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Elections as Tools for Democratic Change or Not: The Case of Lebanon

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The Institute of Political Science at Saint Joseph University does not intend to give any approval or disapproval to the opinions expressed in this thesis. These opinions belong solely to their author.

My journey through this master's program has coincided with huge events, happening in both the country and my personal life. From the Beirut port blast in 2020, just weeks before the lectures began, to the collapse of the national currency losing its value, to the threats against Judge Bitar, until the ongoing Israeli massacres and assassinations on our lands for almost eleven months during which many border villages were totally destroyed, resulting in hundreds of injured and martyrs.

In recent years, I have dealt with many injuries and arrests that I or a street comrade have either faced. I do not forget who lost their lives for a decent life or the ones who lost their eyes at the square, as well as the daily martyrdom of our people and friends in South Lebanon. It is to all of them, that I dedicate the hard work and effort I put into this thesis.

I would also like to express a deep thanks to my family, especially my grandmother Shafica and my mom Rana, who have always supported me in pursuing my studies at every level, even under the hardest conditions. I also dedicate these moments, filled with passion, happiness, and anxiety, to a group of close friends and loved ones who have stood by my side each day, providing both moral and practical support.

I extend my respect and appreciation to my supervisor, prof. Wissam Lahham and ArMA's team represented by Mr. Jihad Nammour.

Hopefully all of what happened and will happen, along with the outcomes of this thesis, will help building a prosperous and fair country that values its natural and human resources. Justice for all victims of the Lebanese civil war and recent conflicts, victims of Beirut blast, the missing and forcibly disappeared and each soul we have lost in Lebanon and in Palestine.

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Introduction

The relationship between the citizen and the state is interdependent. Citizens, mainly through their active participation, contribute to state-building. In return, a strong, stable state governed by the rule of law ensures that citizens' rights are protected and that they have the democratic safe space to express themselves and participate in decision making. This relation is generally governed according to an agreed social contract, acting based on common rules and principles, organizing themselves, and staying involved in how the state is run.

Citizens participating in politics in different ways contribute to the process of state building. This could be through waves of popular movements, uprisings or revolutions in which new political principles and standards are raised that express the desired socio-political democratic transition. Other means are activists organizing themselves into groups or political parties or bodies, which in turn practice political work in its various forms, whether legal or diplomatic -such as observing, monitoring, and working on public policies- or of a popular revolt nature which is represented by a popular movement or an uprising. Citizen's participation in politics is also done through electoral processes such as parliamentary and municipal, in order to elect representatives who will legislate laws, make public policies, and protect their rights. Citizens play a crucial role in forming the political class and shaping the governance of their country based on the electoral processes. These elections are direct practical means for citizens to influence decision-making and ensure that their interests are represented. In fact, when talking about a democratic regime, the concept of representation is fundamental to forming the base relationship between citizens and the state.

According to Joseph Schumpeter's theory of democracy, elections are fundamental to the competitive struggle for political leadership, which is essential for democratic governance.

"The voters outside of parliament must respect the division of labor between themselves and the politicians they elect. They must not withdraw confidence too easily between elections and they must understand that, once they have elected an individual, political action is his business and not theirs."[1]

Additionally, Robert Dahl's concept of Polyarchy emphasizes the importance of free and fair elections as a critical component of democratic systems, ensuring that citizens' interests are

1 Schumpeter, Joseph. (1942). *Capitalism, Socialism and Democracy*, p295.

represented and that leaders are held accountable. “It is convenient to think of democratization as consisting of several board historical transformations. One is the transformation of hegemonies and competitive oligarchies into near-Polyarchies. This was, in essence, the process at work in the western world during the nineteenth century.”[2]

As Dahl mentions, the involvement of citizens in the democratic process is crucial for the legitimacy and stability of the state. Furthermore, Schumpeter emphasizes that a well-functioning state fosters an environment where democratic choices can rule, guaranteeing the rights of all.

Based on various studies, including those by Schumpeter and Dahl, for a state to function effectively, it must ensure clear constitutional provisions and uphold the rule of law to maintain accountability and transparency.

