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Lebanon and Syria

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*The Economic Collapse
and its Impact upon
Confessionalism*

The Lebanon Fall

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Firstly,

Lebanon is currently experiencing one of the most difficult times in history as the country is wrestling with a dire economic situation, a global pandemic and political instability.

The Lebanon Papers series therefore aims to offer an overview on the current situation in Lebanon and provide possible solutions for a better future.

Its purpose is to prevent disinformation by ensuring sound reporting while explaining the challenges as simple as possible for the information to be accessible to as many people as possible. The paper series consist of well-founded reports on different topics using political, economic and judicial perspectives in order to achieve a comprehensive coverage. The first issue of the series addresses the system of sectarian governance, the very system that has brought relative stability since the Civil War but also led to political stalemate and economic decline.

We hope that you will enjoy reading our paper series and are looking forward to any feedback that you might have.



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Meet the Author

I am a graduate lawyer specialised in International, European law and Human Rights. After completing my legal studies at the Ludwig-Maximilian-Universität in Munich I moved to Beirut in order to gain work experience in the region. Currently I am doing my LL.M. in public international law remotely at Utrecht University. During my studies in Munich I gained work experiences, both in law firms such as Freshfields or Beiten Burkhardt, as well as through an internship in a foundation in Bogotá. Cultural exchange, languages and the interaction of traditions and history of each country in the respective legal system, have always fascinated me. I am particularly interested in the question of how best to consolidate the principles of the rule of law. However, it is not only legal aspects that need to be considered, but also the interplay between politics, religion and society,

Confessionalism and its outreach in Lebanon

Almost like no other country, Lebanon has faced a wide range of challenges this year. 2020 began with the continuation of the *ثورة* (thaura) – Civil Unrest, followed by the aftermath of a pandemic – COVID-19, which has had a drastic impact on the economic situation and turned an inflation into a hyperinflation. Lastly, on August 4th, 2750 tonnes of ammonium nitrate, stored in the port of Beirut, exploded and left desperation, anger and frustration against the ruling class behind.

With this outline in mind, the question of how to proceed arises. Or in other words: What impact does the current situation have upon the confessionalism that *characterises* the country, *determines* the next political steps and therefore *influences* the future of Lebanon? The actual crisis demands political reforms. Foreign countries link economic help to political change and new parliamentary elections.

In order to get even remotely close to finding an answer one needs to take a look at the Lebanese political and economic system. Relatively quickly you will find out that the whole country is dominated by one thing: Confessionalism.

Confessionalism is a manifestation of consociationalism. Lijphart defines Consociationalism as “government by elite cartel designed to turn a democracy with a fragmented political culture into a stable democracy”¹. The above-mentioned fragmented political culture can arise due to different religious denominations, ethnics, or linguistic lines. A consociational democracy is characterised by four main political tenets: a grand coalition, a mutual veto, proportional representation, and segmental autonomy². Confessionalism is a regime of consociational government which distributes political and institutional power proportionally among religious subcommunities.

Lebanon is characterised by various minority religious denominations. There are 18 different religious communities within the country dispersed among Muslims (Twelver Shi’ite, Sunni, Druze, Ismaili and Alawite), Christians (Catholic Maronite, Greek Orthodox, Melkite Catholic, Armenian Orthodox (Jacobite), Roman Catholic, Chaldean (Assyrian Catholics), Assyrian, Copts, Protestant), and Judaism.³



Lebanon is characterised by various minority religious denominations.

¹ A.Lijphart, Consociational Democracy, World Politics, 21/2 (1969), pp.207-75

² A. Lijphart, Democracy in Plural Societies: A Comparative Exploration, New Haven, CT: Yale University Press, 1977, p.25

³ CJPME, Understanding Lebanese Confessionalism, Factsheet Series No. 26, May 2007, p.1



The State of Greater Lebanon (Arabic: Dawlat Lubnān al-Kabīr; French: État du Grand Liban) was a state declared on the 1st of September 1920, which became the Lebanese Republic (Arabic: al-Jumhūrīyah al-Lubnānīyah; French: République libanaise) in May 1926, and is the predecessor of modern Lebanon.

Religious Affiliation (2012)



- Shi'i Muslim 27.0%
- Sunni Muslim 27.0%
- Maronite 21.0%
- Greek Orthodox 8.0%
- Other 6.4%
- Druze 5.6%
- Greek Catholic 5.0%

Lebanon is a confessional state where none of the above-mentioned religious communities is represented by a majority. The confessionalism has an impact which ranges from the educational system up to the distribution of positions in the parliament, cabinet, civil service, and other institutions according to the percentage of each sect.

