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LEBANON'S UNSTABLE EQUILIBRIUM

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INTRODUCTION

Lebanon's recently announced national unity government has eased fears that the country would once again be mired in a dangerous political stalemate. Yet, despite the recent breakthrough, Lebanon's unstable equilibrium -- marked by both internal and regional tensions - - could still devolve into serious violence. Deep seated sectarian animosities persist, raising the prospects for political instability and civil strife if unaddressed. Regionally, mounting tensions with Israel raise the worrisome possibility of isolated border incidents spiraling into more serious conflict. Taken together these two underlying challenges to stability -- internal civil unrest and regional conflict with Israel -- could undermine Lebanon's fragile peace. This paper will examine internal challenges to Lebanon's stability.

Formed five months after the June 2009 parliamentary elections, Prime Minister-designate Saad Hariri's consensus cabinet, comprised of his March 14th coalition together with members of the opposition March 8th bloc, is an essential step toward ensuring that Lebanon gains more stable footing.¹ The new government follows a compromise formula allotting 15 cabinet seats to the majority, 10 to the opposition, and five to President Michel Suleiman. While power-sharing arrangements are by nature less effective and more prone to stalemate, they are crucial to Lebanon's delicately balanced confessional system and provide an essential pathway to civil peace.

Beyond the new consensus government, two critical developments would help to facilitate peace and stability in Lebanon:

- **First, the Lebanese should create an *institutionalized* dialogue process that builds confidence and keep lines of communication open among Lebanon's confessional communities.** The National Dialogue offers an important opportunity to institutionalize a dialogue process that provides a forum for representatives of all confessions to discuss critical issues such as developing national defense strategy (implicitly tackling the prickly issue of Hezbollah's arms) as well as other political and societal issues such as de-

¹ The March 14th coalition, which won 71 seats in the June parliamentary elections, is named for the massive popular demonstrations that occurred on March 14, 2005 following the assassination of former Prime Minister Rafiq Hariri and led to the Syrian military withdrawal. It is comprised of the Sunni-dominated Future Movement led by Saad Hariri (son of the slain Prime Minister) and various Maronite Christian factions including the Lebanese Forces and the Kata'eb Party. Druze leader Walid Jumblatt's Progressive Socialist party withdrew from the March 14th coalition in August after the election, putting the March 14th majority somewhat in question. The March 8th bloc, which gained 57 seats, is comprised of the Shiite militant group Hezbollah, its Shiite ally Amal, and the Christian-dominated Free Patriotic Movement.

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confessionalization and administrative decentralization. Leaders from each confession should have a seat at the “dialogue table” which should be empowered to address these critical issues. At the same time, once decisions are taken, it is imperative that the Lebanese government institutions move toward implementing them.

- **Second, political and economic reforms must move forward.** These include: electoral and municipal law reforms in preparation for next year’s municipal elections; administrative decentralization (as envisioned by the 1989 Ta’if Agreement which ended Lebanon’s civil war) and the creation of elected regional (Qada’) councils. Ministerial reforms including capacity building and reducing corruption to insure better service provision are also essential as are socioeconomic reforms that begin to address Lebanon’s significant public debt (estimated at \$50 billion), education and employment issues.

A TORTURED PROCESS

The new government is notable for the considerable efforts required for its formation. Prime Minister-designate Saad Hariri worked assiduously over several months to form the national unity cabinet. Rollercoaster negotiations throughout the summer -- punctuated by optimistic highs and plunging pessimism that at one point led Hariri to resign only to be reappointed a week later -- hit multiple dead ends. While the tortured process eventually concluded successfully, its difficulties signal deeper challenges that have yet be addressed.

Domestic struggles, rather than interference by external powers are largely to blame for the drawn out cabinet formation. The recent rapprochement between Syria and Saudi Arabia belies accusations of Syrian and Iranian meddling to block a new government. Indeed, both Damascus and Riyadh made repeated calls for Lebanon to form a unity cabinet and are believed to urged both sides toward an agreement over the past few days. The primary point of contention centered on the distribution of cabinet portfolios, key sources of patronage and strategic influence. General Michel Aoun, head of the opposition’s Free Patriotic Movement (FPM), had insisted on a share of ministries proportionate to his party’s share of parliamentary seats and that his party retain the telecommunications ministry (headed by his son-in-law Gebran Bassil who lost in the parliamentary election), or be compensated with a similarly important ministry. In the final deal, Aoun retained the telecommunications ministry, although Gebran Bassil was made energy minister as part of the compromise.