It is important to mention that some constitutional texts in Lebanon could lack specificity or are open to interpretation, they create opportunities for impunity and undermine accountability and transparency. The non-constitutional sectarian power-sharing arrangements in Lebanon have weakened institutions and undermined the rule of law by prioritizing sectarian interests over the mechanisms of practical implementation of justice and equality principles, these arrangements instead perpetuate a cycle of impunity and obstruct the effective functioning of a state of law.

According to scholars like Arend Lijphart, Consociational democracy is characterized by power-sharing among different groups to ensure stability in divided societies, but it often struggles with genuine democratic representation.[3]

Lebanon's complex socio-political status, influenced by its sectarian regime, has led to a severe imbalance of power among its diverse communities or confessional groups. This sectarian power-sharing arrangement, intended to ensure representation, has resulted in the direct allocation (sharing) of ministries, public civil administration posts, and roles within security and even military institutions based on formal and informal sectarian quotas or agreements. However, for elections to be legitimate there is a need for an independent judicial system that protects the rights of voters and provides equal opportunities for all candidates, ensuring a high level of accuracy and fairness of the electoral process.

When the civil war ended in 1989, former militia leaders took over the political power and ruled the country for over than thirty years. This period of governance resulted in a significant economic and financial collapse, one of the largest in modern history according to the World

2 Dahl, Robert. (1971). *Polyarchy: Participation and Opposition*, p10.
3 Lijphart, Arend. (1969). *Consociational Democracy*, p216.

Bank[4]. According to Transparency International (2020), Lebanon ranks low on the Corruption Perceptions Index (score 24), referring to deep-rooted issues of corruption that permeate various levels of the public administration.[5]

The current collapse since 2019 made the Lebanese population into severe poverty and socio-economic instability, Despite the severity of the crisis, officials have largely ignored their responsibility to address the fate of people's deposits.

The Beirut port blast on August 4, 2020, which resulted in the deaths of 223 people and huge destruction in the whole capital, is a recent manifestation of the chaotic situation on the administration level stemming from the lack of accountability and transparency strengthened in Lebanese politics. This catastrophic explosion proves the failure to address systemic corruption and impunity, which have persisted regardless the framework established by the Ta'f.

Tai'f Agreement of 1989 intended to end the Lebanese Civil War and prepare the foundation for political and institutional reforms aimed at ensuring stability and equitable governance for Lebanese citizens. However, over the past three decades, the implementation of the Tai'f Agreement has faced numerous challenges, leading to political and financial crimes, and a pervasive culture of impunity. Political and financial crimes have persisted in Lebanon since the signing of the Tai'f Agreement. Activists, journalists, and even security personnel have been targeted, with many assassinations occurring over the years, particularly during the period of Syrian occupation/presence in Lebanon. Officials such as Prime Minister (Rafik Al Hariri)[6] were assassinated in 2005, along with several journalists and political, and security figures, creating a climate of fear and lack of accountability. These unresolved crimes prove that there are serious issues within the judicial authority in holding perpetrators accountable in Lebanon.

The culture of impunity in Lebanon has helped sectarian Zaims and officials to evade accountability, perpetuating a cycle of injustice and social chaos. The Ta'f Agreement's intended reforms, such as the abolition of political sectarianism and the establishment of an independent judiciary, have not been fully realized, contributing to the ongoing issues of governance and rule of law in the country.

Such a situation of impunity in Lebanon is also related to its pluralist society, which is characterized by a mix of religious and ethnic groups. The sectarian power-sharing system, designed to ensure representation for diverse communities, has often led to institutional

4 World Bank official website, **Lebanon Sinking into One of the Most Severe Global Crises Episodes**. Link available on: Lebanon Sinking into One of the Most Severe Global Crises Episodes, amidst Deliberate Inaction (worldbank.org) .

5 Transparency International's official website. Link available on: https://www.transparency.org/en/cpi/2020 .

6 Hariri. (2020). *Lebanon: A History of Sectarianism and Political Corruption*. Beirut: Lebanon University Press.

weaknesses. This system has created opportunities for political Zaims to evade accountability by leveraging sectarian allegiances.

