

**HISTORICAL FUNDAMENTALS OF THE LEBANESE
ELECTORAL SYSTEM:**

A WISDOM OF MIXEDNESS AND MODERATION

by

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It is always useful to review the whole set of objectives which are recognised to be those of any electoral system corresponding to the universal norms of democracy. Such a system is supposed to ensure a fair and freely chosen representation of the different political currents and blocs that are competing to represent the electorate. It (i.e., the electoral system) is also supposed to prevent exclusion, on an ethnic or religious basis, of any significant group from political representation.

In the Lebanese case, we must add to these common aims, at least two specific tasks the electoral system has to fulfil:

1. To help preserve and enhance what the Lebanese bombastically call their 'national unity' or 'national concord', i.e., to prevent the current political divisions and confrontations from turning into confessional conflicts. The fact is that such conflicts--if they are of some importance--tend to paralyse the functioning of the national institutions and to endanger--under certain conditions--civil peace.
2. To prevent the weakening of national independence, which usually follows the development of separate sectarian diplomatic agendas. This kind of diplomacy consists in developing political relations between confessional parties or institutions and foreign powers. Such relations might already exist as ideological and financial relationships, but they might evolve, under certain circumstances, even toward military partnership.

Our electoral system has always been designed to provide a quota of parliamentary representatives to each of the religious communities that constitute Lebanese society. This guarantee ^{is} not given by the constitution but only by the electoral law. The constitution has only mandated since its promulgation--even though supposedly on a 'temporary' basis, that has tended to seem rather eternal--proportional representation of the confessional communities in the government and in the public administration. The specification of the communautarian belonging of each of the three Presidents (termed in Arabic: President of the Republic, President of the Chamber of Deputies, and President of the Council of Ministers) was settled gradually by an unwritten tradition and has never been consigned to law.

All this shows clearly the early reluctance of the designers of our political system to enunciate the principle of confessional representation as a

fundamental and definite criterion in the structure of state institutions.[•] Though the fear or the complaint of confessional iniquity was always present in the country's political discourse, the need to represent--beyond the confessional cleavages--the unity of the people and that of the country has always been felt.[•] In too many circumstances and at all levels, the lack of a genuine representation of the 'national' interest (i.e., that of the whole which could compete or conflict with the specific interests of one or another of the sub-national communities) or even the public interest (i.e., that of the citizens considered independently of their religious belongings) was obvious to many observers and led the country into several serious crises.[•] The anti-confessional discourse was not merely a concession made toward a fashionable intellectual modernism, it was rather a tribute paid to the idea of the State; through this discourse the conditions of existence and the specific ground of the State as a transcending institution were recognised.[!]

How was this preoccupation with promoting a meta-confessional sensibility expressed on the level of the electoral system? The question is decisive because only elections are able to institutionalise such a sensibility in the national will.

On the one hand--it is true--the main institutions of the State were, and still are, shaped on a confessional basis. A sort of *proporz* regulates their formation. However, this is only true of each institution considered from the inside. It does not apply to the electorate or assembly that chooses or nominates the members of that institution. A confessional community is represented in every important institution by people belonging to that community. The selection of these representatives is conducted, in each case, according to specific rules, previously set and well known to the concerned players; however, no community is normally allowed to choose alone its own representatives. In general, the right to nominate the latter belongs to a meta- or multi-confessional will.

Above all others, the case of parliament (in fact the model for the others, the most fundamental) is clear. Though this Assembly is made up of confessional quotas, a member of parliament is never elected by voters belonging exclusively to his own community. Even in a minority of constituencies where an overwhelmingly mono-confessional majority dictates a single confessional identity for the candidates, there is always a minority (no matter how small it is) of voters belonging to another community (or other communities) that participate in the election of the representative. In the overwhelming majority of constituencies, however, voters are required to put in

the ballot box a mixed ballot corresponding to the multi-confessional representation of their constituency.