FALLOUT FROM ELECTORAL FLAWS

The June 2009 parliamentary elections were successful on a superficial level, but likely aggravated underlying communal tensions and failed to address systemic issues rooted in Lebanon's feudal politics. While the elections went well (no violence, high turnout, broadly accepted results), many key challenges remain unresolved and may have been exacerbated by the vote. Indeed, the difficulty in forming a government is in part a manifestation of these underlying issues.

Despite the 2008 Electoral Law's minor reforms including campaign finance and media regulations, three key flaws in the election stand out. First, the highly sectarian nature of political discourse during the campaign period further entrenched communal animosities, with many voters mobilized to vote based on fear and sectarian prejudice. A Lebanese media watchdog organization recently released a report detailing significant bias among several media outlets. According to the report, political coverage was one-sided and relied heavily on emotional appeals and scare tactics. Second, despite campaign finance regulations, vast amounts of unregulated money flowed into the country during the campaign. While a boon to the Lebanese economy, the cash inflow underscored the unprecedented level of corruption and vote-buying in the election. Finally, the persistence of embedded patron-client networks -- a cornerstone of confessional politics -- confirms that Lebanon's feudal political system remains fundamentally unchanged. In its annual International Religious Freedom report, the State Department characterized this system as "inherently discriminatory."

Taken together, these developments suggest a confounding paradox. While civil society organizations gain experience, build capacity and engage in a variety of issues, Lebanon's political elite continues to cling to the current political system, with little impetus to reform it. Indeed, parliamentarians, confessional leaders, and others have a vested interest in maintaining the status quo and its attendant perks. They remain formidable opponents of genuine reform.

AN UNSTABLE EQUILIBRIUM

Lebanon's provisional peace masks an underlying tinderbox where provocateurs regularly "flick matches," potentially sparking serious bloodshed. A rapid descent into civil violence remains a real possibility barring movement on both reform and reconciliation. Last month's violence in Beirut's Ain al-Rummaneh neighborhood -- the flashpoint where Lebanon's civil war erupted in 1975 -- illustrates the point. A brawl between youths from Shiyyah, a neighboring Shiite district,

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and the Christian neighborhood's residents rapidly descended into violence. While interpretations differ on the nature of clash -- some term it a neighborhood street fight with no political undertones, while others ascribe a sectarian dimension -- the *perception* of the incident by Lebanon's many confessional groups as an example of sectarian fighting is enough to incite a downward spiral of civil strife without effective government intervention.

Indeed, sectarian tensions have deepened in the June election's aftermath, and several critical challenges on key fronts -- political, economic, and security -- remain unaddressed. Lebanon's three key communities -- Christian, Shiite, and Sunni -- are each contending with deep-seated fears and insecurities, impeding efforts at political cooperation and bridge building.

The Christian community is in the greatest disarray. It is the only major confession that is split between the March 14th and March 8th blocs. General Aoun, whose party holds the largest number of Christian seats in Parliament, is considered by many to be the community's de facto leader. However, several factors including Aoun's alliance with the Shiite militant group Hezbollah have undermined his support, as evidenced by the June elections. Meanwhile, other key players in the Christian community such as FPM-allied Marada party as well as the Lebanese Forces and the Kata'eb who are aligned with the majority March 14th coalition, are positioning themselves for the post-Aounist era, attempting to inherit the mantle of Christian leadership. They are working aggressively to attract young and "independent" supporters, and their political rhetoric is often laced with references to protecting the community against both internal (read Shiite) and external (read Iran and Syria) threats. The cabinet deadlock was in part due to intra-Christian wrangling over ministries. Under Lebanon's confessional system, Christians are allotted 15 seats out of the 30 cabinet slots. Since the Christians are divided between the majority and the opposition, consensus on the allocation of these Christian cabinet portfolios is particularly difficult.

Over the years, the community's numbers have diminished due to emigration and lower birth rates, eclipsed by the Sunni and the Shiites, according to unofficial statistics.² Moreover, the Ta'if Agreement, reflecting Lebanon's shifting demographics, reduced the Christians' share of parliamentary seats and diminished the power of the president, an office traditionally held by a Maronite Christian. This sense of decline has imbued the community with a deep sense of insecurity and a strong desire to regain some of its lost power. Christian leaders on both sides of the political divide are united in their calls for restoring the community's strength and dignity.