This socio-political phenomenon is discussed by many scholars, including in Consociational Democracy (Lijphart, 1969) and the theory of pluralism (Dahl, 1971), which explain how power-sharing in pluralist societies can sometimes undermine the rule of law and promote impunity.

Robert Dahl says: "I shall sometimes resort to the terms near or nearly: a nearly hegemonic regime has somewhat more opportunities for public contestation than a hegemonic regime; a near-polyarchy could be quite inclusive but would have more severe restrictions on public contestation than a full polyarchy, or it might provide opportunities for public contestation comparable to those of a full polyarchy and yet be somewhat less inclusive"[7] while for Lijphart: "In fragmented systems, many other decisions in addition to constituent ones are perceived as involving high stakes, and therefore require more than simple majority rule. Similarly, majority rule does not suffice in times of grave crisis in even the most homogenous and consensual of democracies."[8]

Here we get to an urgent need for strict financial and political reforms to restore stability on one side and trust of the public on the other.

This thesis aims to explore the extent to which elections serve as an effective tool for democratic change in Lebanon, considering the complex socio-political context shaped by historical legacies and current challenges, entrenched sectarian power-sharing system, economic instability, and issues of voter protection, candidate safety and opportunities. The research will examine the role of sectarian power-sharing arrangements, economic instability, and issues of voter protection and candidate safety, Key research questions include:

- Are elections in Lebanon truly democratic given the current political and economic challenges?

- How do sectarian power-sharing arrangements impact the legitimacy and fairness of elections?

- What political reforms and practical mechanisms are necessary to achieve genuine democratic change in Lebanon?

The research will explore voter's behavior, electoral laws, and the roles of parties or stakeholders involved. Focusing on the case of Lebanon parliamentary elections of 2018 and 2022, such an examination is a base for understanding whether elections in Lebanon can lead to genuine democratic change.

7 Dahl, Robert. (1971). *Polyarchy: Participation and Opposition*, p8-9.
8 Lijphart, Arend. (1969). *Consociational Democracy*, p214.

Part One discusses Lebanon's modern history, focusing on the relationship between impunity and sectarianism, it delves into major events like the civil war and discusses Lebanon's post-war governance after Tai'f agreement.

Part Two is about the new anti-sectarian political movements and parties in Lebanon that are in opposition. It also discusses how people from different backgrounds and regions come together to form that opposition in last years as well as the difficulties.

Part Three of this thesis includes a detailed study of the parliamentary elections in Lebanon in both of 2018 and 2022. It analyzes how these elections were organized, the contexts in which they occurred, and the impact of voters' choices on the political situation.

Methodology

1- Research Design

Research methodology used in this thesis adopts a qualitative approach, focusing on in-depth understanding of the reality and the field. The qualitative methods chosen allow for a detailed exploration of the socio-political context and the subjective experiences of various stakeholders in Lebanon's electoral processes. Tools used in research are Key Informant Interviews, Readings (literature review) and reports.

1.1. Key Informant Interviews:

Qualitative interviews are mainly interviews collected that gives specific information or data from each interviewee, this information are not numerical (not a statistic) but direct questions that each person will answer based on his or her opinion or experience. This information at the end is for the purpose of analyzing opinions, theoretical content, statistical data and other analysis studies that could help discussing an issue, case, event etc.

For this thesis, ten **qualitative interviews** were conducted. These interviews were elaborated with three categories: voters, monitors and organizers, MPs, to gain insights into the effectiveness of elections in Lebanon that could be an added value to the analysis of different books, reports, studies and other offline and online references named in the table of content.

People were selected from different regions, electoral districts, and different roles (voting, campaigning, media-related, MP) they played before, during and after elections.

Interviews took place in public spaces (coffee shops, libraries..), offices, and also two online interviews.

The interviews were based on open-ended responses in a way that key topics were covered. Each interview was recorded with the consent of the interviewee, and detailed notes were taken to facilitate data analysis.

