Lebanon between crisis and elections

by Christopher Sisserian

With Lebanon descending deeper into chaos, its law-makers recently failed to agree on the crucial reform of its decades-old electoral law. Consequently, on 31 May, for the first time since the end of the 1975-90 civil war, the country's parliament extended its own mandate for 17 months, further undermining already weak institutions at a time when Lebanon urgently needs a government capable of dealing with the spillover effects of the Syrian conflict – including sectarian violence in the northern city of Tripoli, Hezbollah's open involvement in Syria itself, rocket attacks on southern Beirut and direct attacks on Lebanese Army soldiers.

As a result of the deteriorating security situation in the country, the viability of the United Nations Interim Force in Lebanon (UNIFIL) could also be jeopardised, along with the safety of the international troops to which EU member states make a large contribution. As a member of the Union's European Neighbourhood Policy (ENP), the stability of Lebanon is a core strategic interest for the EU and developments ought to be followed closely.

Left with a caretaker government following Prime Minister Mikati's resignation (partly over electoral reform), and with elections to be held before the expiry of the parliamentary term on 20 June, almost all political parties agreed that the electoral law of 1960 had to be updated before any new election could take place. The cumbersome and painful process to change the electoral law has once again drawn attention to Lebanon's complicated confessional system - whereby political representation is based upon religion.

Confessional democracy

The difficulty in finding an agreeable solution is rooted in the convoluted power-sharing nature of the political system, typically categorised as a variation of 'consociational democracy'. A product of the 1989 Taif accord which ended the country's 15 year civil war, the current system distributes power between the country's Muslims and Christians by dividing the 128 parliamentary seats equally, giving both groups 64 MPs each. Until 1989, parliament counted five Muslim MPs for every six Christian ones, based on the 1932 census which showed the country to have a Christian majority. The Taif accord altered the previous system by doing away with the Christian majority in parliament and re-balancing power(s) by weakening the presidency - a position earmarked for a Maronite Christian - and strengthening the office of the prime minister, reserved for a Sunni Muslim (while Shia Muslims are assigned the parliament's speaker).

Things are further complicated by the fact that, although confessional dynamics are often reduced to a binary choice between Christian and Muslim, there are in fact 18 officially recognised confessions in the country. This is taken into account in the parliamentary assembly: four groups (Sunni, Shia, Druze and Alawite) fall under the Muslim quota,

and six (Maronite, Greek Orthodox, Greek Catholic, Armenian Orthodox, Armenian Catholic and Evangelical) under the Christian half, including a single seat intended to represent six additional minorities. At present, two officially recognised religions are without parliamentary representation: Judaism and Ismailism.

As Lebanon's entire political system is based on consociationalism, guaranteeing political parity to religious groups, no census has been held since 1932. A fresh one could jeopardise such equality if it confirmed, as is suspected, that Muslim communities now constitute two-thirds of Lebanon's population. Nevertheless, the post-Taif system addressed the issue of changing demographics, as the number of Muslims and Christians in the country was believed to be roughly similar at the time.

Currently, each of the 26 electoral districts is allocated a number of seats earmarked for representatives of different confessions. For example, voters in the mixed Chouf district elect two Sunni, two Druze, three Maronite and one Greek Catholic representative, a breakdown based on previous electoral rolls. The winner-takes-all system means that the candidate with the most votes for each available sect-determined position will go to parliament. But, whilst the right to stand for office is based on religion, the right to vote is not. Citizens can cast their vote for all available confessional positions regardless of their own religion.

This consociational system is intended to minimise sectarian tensions as members of the same sect compete with each other for the same seats, thus avoiding confrontation. The system is also intended to encourage co-operation and dialogue between sects as they often form cross-sectarian voting blocs (or lists) for all the available seats. This practice is widespread, particularly due to the lack of pre-printed voting forms: votes are cast by either writing the names of preferred candidates on a blank piece of paper or by submitting a pre-prepared ballot list provided in advance by such voting blocs.

In practice, this has resulted in the community constituting the majority in a given electoral district being able to disproportionately influence the election of representatives from other communities. In the example given above, Maronite voters outnumber Greek Catholic voters in the Chouf district and are thus given more seats. In voting with predetermined lists for their own preferred candidates, Maronite voters will most likely also be voting for candidates from other sects present on the same list. The upshot is that, even if a majority of

Greek Catholic voters choose candidate A, candidate B is likely to win if s/he is the running mate of the Maronite candidate with the strongest support - thus highlighting a democratic deficit in the sectarian system. It is for this reason that electoral reform is deemed necessary by many Lebanese.

Reforming the system

There have been many suggestions for reform. The proposal that has caused most controversy is the so-called Orthodox Gathering law, which would end the practice of non-confessional voting and allow voters to vote only for candidates of their own sect. Although the proposal tries to address an apparent unfairness in the system, its adoption would constitute a serious step backwards, away from national unity towards sectarian isolation and further polarisation. Another proposal, termed the hybrid draft law, crafts a compromise whereby 46% of MPs would be elected through proportional representation and 54% through the present winner-takes-all system.

Lebanon is a country of minorities, with each group seeking an arrangement they believe bolsters their own status and standing. This is exacerbated by the fact that Lebanese politics remains split between two main cross-sectarian groups, broadly defined as pro- or anti- the Syrian regime, which has intensified the usual fierce competition for political power.

The real problem is that the current system keeps Lebanon stuck in a past that no longer exists, shaped as it was by the 1932 census, the 1960 electoral law and the 1989 Taif agreement. On top of that, the fact that voters are still registered in their father's community of origin (rather than where they were born or actually live) freezes Lebanon only deeper in a distant past. Extending parliament's mandate to enable it to find a solution to its own composition is, at best, merely a temporary solution and only prolongs the long-overdue public debate on Lebanon's political institutions.

While none of these issues are new, they fall inconveniently at a time where the country can hardly afford a power vacuum which would threaten to drag Lebanon into neighbouring Syria's civil war. As in the past, Lebanon is at risk of yet again turning into a sideshow of regional conflicts, and of paying a high price for its intrinsic political fragility.

Christopher Sisserian is a Junior Analyst at the EUISS.