Had the original Lebanese legislators wanted each community to choose alone its own representatives, they would have barred the members of each community from voting for candidates to other community seats and had them vote exclusively for candidates belonging to their own community. Since the voting stations are already segregated on a confessional basis, this would have been quite simple from a strictly administrative and practical point of view. Replacing the geographical segmentation of the electoral constituencies by a confessional segmentation, it would have laid the foundations for a confessional federation *strictu sensu*. The formula currently applied does not correspond to such a federalism since the electoral divisions are still territorial.

Far from being an accident of the system, this restricted confessional formula was intended by the original Lebanese legislators and is essential not only for the whole political regime but for the whole network of inter-confessional relations in Lebanese society. In fact, the debate between territorial and confessional identification had begun in Mount Lebanon in the mid-nineteenth century. Hence, it was not unknown to the early legislators of contemporary Lebanon. Made according to the lessons of historical experience, the choice to keep both the territorial and the confessional bases as complementary components of the electoral system must be considered as a conscious choice which expresses the wisdom of the Lebanese political formula. The same wisdom applies to the traditional restraint from sacrificing--at least under normal conditions--any of these two components in the formation of government cabinets. This wisdom can be seen further in two related components:

1. While there is a recognised need to ensure a proper representation in state institutions for every confessional community, there is a recognised need also to prevent those communities from developing an isolated political life embodied in an independent apparatus which would have nothing to hope or fear from political groups or forces belonging to other communities. On the contrary, it is recognised that representation must result in multi-confessional and inter-dependent groupings such that every-day political struggles would not be conducted along communautarian lines.
2. The fact that the selection of the representatives of each community depends partly on the attitude of groups belonging to other communities also promotes moderation among candidates. Fanatic and isolationist candidates

would have to fear massive rejection from the voters of other communities. In particular, parliamentary representation is designed to promote mainly mixed and moderate political groupings. •

Partly because the 1992 elections were not free, our parliament today is far from such mixedness and moderation. Our country suffers from an acute communitarian polarisation. With its limited representativity, the current parliament was not able to function as the arena for managing the political confrontations that have shaken the country during the last three years. Confessional polarisation has resulted in a permanent crisis in the system. The State has turned out to be, rather than a structure to be re-erected and consolidated, a prize to be disputed and partitioned. Everybody's main concern is to have the best possible part. No matter what the cost, for every citizen as well as for the country as whole, peculation of public funds and corruption are tolerated as long as they are perceived to provide some benefit to one's own community. Loss of independence is accepted and even warmly welcomed if it brings some bettering of one's community's position in the system. This is so true that one can say that the actual communitarian regime, while it is undermining the main interests of all the Lebanese citizens and the future of their State and country, provides nevertheless, a sort of 'popular' support, along confessional lines, to dilapidation, corruption and loss of independence.

However, a confessional society is not the only form of communitarian society. Society might also be segmented along tribal, ethnic or village lines or a mixture of all these organic networks of solidarity. In such cases, massive communitarian support for corruption, peculation of public funds and other related practices might be considered as an indicator of the existence of a sort of 'mafia system'. We are fully aware that such a system is far from being a Sicilian or even an American speciality; it is rather a widespread potentiality of segmented communitarian societies.

In Lebanon, we may not have endorsed yet a fully fledged mafia system. Some signs are, however, too serious to remain ignored by sociologists and political scientists. Many democratic tools--and above all the electoral law--must serve to prevent an exaggerated crystallisation of confessional, tribal or other similar solidarities--or to use Ibn Khaldun's phrase, *asabiyyas*. This is an urgent task if we really want to protect public freedoms, to prevent possible 'coups de force' and to evolve toward a democracy that promotes and reinforces the positive elements of our society.

‘In any case, while we think of shaping electoral districts and systems, we have to keep in mind the wisdom of mixedness and moderation that we saw above as inherent in the initial formula of the Lebanese electoral system. •

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