1.2. Readings and Literature Review

The literature review components of this thesis involved analyzing a range of books, reports, analyses and statistics. Key references are the books *Politics in PostWar Lebanon* by Bassel Salloukh (literature review), *Compassionate Communalism: Welfare and Sectarianism in Lebanon by* Melani Cammet*, Lebanese Parliamentary Elections 2016-2019 by* Charbel Nahhas as main references while drafting and analyzing interview results as well.

The literature-review also incorporated reports from organizations such as the Lebanese Association for Democratic Elections (LADE), Democracy Reporting International, the United Nations Development Program, the Electoral Supervisory Commission, and the European Union Observatory Report. These reports offered contemporary data relevant to this thesis. It was also analyzed in conjunction with interview data to compare and contrast different viewpoints. This integrative approach allowed for a comprehensive understanding of the issues at hand, linking theoretical perspectives with practical experiences in reality.

2- Data analyses:

Thematic analysis was used to interpret the data. The literature review was analyzed using a similar thematic approach, identifying key arguments and evidence that supported or contradicted the interview findings.

3-Ethical Considerations

Ethical considerations were considered in this thesis. All interviewees provided informed consent before participating, ensuring they were fully aware of the research purpose and their permissions for having the interview were taken.

4- Limitations of the research

This thesis acknowledges several limitations. In the qualitative approach, the sample size of ten interviewees may not capture all perspectives within Lebanon's diverse society. Additionally, potential biases in interview responses and the availability of literature may influence the results. Efforts were made to mitigate these limitations by analyzing data sources and maintaining a transparent and complementary analysis process.

I- Part One:

Historical Background and Socio-Political Context: impunity within the sectarian regime

The first part of this thesis discusses and analyses the historical background and political context of Lebanon's sectarian regime and is divided in two chapters. Chapter One, "Sectarianism and Impunity in Lebanon's Modern History," is about how the origins of sectarianism emerging within the Ottoman Sultanate's state-building period until its role in covering impunity and corruption. It explores the early sectarian distribution of powers through the Qaimaqamate and Mutasarrifate system.

Moving to Chapter Two, "Confessionalism and Electoral Laws", I am analyzing the post-civil war context shaped by the Tai'f Agreement, until the current political regime ruling the country although through sectarian electoral laws.

Chapter two shows the struggles since the Israeli Occupation and the prominence of Hizbullah, particularly their possession of heavy weapons not following the state's authority. Additionally, it outlines Lebanon's complex socio-political situation since 1990, evolving into a distinct form of Consociational democracy.

1. Chapter One: Sectarianism and impunity in Lebanon’s modern history

This chapter discusses Lebanon's modern history timeline, mentioning key events that made its present societal and political context. Beginning in the early 19th century, Lebanon's reliance on neighboring countries or regions for food created a dependency, peasant revolts against tax impositions in the northern Mount Lebanon; Keserwan uprising marked a significant victory over feudal lords, revealing underlying sectarian conflicts and shaping Lebanon's contemporary social hierarchy.

The introduction of "The Politics of PostWar Lebanon" examines the institutionalization of sectarian ways of ruling and mobilization in Lebanon. The corporate sectarian power-sharing arrangement is traced back to the upheavals of 1839-40 in Mount Lebanon against feudal lords. Elite attempts to “neutralise subaltern demands” and European interventions in the Ottoman Empire shaped a new political order based on sectarianism (sectarian affiliation).

Chapter One of this thesis further explores Lebanon's shift from a confessional power-sharing system to sectarianism within its parliamentary structure. French mandate during the 1920s to 1940s strengthened power-sharing along religious affiliations, setting the stage for contemporary fragmented societal dynamics. How the Sykes-Picot agreement made Lebanon dependent to regional and international powers, laying the groundwork for its modern political and social realities while diverse challenges and divisions were taking place. It offers insights into Lebanon's intricate historical narrative, showing and discussing its situation within both global and regional powers, shaping its present complexities and identity, trying to prove how corruption protected by sectarian immunities, clientelism (mainly known as “Wasta الواسطة”) in enhancing the reality of impunity and reproducing the same regime.