² Due to extreme political sensitivities, the last official census in Lebanon was taken in 1932.

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For its part, the Sunni community continues to harbor deep concerns about Hezbollah and its intentions, as well as its ties to Iran and Syria. Fall-out from the May 2008 violence in which Shiite fighters overran predominantly Sunni West Beirut continues, with Sunni suspicions and distrust of Hezbollah and the Shiite community still running deep. Periodic clashes continue to occur in mixed neighborhoods in both Beirut and Tripoli. Some Sunnis have sought to portray Prime Minister-designate Hariri as the “savior of the moderate Sunni world,” and a bulwark against the Shiite threat. At the same time, Hariri’s outreach to the opposition, specifically Hezbollah has caused a lot of hand-wringing among his March 14th Christian allies, as well as among some in the Sunni community.

In the Shiite community, Hezbollah -- which together with its ally Amal are Shiites’ leading representatives -- appears to be on the defensive. A number of developments seem to have shaken the organization. These include continuing reports of Israeli penetration via numerous spy networks that have been uncovered over the past several months. Most recently, the United Nations reported the discovery of Israeli-implanted spying devices in South Lebanon. Despite Hezbollah’s belligerent rhetoric regarding Israel, there appears to be a high degree of war weariness within the Shiite community. Reconstruction efforts have proceeded apace in South Lebanon -- ravaged during the 2006 war with Israel -- and many residents are not interested in rebuilding yet again after another war. At the same time, increased Sunni-Shiite polarization following the July 2006 war with Israel, the May 2008 violence, and the June 2009 elections have prompted Shiites not traditionally supportive of Hezbollah to perceive threats to the militant Shiite organization as synonymous with threats on the Shiite community.

Meanwhile, fall-out from a pyramid scheme run by Shiite financier Salah Ezzedine, dubbed the “Lebanese Madoff,” appears to have tarnished Hezbollah’s “clean” reputation among its constituents. Hezbollah leader Hassan Nasrallah initially denied any connection with Ezzedine, however, Lebanese media have reported that several senior leaders had also invested in the scheme. Hezbollah MP Hussein Hajj Hassan has filed a complaint against Ezzedine, allegedly over a bounced check written by Ezzedine.

Hezbollah also fears that its opponents will play the “sectarian card.” Despite March 14th’s accusations that Hezbollah could resort to arms unless its demands are met, the organization more likely wants to avoid a repeat of May 2008 at all costs. Indeed, Hezbollah seems concerned by attempts to gin up sectarian fears, and is seeking to downplay sectarian tensions, particularly with the Sunnis. Its political partisans have voiced concern over rising sectarian

tensions and have called instead for the formation of a unity government, underscoring the need for rule by consensus.

THE WAY FORWARD: DIALOGUE AND REFORM

IMPORTANCE OF DIALOGUE

Confidence building by fostering communication among Lebanon's confessional communities is essential for reining in sectarian fears and forestalling violence. Inter-confessional dialogue can play a critical role in building bridges and deepening trust between communities. The simple fact of key stakeholders talking to each other stands as the most important aspect of dialogue.

Initially, they may not agree on anything substantively, but their mutual engagement nonetheless serves an important purpose. Personal ties developed as a result of these dialogues can serve as an important "safety net," helping to reduce both the length and severity of outbreaks of violence. Violence is far more likely to erupt when communication among key players is cut off. For Lebanon, a significant period marked by little or no communication among sectarian leaders is often a prelude to serious strife.

The current National Dialogue effort was initiated in 2006 and is moving slowly, but holds the potential for some progress. National Dialogue members have met several times since the May 2008 Doha Agreement which brought Lebanon back from the verge of renewed civil war. They are addressing a number of issues including: decentralization, electoral reforms, de-confessionalization, socioeconomic issues, and developing a national defense strategy. While the shell of a framework is in place, much needs to be done. The National Dialogue offers an important opportunity to address sensitive issues, but it must be strengthened and ideally institutionalized -- particularly since Lebanon currently lacks an effective arbitrating institution.