Although various forms of confessionalism existed in Lebanon since the 13th century, the National Pact in 1943 – an unwritten agreement laid the foundation of Lebanon as a confessional state. This was the first conciliatory power sharing breakthrough between Christians and Muslims, with the purpose of allocating the highest offices of the state between the country’s major religious groups depending on their demographic representation within the country. The national Pact constituted a suitable solution for around thirty years, allowing religious communities to coexist despite their varying histories and political aspirations⁴. This peaceful coexistence was interrupted by the outbreak of the civil war in 1975. This war was caused by several external strains on the Lebanese system, such as the larger Arab-Israeli conflict, the Cold War⁵, and the presence of Palestinian refugees, but mainly by sectarian friction. It came to an end with the signing of the Taef Accord in 1989 mediated through Saudi Arabia and Syria. In order to understand political ruling class of today, it needs to be mentioned that most of the parliament members were involved in the adoption of the Taef agreement, and even some of them in the implementation of the National Pact.

Originally the aim of the Taef agreement was among others to abolish “political confessionalism”⁶. This objective is reflected in Art. 95 in the sixth part: Final and temporary provisions of the Lebanese Constitution, which was amended first in 1943 and again in 1990.

The first paragraph constitutes that the Chamber of Deputies “shall take the appropriate measures to bring about the abolition of political confessionalism according to a traditional plan”⁷ and therefore “a National Committee shall be formed, headed by the President of the Republic, it includes, in addition to the President of the Chamber of Deputies and the Prime Minister, leading political, intellectual, and social figures”⁸. It should have been the task of this committee to “study and propose the means to ensure the abolition of confessionalism, to propose them to the Chamber of Deputies [...] and to follow up the execution of the transitional plan”⁹. In the meantime Jobs within the “public service, the judiciary, the military and security institutions, and in public and mixed agencies”¹⁰ should have only be assigned based on expertise and competence instead of confessional representation. Given the composition of this Committee with the same actors from the political ruling class, the National Committee has not yet achieved the objective enshrined in Art. 95 of the Constitution.

⁴ I. Salamey, R. Payne, Parliamentary Consociationalism in Lebanon: Equal Citizenry vs. Quotated Confessionalism, *The Journal of Legislative Studies* 14:4 (2008), pp. 4-5

⁵ Jabbra and Jabbra, *Consociational Democracy in Lebanon: A Flawed System of Governance*, pp.80-3

⁶ Article 95, first Paragraph, first sentence

⁷ Article 95, first Paragraph, first sentence

⁸ Article 95, first Paragraph, second sentence

⁹ Article 95, second paragraph

¹⁰ Article 95, third Paragraph b

The Impact of the Current Situation Upon Confessionalism

But how is confessionalism linked to the recent events and the economic collapse? During these trying times, marked not only by COVID-19 but an economic, political turmoil and an aftermath of the explosion, uncertainty becomes the new normality. However, society agrees on one point: something must change. Either change towards a more unifying, inclusive tomorrow, or change towards an even more divided state, where each religious community is mainly trying to keep their people closer together by promising peace and financial help.

On 4 August 2020, a large amount of ammonium nitrate stored at the port of the city of Beirut, the capital of Lebanon, exploded, causing at least 200 deaths, 3 reported missing, 6,500 injuries, US\$10–15 billion in property damage, and leaving an estimated 300,000 people homeless.



The rising criticism on confessionalism asking for the resignation of the political class, that has been ruling the country for more than half a century, is nothing new among Lebanese citizens but has become more and more present throughout the past months due to the decline of the economic situation. It needs to be pointed out, that the basic concept behind a confessional political system providing a power-sharing mechanism in order to achieve equality among the religious denominations may have been a good way forward. Nevertheless, the system was exploited by the political ruling class to promote their interests and thus paved the way for corruption.

Therefore, the pressure on the leaders of the different confessional parties is growing, as they have no interest in resigning from their parliamentary positions and abandoning the confessional form of government. Rabih El Chaer, lawyer and co-founder of Sakker el Dekkene pointed out that Lebanon has reached a point where none of the sectors is operational, neither the electricity, nor the water, not even the internet, and social guarantees for the poor population are none existent. One of the main demands during the civil unrest that started on October 17th, 2019 was the formation of a new technocrat government, which was formed with Hassan Diab as Prime Minister on the 21st of January and after seven months ceased in the aftermath of the explosion with the resignation of the Prime Minister. As Mr. El Chaer said, the game strategy of the political ruling class to preserve their power and the confessional system, is to gain time, while “appointing a new government that in its façade is technocrat, but inside there a shadows, consulting their political parties. “There is no government, there is no parliament, there are eight Godfathers ruling the country in the name of God.” As on the 31st of August Mustapha Adib was appointed new Prime Minister, by the same members of the Parliament.