1.1. From Qaimaqamate to Mutasarrifate Order After 1860 Massacres: The rule of sectarian Zaamat (زعامات) covered by impunity and support of foreign powers

In late nineteenth century, upon hard taxes that peasants suffered from, an impactful peasant uprising lead by Tanios Shaheen, which erupted in the Keserwan region reaching the north of Beirut. This revolt resulted in the successful expulsion of feudal sheikhs (الشيوخ) from the area. This movement marked a transitional moment in Lebanon's historical narrative.

The uprising or revolution led by Tanios Shaheen had another face that took on a sectarian dimension. There is a lot to discuss on how this revolution ended with the killing of Druze and Maronites, and how the leaders from both sides shared power later on in what became known as the Mutasarrifate system, where each sect or confessional group had an administrative position and an international support from different foreign countries; how did this draw the way for the sectarian quota regime that covers impunity.

a- The 1860 Uprising Against Feudalism That Turned into Sectarian Massacres: Early Sectarian Conflicts

The uprising led by Tanios Chahin signified the situation of the peasants organizing themselves in 1820[9], aiming to challenge the feudal authorities. Some of popular revolt groups where known as "Aammiyyat Lehfod عامية لحفد" and "Aammiyyat Antelias عامية أنطلياس."

"This sectarian imagining of Mount Lebanon was reinforced in 1845, when Şekib Efendi's Reglement introduced to the Qa'imaqam system new administrative councils based on sectarian identities. The new social order maintained a hierarchical form of representation that distinguished the notables from the commoners, and ensured that all expressions of loyalty to the Ottoman Empire."[10]

The 1860 Peasants' uprising triumphed over feudalism in Keserwan and extended its influence to the Chouf region. This uprising took on a sectarian nature, mirroring the prevalent tensions within Lebanon. Importantly, these events shaped the formation of Lebanon's contemporary social classes, delineated by sectarian standards and bases.

The tensions inherent in the unstable double Qa'imaqam system expressed themselves in both class (Maronite–Maronite) and sectarian (Druze–Maronite) contests that exploded in the clashes of 1860.[11]

b- Similar Sectarian Zaamat (زعامات) Ruling the Country Today by Impunity and Foreign Powers Support

That period shows how these Zaims took benefit of both foreign interference and the reality of impunity in order to reproduce the same regime in the shape of Mutasarrifate at that time. They did exploit foreign interference and the prevailing impunity to consolidate their power and perpetuate the Mutasarrifate regime later on. Zaims talking on behalf of different sects, leveraged foreign support to justify their actions and maintain control over their respective communities.

By playing foreign powers against each other and exploiting sectarian divisions, Zaims were able to secure resources, suppress dissent, and perpetuate a system that benefited the smaller confessional community while undermining the principles of equality and justice for all.

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9 Akarli, Engin Deniz. (1993). *The Long Peace: Ottoman* Lebanon 1861-1920, p21.
10 Akarli, Engin Deniz. (1993). *The Long Peace: Ottoman* Lebanon 1861-1920, p13.
11 Salloukh, Bassel. (2015). *Politics in PostWar Lebanon*, p13.

The sectarian Zaim, then, is a Lebanese concept. Those Zaims of different sects in Lebanon - who are men of course- keep giving themselves the authority to speak in the name of the sect and justify any crime or corruption under the pretext of protecting it but also the religion itself. The bases of a Zaim's relationship with his followers is a mix of: clientelism (such as securing a job in a public or private institution), regionalism (promoting the dominance of persons from a certain sect or group in the specific region/area), tribalism (familiar relations), religious (high relations with sectarian authorities), and political ideology built extremism.

The Ottomans, in their policy, reinforced existing sectarian divisions among the Maronites, Druzes, and other groups. This mentality of sectarianism became a cornerstone of Lebanese politics until today.

The Ottomans often appointed local leaders/officials in administer regions. These did develop power bases within their respective communities, laying the foundation for the Zaims of today. That system often concentrated power in the hands of a few powerful figures. This centralization of power has continued in Lebanon, with Zaims wielding significant influence in different regions of Lebanon.

