

# ISSUE BRIEF **09.10.18**

## Pluralism in Lebanese Politics: Formalizing the Informal Senate

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### INTRODUCTION

The story of Lebanon is one deeply entrenched in duality. For example, though the state levies taxes on citizens in exchange for providing utilities and public services, citizens still must turn to private providers to compensate for the inadequacy of these services. For essential services such as health care and education, many Lebanese residents still rely on assistance from nongovernmental organizations (NGOs). Similarly, while the state assumes formal responsibility for planning and designing developmental strategies and policies, United Nations organizations—mainly the UN Development Programme (UNDP)—hire technical consultants to support the work of Lebanese ministries. Even the core function of border protection (i.e., defense) has been outsourced to non-state actors (among them Hezbollah), given that Lebanese security and military agencies have not been successful in defending Lebanon from external aggression.

Regarding the realm of politics, the Lebanese political system is founded on a constitution that stresses principles of equality, fairness, and a shared national identity. Simultaneously, however, this system is governed by a power-sharing arrangement in which the country's major ethno-religious communities are formally represented in the official power structure, a system referred to as political confessionalism. This parallel

system, which stems from historical norms and precedents, requires continuous cooperation and consensus among members of the political elite.

The toll of Lebanon's dual governance system weighs heavily on the state and its governance structure. Whereas modern state institutions are supposed to create national and crosscutting forms of identity and allegiance, primordial means of association still prevail in Lebanon. What is more telling, however, is that these religious, ethnic, and sectarian associations are preconditions for ensuring the proper functioning of state institutions.

Recently, various political developments showcase the extent and significance of this duality in Lebanese governance, especially since the assassination of Prime Minister Rafik Hariri in 2005, when Lebanon became known for continuous disruptions in political processes, the extensive influence of militarized non-state actors, and a stagnant economy with worrisome levels of debt.

In March 2018, for the second consecutive year, the Lebanese parliament swiftly approved a budget that had been presented to members just a few days earlier by Prime Minister Saad Hariri. The budget approval was exceptional—it was only the second budget to be passed in Lebanon since 2005.

In June 2017, parliament passed a new electoral law establishing proportional representation with one preferential vote. Since 2005, the debate about electoral reform in Lebanon has dominated the public



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sphere, coinciding with the formation of a National Commission on Electoral Law headed by former Foreign Minister Fouad Boutros. This debate was further amplified after the 2009 parliamentary elections, which resulted in the March 14 bloc, a pro-Western political coalition in Lebanon, reaching a majority of 71 out of 128 seats in the Lebanese parliament against the pro-Iranian-Syrian March 8 coalition. Both coalitions were named after the mass popular demonstrations that took place in March 2005 following Rafik Hariri's assassination a month earlier.

Both the budget and new electoral laws are major legislative achievements in an environment where legislative reforms have failed miserably since 2005. The duality of governance—one that features both a formal political system as well as cooperation among a group of political elites from various communities—holds the key to these developments.

In addition to public debates, another set of discussions and negotiations took place behind closed doors. Senior representatives of major political parties discussed the draft text of the electoral law, and subsequently the budget, in order to negotiate a compromise and establish a common ground. Once this group reached a consensus on these issues, the formal process accelerated; it took the government one session to vote on the draft bills and later only hours for parliament to pass them.

In March 2018, the Lebanese government approved a capital investment program that was drafted in the context of the Paris-CEDRE Conference—an international aid conference to support the Lebanese economy. Not only did ministry leaders discuss this plan during one of their meetings, but representatives of major political parties received a draft copy of the plan and provided their input before it was approved by the government.

These recent experiences—the CEDRE Conference, budget talks, taxes, public sector salary increases, and electoral law changes—prove that while formal institutions such as the parliament and the government are venues for debate,

they are not necessarily venues to reach compromises or decisions in Lebanon. As mentioned earlier, Lebanon's official institutions previously failed to pass measures on important issues such as tax increases, an economic reform plan, and electoral law. In order to reach compromises on important governance issues, another avenue was initiated: an informal coalition composed of senior representatives of major political groups who mitigate disagreements and work toward reaching consensus. Yet the result of this system is a diminishing role for Lebanon's legislative and executive institutions.