Indeed, the absence of a neutral arbitrator in Lebanon's delicate confessional system stands as a critical gap. For the past 30 years, either due to civil war or Syrian occupation, all institutions that played a mediating role among confessions were either destroyed or denuded of power. Yet, it is imperative for Lebanon's power-sharing system to be buttressed by an effective arbiter that is respected across confessions. Ideally, the Constitutional Council (as envisioned by the Ta'if Agreement) should play the role of a neutral and effective arbitrator among confessional interests. The council was hastily re-constituted this past May in advance of the parliamentary elections (the Constitutional Council also serves as the body charged with adjudicating challenges to electoral results). However, the institution requires significant strengthening to be effective.

NECESSARY REFORMS

Lebanon's new government should focus on passing a number of critical reforms. Preparing for municipal elections -- slated for May 2010 -- with appropriate electoral and municipality law reforms should take precedence. Ministerial reforms, particularly in the Finance, Interior and service-provision ministries should be pursued soon after municipal elections. Among the reforms envisioned by the Ta'if Accord, de-centralization is perhaps the most realistic place to start. Electoral reforms, including proportionality, should then be implemented at the parliamentary level. De-confessionalization, notably the creation of a Senate and the freeing of parliament and the civil service from confessional quotas, should be sequenced after decentralization and electoral reforms are in place.

- **Municipal Election reforms.** Given time constraints, amending the existing 2008 Electoral Law for the municipal elections is the most realistic approach in preparing for the vote. The law's campaign finance and media regulations should be amended to apply to municipal elections. Additional electoral reforms should include provision for a preprinted ballot and lowering the voting age. The Municipalities Law, Legislative Decree 118, also needs to be amended to provide for **direct** election of the municipality president who is currently elected by council members rather than the local electorate and acts as a "king," with no oversight or accountability. The mandate for the council should also be shortened from six years to four years.
- **Decentralization.** As envisioned by Ta'if, parliament should pass legislation that would lead to the creation of elected Qada' councils. These elected bodies would serve between the municipal councils and the central government. Currently, municipal councils answer to the Muhafiz (governor) who is appointed, not elected. Numerous issues such as the composition of the Qada' Councils, type of election (direct or indirect), funding source (new taxes or existing fees), and level of autonomy would need to be decided.
- **Ministerial Reforms/Capacity building.** These measures would necessarily need to accompany movement toward creating elected Qada' Councils. Significant capacity building would need to occur in ministries that control and disperse money to the local level, e.g. Finance, Interior, Telecommunications, and Energy. These ministries are

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plagued by corruption. In addition, control over the Municipal Autonomous Fund must be subject to greater accountability. Money is currently disbursed arbitrarily from the fund to the municipalities, without following any regulations.

- **Electoral Law reforms** – The shift to a proportional voting system is another key reform under consideration. Proportionalism at the parliamentary level has been studied in detail, but the impact of switching to a proportional system at the local level is far less clear. Guarantees will be essential if a proportional system is adopted at the parliamentary level. The Butros Commission offered a “middle ground” solution whereby some seats would be voted using full proportionality, while others would be elected using the current majoritarian system. This type of “mixed proportional” system has been touted by electoral system experts as providing the best of all worlds. A proportional electoral system would ideally open parliament up to smaller groups and parties that are not confessionally-based.
- **De-confessionalization.** As envisioned by Ta’if, de-confessionalization is a longer term goal to take place *after* other reforms are in place. Creation of an upper house in parliament, a confessionally based Senate, using the 50-50 Christian-Muslim breakdown, would serve as the centerpiece of this reform. The Senate would provide guarantees and represent the interests of all the confessions. Each community would appoint or elect their representatives to this upper house. The lower house of parliament would no longer be elected according to confessional quotas. In essence, it would reflect the confessional break-down as it exists today in Lebanon.

A fundamental trade-off exists between security and democratic reforms. Deepening democratic practices will make more apparent the underlying inequities that characterize Lebanon’s confessional system. The deeper the democratic reforms that are implemented, the more apparent the power imbalance among confessions will be, potentially leading to dangerous consequences.

As democratic reforms are pursued more vigorously, the threat to security rises as well. The risks of internal violence, if not civil war, will be severe. As such, Lebanon’s particular circumstances need to be considered when deciding how to promote democratic reform. The process should be gradual and should take Lebanon’s peculiarities into account.

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