Ottoman rule in Lebanon then created the conditions that allowed for the rise of the system of Zaims today. The sectarian divisions, local leadership, patronage networks, and power concentration established during the Ottoman period have continued to shape Lebanese politics, including the role of Zaims in the country's governance.

In Lebanon, **the shift from power-sharing Consociationalism to Sectarianism (sectarian regime) has made more issues related to unfairness and corruption**.

Power-sharing consociationalism aims to ensure the political participation of different groups through proportional representation, autonomy, parity, and consensus decision-making. In contrast, sectarianism is a system dominated by sectarian elites who maintain power through clientelism. This shift from consociationalism to sectarianism in Lebanon has led to instability, corruption, and social fragmentation.

Political authority until now is still influenced by religious identity, sectarianism, regionalism, tribalism and clientelism, leading to these issues. In last decades, the political regime in Lebanon witnessed a negative transformation, shifting from a power-sharing consociational model designed for stability towards a corrupt sectarian system. Consociationalism which aimed for proportional power distribution among different religious groups, fostering a participatory decision-making. Lebanon's political order has transformed negatively to a corrupt sectarian regime.

However, Lebanon instead witnessed the rise of dominant sectarian Zaims who exploited these social divisions for personal interests. "Zaim" way in dealing with politics prioritizes sectarian

alliances and control over resources, fueling clientelism, corruption, and a weakened rule of law. While the Lebanese constitution outlines a power-sharing framework, informal practices that favor Zaims and sectarian interests may be a more significant factor hindering the achievement of true consociationalism and national unity.

The crisis reached its peak during the French mandate period; during the division between two distinct groups. The first group, predominantly Muslim, called for joining the Arab rule in Damascus led by Prince Faisal. The second group, primarily the Christian population of the Mutasarrifate (Mutasarrifiyyah متصرفية جبل لبنان), sought French support and Western protection for the Christians in Mount Lebanon. These tensions continued after the distribution of Sykes-Picot Agreement in 1916, which divided the region between the United Kingdom, which maintained influence in Palestine and Jordan, and France, which controlled Syria and Great Lebanon.

1.2. The State of Great Lebanon (1920-1958): sectarian affiliations and foreign interference that exploded into civil wars followed by high level of impunity

Such a historical development of sectarian identities within what became known as Greater Lebanon after the collapse of the Ottoman Empire, wherein it is also responsible to the shaping of sectarian communities in Lebanon.

The historical development of Great Lebanon coupled with the influence of foreign powers during and after the French mandate, established a politicized religious framework that continues to shape Lebanon's sectarian communities and governance structures. Despite efforts to prevent any single confessional group from dominating, this sectarian regime led to a deeply fragmented society, with various sectarian communities fighting for political power and control over the country's resources and institutions.

Although the Lebanese state is considered civil, this form of regime, did not achieve equality among its citizens. The civil state concept here refers to a certain shape of governance by elected representatives and institutions, as opposed to military rule, and implies a legal framework designed to uphold civil liberties and rights for all citizens.

The confessional power-sharing order entrenched in Lebanon's political structure has led instead to an unequal treatment among Lebanese citizens. This inequality manifests in various ways, including access to public services, employment opportunities, and political representation, which are often distributed based on sectarian affiliations rather than merit. But in order to understand whether the issue of sectarian conflicts and power-sharing stems from the constitution itself or other factors, it is essential to consider the broader socio-political context. The Lebanese constitution enshrines confessional power-sharing as a means to ensure

representation for diverse communities. However, such an order is not meant neither to increase sectarian tensions nor clientelism or corruption, which undermines the principles of citizenship, equality and the rule of law.

The Lebanese Constitution explains the nature of a civil state by declaring in Paragraph D of its introduction that the people are the holders of sovereignty and the source of power. This means that the state's legitimacy derives from the people rather than any metaphysical doctrine, indicating that the authorities in Lebanon are temporal and their legislation is based on positive laws.[12] The Lebanese legal system recognizes the existence of only one legislative authority, the Chamber of Deputies, and the presence of sectarian personal status laws does not contradict the civil status of the state, as these sectarian laws are effective only because the state allows them through its constitution and laws.