The presence of parallel formal and informal networks is not a new phenomenon in Lebanon. The National Reconciliation Accord (generally known as the Taif Agreement), a deal signed in 1989 that helped to end the Lebanese Civil War, is a case in point. Although this accord was signed by the surviving members of the 1972 parliament, the real negotiations were conducted between regional players and local warlords who held most of the power in the streets of Beirut. Between 1992 and 2005, when the Syrian army finally withdrew from Lebanon, a parallel network was also in effect. This network included the president, speaker of the parliament, and the prime minister, and was dubbed the "Troika" system. The Troika managed agreements and disagreements, with close monitoring and input from the Syrian regime.

This dual structure has been a main feature of the Lebanese political system for decades. The political system is by its nature elitist. The consociational system is based on a delicate power-sharing arrangement between the elites who represent the different confessional communities. It requires continuous consensus and cooperation among members of the political elite.

The key difference between the current unofficial system and the old Troika system is its composition. The current network is larger than the Troika; this reflects the new composition of the Lebanese political elite since Rafik Hariri's assassination in 2005. This is especially the case in regard

to strengthening the role of political parties that were not represented in the pre-2005 Troika context, such as Hezbollah and the Christian political parties—primarily the Free Patriotic Movement and the Lebanese Forces, which were both outlawed during the Syrian control of Lebanon.

Every few years, the political system in Lebanon appears to be on the verge of collapse. Existential questions about its viability captivate public debates and discussions. The difficulty in containing order within the system, managing conflict, and ensuring continuous cooperation challenges its sustainability. In past years, especially between 2011 and 2016, the Lebanese political system witnessed successive deadlocks, and institutions were repeatedly paralyzed.

## LOOKING AHEAD

This paralysis and Lebanon's ongoing socioeconomic challenges raise questions about the usefulness of preserving the confessionalism system in its current format. Hence, it is critical to examine the factors that can maintain the viability of the Lebanese political system, especially when regional countries such as Syria and Iraq are considering or have already adopted political systems that share a lot of similarities with the Lebanese one.

One avenue to reform the Lebanese political system would be the adoption of a senate. The debate on establishing a senate or a second chamber in parliament is not novel. In fact, Lebanon had a brief experience with a senate in 1926 during the early years of the French Mandate, but it was abolished in 1927. Likewise, the establishment of the senate was one of the reforms initially proposed in the Taif Agreement and later incorporated in the constitution. Article 22 of the constitution stipulates that “with the election of the first parliament on a national, non-confessional basis, a senate is established in which all the religious communities are represented. Its authority is limited to major national issues.” In other words, establishing a senate

would be a major step toward abolishing political sectarianism in Lebanon; this is why political groups in Lebanon have not yet shown serious interest in implementing this constitutional clause. Article 99 of the constitution provides a roadmap for political sectarianism in Lebanon; it calls for the formation of a national committee headed by the president of the republic. This committee would be tasked with studying and proposing a means to abolish political confessionalism in Lebanon.

The establishment of a senate in Lebanon via Article 22 would not simply create a new chamber; it would also protect the government and parliament from possible deadlocks that might result from disagreements among the political elite. The core function of the senate is to safeguard the interests of the different Lebanese sects, ensure the proper functioning of the power-sharing system, and guarantee cooperation among the representatives of the different sects and communities in addressing sensitive issues such as the National Defense Strategy. Put differently, the senate would protect the provision of public services to citizens, a core function of the executive branch, even when communal and sectarian disagreements arise. Rather than allowing the unofficial parallel system to persist, the senate would act to resolve conflicts, thus empowering the state and strengthening formal institutions rather than weakening them.

Since the end of its civil war, Lebanese politics have operated with a parallel system that behaves as an informal senate. Although this system has succeeded in reaching compromises, it still has generated major side effects. The continuous reliance on this informal structure has led to the weakening of formal institutions. Both the parliament and the executive branch of the government are today venues that merely accredit deals that are negotiated in advance by this system. Hence, by formalizing this informal senate, Lebanon would achieve three major objectives. First, it would abolish political sectarianism. Second, it would strengthen the government's formal institutions. Finally, it would increase

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government accountability, especially as Lebanese citizens are in dire need of strong institutions to handle severe economic difficulties and address serious challenges, including the present-day Syrian refugee crisis.

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