights whose ethics and recruitment indicate the opening (or re-opening?) of a dynamic trans-denominational public arena[62]. Woven by a network of communications between individuals, this public arena 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 make the «consensus» of dissimulation go up in smoke and politics appear for what it truly is: a negotiation about disagreements and ways of settling them[63].

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[58] Albert Hourani, "Ideologies of the Mountain and the City", in *Essays on the Crisis in Lebanon,* pp. 33-41.

[59] Samir Khalaf, *Lebanon's Predicament*, New York: Columbia University Press, 1987, en particulier p. 126-140 pour l'analyse du décalage entre transformations sociales et changement politique.

[60] Ahmad Beydoun, "Des traditions collectives aux aspirations individuelles", in Dominique Chevallier (dir.), *Renouvellement du monde arabe 1953-1982*, Paris: A. Colin, Paris, 1987, p. 154.

[61] Nawaf Salam, "Individu et citoyen au Liban", in Fadia Kiwan (dir.), *Le Liban aujourd'hui,* Paris: CNRS, Paris, 1994.

[62] Karam Karam, "Associations civiles, mouvements sociaux et participation politique au Liban dans les années 1990", in Sarah Ben Nefissa (dir.), *ONG et Gouvernance dans les Pays Arabes,* Paris: Unesco, 2001

[63] Carl Schmitt, *The Concept of the Political*, Chicago: Chicago University Press, 1996, p. 27-

Albeit, the constitutionalist, both in 1989 and in 1926, 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 area. The State was unable to break free from the religious, and the «citizen» remains totally 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 regime [64]. Representation being thus impounded, the political elite has been able to give itself over to the game of consensus.

Troika and «grand coalition»

Because it is more in the implementation of a government coalition than in guaranteeing community authority that the Lebanese system has failed in its consensual project. In Lebanon, the stable coalition which is at the heart of the Lijphart model had depended since independence on the 1943 Maronite-Sunni agreement, the National Pact. More deeply, it is supported by a carefully balanced proportional representation between (currently) eighteen religious communities, and particularly between the first seven (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 Cabinet (in practice the President of the Cabinet himself) a really 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).

Are we looking at a coalition government or at the hegemony of a president and the community from which he is customarily issued? It seems that in this contradiction, unresolved both by the Liberals in 1943-1958 and by the Shehabists 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 system, as well as on the centrality of the Maronite *hegemon*[65]. I myself have argued that, more than as a system 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[66]. Even if the Pact of 1943 introduced a kind of partnership between the Maronite president and the Sunni president of the Council, 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

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[64] Edmond Rabbath, *La Formation historique du Liban politique et constitutionnel*, Beyrouth: Librairie Orientale, 1986 (1973), p. 630 sq.

[65] Ghassan Salameh, "Small is Pluralistic..", p. 134.

[66] *Lebanon, a Shattered Country*, p. 58-61.

Gemayel, after the communal leaders assembled in Geneva (1983) and Lausanne (1984) had given vent to their discords.

Some commentators on the contrary insist on power sharing as a necessary pre-condition for political stability and raise the difficulty of linking such power sharing with the concentration of the presidential system of government[67]. They see in the presidential tandems yesterday, as in the troika today, the evidence that any major political decision in the history of independent Lebanon has always been taken without the consent of communal partners. The signing of the Cairo agreement with the PLO in 1969 was 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 formerly exerted by the Sunni president of the Cabinet, and by the Maronite president of the Republic and the Shi'ite 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 which today underlies the Lebanese constitutional system logically arises[68]. A transaction between communal, indeed private, segmental interests does nothing to compensate for the absence of a dominant interest, still less for that of a common interest. Since the fall of the Masonite hegemon through the trials of war and the 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»[69]. As a result, it has introduced politics as a zero-sum game. There are external interests, those of two neighboring powers (Syria and Israel), which currently fill the vacuum of the collective sense in Lebanon. Consequently both the supporters and critics of political communalism end up by converging to criticize the application of the consociational model and denounce its manifest inability to handle the expectations of a plural society on issues of legitimacy and stability.

Here may be located another delicate point of the Lijphart model, raising the question of its validity, particularly in States under development[70]. Far from being only a mode of pluralist composition, the institutions organizing the consensus have other social effects and especially a redistributive effect (of power and wealth), which for the groups concerned preempts all possibility of achieving their interests. In Lebanon, the communal pact has thus placed at the nexus of all political stakes the cartel of elites who originally instigated the pact itself, and who are also seen to be 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.

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

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[67] Michael Hudson, "The Problem of Authoritative Power..", p. 234.

[68] Robert Dekmejian, qui s'attache à la question de l'autonomie de l'Etat, parvient à des remarques semblables sur le caractère inachevé de la "grande coalition". Robert Dekmejian, "Consociational Democracy in Crisis: the Case of Lebanon", *Comparative Politics* 10 (2), 1978.