Simultaneously the troubles caused by the current situation are affecting people from all religious communities, as Ziad Hayek, former Secretary General of the Republic of Lebanon’s High Council for Privatization and PPP, mentioned. These troubles are uniting people, going down to the streets asking for change, “so there is a spirit of unity that the misery has brought out. I think it is important that we as Lebanese seize on that and build on that. It is like a candle in the wind, the candle is lit, but you have to make sure it does not turn off, you have to protect it, keep it, put glass around it, so it stays lit.” Otherwise the Lebanese people would return to sectarian structures, going back from unity to division, he continued.





“There is no government, there is no parliament, there are eight Godfathers ruling the country in the name of God.”

And Now What?

There are different possible future scenarios of what could happen next, all of them having one fundamental objective in common: the resignation of the above-mentioned members of the parliament in order to make space for a new political leadership.

With the help of a strong opposition and a thorough supervision of the new elections, new representation of the population could still be achieved.

A new political leadership could be achieved with new elections. Apart from the parties that are represented in the Parliament, there are other secular parties such as *Citizens in a State*, *Beirut Madinati* and *National Bloc*. In order to reach a non-confessional new political leadership, these secular parties could work together, trying to put differences aside and focusing on presenting an alternative to the political system in charge. Efforts among politicians and civil society actors to form a quick-witted opposition in order to break with the traditional lines of Lebanese politics are becoming increasingly present. During his second visit to Beirut, Emmanuel Macron called for the implementation of the necessary reforms in the next upcoming three months, as well as for new elections, which shall be held within the next year. Although this is far from easy, some of the secular political parties

have already started working together to evaluate the possibilities on how to build a coalition. New elections are essential, time is crucial – but the political parties will need time to build a strong opposition that can stand up to the parties already represented in parliament.

Despite re-elections being a first step towards a better tomorrow Mr. Hayek pointed out, that the main issue is how these are going to be conducted. He continued, that it would be essential to set them up early due to the economic situation and the recent explosion and secondly that these should be conducted under international supervision in order to prevent fraud and the manipulation of the voters by the political ruling class. International supervision is crucial especially because of the devaluation of the Lebanese Lira, which is helping the political ruling class to keep their voters. It has become cheaper to buy a vote. If the price for a vote was 150.000 LL – 100 USD before, now it is worth 20 USD, while 60% of the Lebanese are living below the poverty line and in desperate need of financial support, he continued.

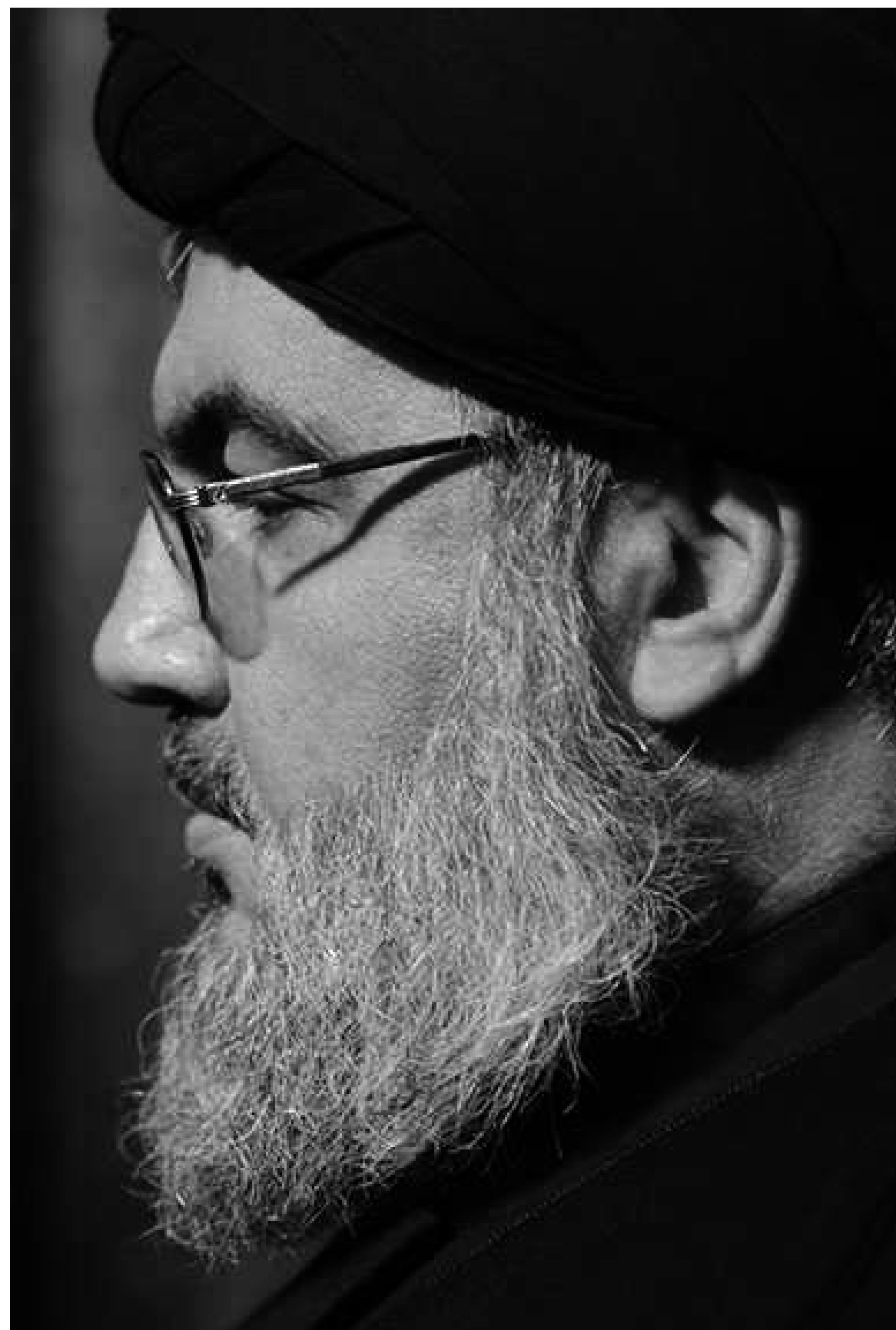
Apart from that it stands without a doubt that the current electoral law needs to be amended, in order to ensure transparent elections and to achieve a better representation of the population. But amending the law would take time and a new political leadership within the parliament, that would be open for change. Therefore, it does not necessarily have to be the first step. Although the legal framework is not the ideal basis to conduct new elections, change can be reached. With the help of a strong opposition and a thorough supervision of the new elections, new representation of the population could still be achieved.



As a further approach to prevent parties such as Hezbollah from buying the population and inciting their religious beliefs, Mr. El Chaer suggests amending the constitution towards being more inclusive and egalitarian and secular as well as adopting a neutral form of government similar to Switzerland. This way, everyone would have the same rights, regardless of their confession. A constitutional amendment would not be enough to achieve complete neutrality, in addition the UN Security Council would have to accept Lebanon as neutral state, he continued.. This way everyone would have the same rights, regardless of their confession. This should go alongside with the decentralisation of the government, which is already enshrined in the Taef Agreement, in order to take power off the political ruling class and reduce their direct impact upon the population. According to the Taef Accord the power of the governors and district administrative officers should have been expanded, and all state administration should have been represented in administrative provinces at the highest level possible aiming to serve the citizens, meeting their needs locally. Simultaneously administrative decentralization should have been adopted at the level of the smaller administrative units such as district and smaller units, “through the election of a council, headed by the district officer, in every district, to ensure local participation”¹¹.



Next to an arising new political leadership, the international community plays a decisive role for the future of Lebanon. Although international interference is not quite a popular approach among Lebanese, it seems to be necessary in order to apply pressure on the political ruling class. The challenge posed by the political ruling class, is that apart from being strong and powerful, they stick together. Therefore, none of the above-mentioned Godfathers is going to resign separately, it is either all of them or none, as Mr. El Chaer explained.



To achieve change within the parliament, he suggested that the international community should try to apply pressure on Israel to withdraw from the Shebaa-Farms, as well as to draw a maritime border. This way, Hezbollah would be disarmed, their *raison d'être* would be diminished, and it would ultimately result in the resignation of the parliament members.

¹¹ Taif Accord, III. Other Reforms, A. Administrative Decentralism, pp. 4-5 https://www.un.int/lebanon/sites/www.un.int/files/Lebanon/the_tauf_agreement_english_version_.pdf viewed 05.09.2020, 13:17





Lastly,

The essence to build a better future, despite the above-mentioned scenarios is going to be trust. This trust has been lost along with hope. But not only have the Lebanese people lost trust in the government, the banking system and other institutions, they also lost the trust towards each other. It is going to be crucial to rebuild this trust, especially among the Lebanese people regardless of their confession. The road for the emergence of a new secular political leadership is only going to be possible if the society regains their trust towards each other. As Mr. Hayek said: “We need to regain trust into the financial system, we need to regain trust in the government and the world needs to regain trust in us.”

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