[69] "Changement et continuité…", p. 687.

[70] Voir en particulier le chapitre 5 de *Democracy in Plural Societies*, "Consociational Democracy in the Third World".

unanimous fervor of autumn 1943 stands out, as I have written, 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 downtrodden 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 slowed down, and the existence of a general interest ignored. If it did make an attempt at social and economic integration at the national level, in the case of Shehabism, nothing further has been done on the political level since 1943 to integrate the «real country»[71] into the coalitions of government. 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 census-based democratic system, of which at the very best the populations themselves can be considered as «secondary beneficiaries»[72].

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 mandatory power since 1920, then the means which the oil-powered financial boom of the Middle East since the 1950's had procured, dispensed them for decades from having to question its underlying principles, continually restated in order to guarantee the legitimacy of their domination. However, these principles had found their source in the production of values and the building of hierarchies mainly aimed at hard-wiring the «social time of the Origins»[73], cast in the mould of an a-temporal religious sacrality and not following a logic of consociational power-sharing, as invoked *a posteriori*. Like any social production, the real goal of this narrative was elsewhere than a simple defining of representations and the setting up of a «Meaningful Universe». It was eminently strategic and worked to 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. The practice of trans-communal electoral lists, adopted under the pretext of contributing to the transcendence of group limits, had ensured to the grandee *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[74]. 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

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[71] Antoine Messarra, *Le modèle politique libanais*, p. 399.

[72] Ghassan Salameh, "Small is Pluralistic..", p. 134.

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

[74] Arnold Hottinger, "Zu'ama in Historical Perspective", in Leonard Binder (dir.), *Politics in Lebanon,* New York: John Wiley, 1966.

exarcebated to the point of taking «revolutionary» and especially militarized forms. The replacement of the traditional notables at the head of each community by *lumpen* elite militias was in no way a break with the system of consensus, but the strategic outcome of the manipulation of identities and communal memories in the interest of these same elites. The people of each community 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 area, demonizing the Other, reduction to servitude of the communal subject [75]. Thus, the decommissioning of militias and the adoption of a law of 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 there, 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 margins 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 central political and military-security instance 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 ideological quasi-unanimity and a common alienation from the grass-roots of the community of the which they are in no way representative[76]. The extension of such a study to the other communities would only serve to confirm the generalization of the phenomenon[77], to which it would be paradoxical to ascribe the war as the sole causality, 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 sacrificing 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 model itself) as well as the obstacles to be met on the road to the reform of Lebanese consociation. A warning will precede the two suggestions presented in conclusion to this study.

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[75] Elizabeth Picard, "De la domination du groupe à l'invention de son identité : milices libanaises et paramilitaires nord-irlandais", in Denis-Constant. Martin (dir.), *Cartes d'Identité. Comment dit-on "nous " en politique?* Paris: Presses de la FNSP, 1994.

[76] Georges Nassif, "Renouvellement des élites ou réduction: le cas orthodoxe", *L'Orient Express,* 11, 1996.

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

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

Do they really want it? The suspension of the project of a civil status in the highest spheres 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 are really democratic[78]. As we have seen, the «grand coalition» works thanks to the reproduction of its members and through the absence of any popular control. The voters sanction their elected representatives for the personal services they may or may not have accomplished in their favor, not for having realized the public objectives with which they adorn their campaign rally speeches. Each 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 first suggestion is therefore than it is by making changes in the mode of selection of the elites that it is necessary to reform the consociational system. And, rather than through an electoral arithmetic indefinitely argued about, also by diversifying the instances of social reproduction and by favouring the interactions between these instances of civil society and the political elites, who can however 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, but at least they need to be comprehensible to the latter, with referring to its own values and aspirations. I have evoked some ethical principles or even the recognition of a common historical heritage. Others would rather emphasize the parliamentary tradition and the role of intellectuals, which contribute to make the Lebanese «open society» paradigmatic for the Arab world. It is anyway clear and obvious that the rejection of foreign occupation, however widespread it may be, is not enough to durably found the sovereignty of the State within its own domestic space. The *tawâzun tâ'ifi*, on the other hand, is in no position to set up a *tawâzun watani*[79] 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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[78] Suivant le raisonnement de Dankwart Rustow et d'Adam Przeworski exposé par John Waterbury, "Democracy without Democrats? The Potential for Political Liberalization in the Middle East", in *Democracy without Democrats*, p. 111 sq. Dans une situation de conflits d'intérêts insolubles, un pacte conclu par des élites non démocratiques peut induire "par habitude" des pratiques démocratiques.

[79] Samir Frangieh, "As-Sinûdus wa i'âdat ta'hîl al-masîhiyyin", *Awrâq il-Hiwâr* 10, 1996.