This mentioned foundational principle of the Lebanese Constitution is highly relevant to the overall thesis, as it underscores the paradox within Lebanon's political system; while the state is constitutionally defined as civil and derives its legitimacy from the people, the practical implementation of power-sharing through sectarian tensions has led to complicated challenges in achieving true democracy and equality.

The principle of a civil state suggests that all citizens should be equal before the law and that the state should operate independently of religious or sectarian influence. However, the confessional system, which allocates political power based on sectarian quotas, inherently contradicts this ideal. **Instead, in practical implementation in reality, this system has perpetuated a culture of impunity and corruption, as political leaders often prioritize sectarian interests over national ones, undermining the rule of law and the principles of accountability and transparency.** But impunity is not necessarily a direct result of power-sharing. While power-sharing can weaken institutions, prioritize stability over accountability, and foster sectarian interests, other factors like weak rule of law, corruption, and foreign interference also contribute to a culture of impunity.

By examining the parliamentary elections of 2018 and 2022 (chapters five and six), the thesis aims to highlight how these constitutional principles have been compromised by the sectarian power-sharing regime. It will analyze how the electoral process is influenced by sectarian dynamics, economic instability, and the lack of protection for voters and candidates. This analysis will provide insights into whether the current political structure can genuinely support democratic change or if reforms are necessary to align the state's practices with its constitutional principles of a civil state.

12 وسام لحام، **الدولة في لبنان... الآن مدَنية**. الفهرسة على الرابط التالي:
https://al-akhbar.com/Opinion/294561 .

Each constitution does outline the principles and guidelines for governance but the factors behind sectarian conflicts and state collapse often extend far beyond what is written on paper.

Sectarian conflicts are deeply rooted in historical, social, and cultural factors that have evolved over time. These conflicts are often fueled by hate, inequalities, and power struggles among different confessional or ethnic groups within society. Historical events, such as mandate –or what some considers colonization-, foreign interventions, and internal armed conflicts, can also fire tensions and contribute to the perpetuation of sectarian divisions. Informal power (ruling) structures and informal agreements among sectarian political leaders play a significant role in determining how resources are allocated and distributed. These arrangements may not be explicitly outlined in the constitution but are central to the functioning of the state.

While based on the constitution, "the sovereignty of the people is also evident in Article 9, which stipulates that freedom of belief is absolute, meaning that the citizen in Lebanon is free to belong to a specific sect, or to reject that affiliation, regardless of the truth of his faith. Freedom of belief also includes the freedom to declare this belief, as an individual may be a believer in a religious belief, but he refuses to classify himself within a sect."[13] When the constitution guarantees individuals the right to choose their religious affiliation or to reject it entirely, the country's sectarian political system often prioritizes sectarian identities and affiliations. This tension is evident in the fact that while individuals may have the freedom to choose their religious beliefs, their personal choices may still be influenced by societal and political pressures to conform to a particular sectarian identity.

a- 1958 Conflict: Political Deal Instead of Serious Accountability Measures

Lebanon's President Camille Chamoun (1952-1958) clashed with Egypt's rising leader Nasser. Chamoun refused to side with Nasser against Britain and France in the Suez War and used elections for his own benefit. Tensions escalated when Syria joined Egypt to form the United Arab Republic, provoking Muslim opposition in Lebanon. The uprising, backed by Nasser and aided by Syria, prompted Chamoun to call for US intervention. Though American troops arrived, the conflict simmered until the Lebanese military, led by General Fouad Chehab, emerged as a compromise solution to replace Chamoun.

By refusing to use force against Muslim rebels in 1958, General Chehab gained their trust, paving the way for his presidency. Once in power, he addressed Muslim concerns by including them more in government and focusing on development in their neglected regions. He also maintained good relations with the Arab world, which enjoyed popularity among Lebanese Muslims, and oversaw the continuation of the economic rise that began with Camille Chamoun.

13 وسام لحام، **الدولة في لبنان... الآن مدَنية**. الفهرسة على الرابط التالي:
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"After stabilizing confessional relations, Chehab embarked upon a program of reform intended to strengthen the Lebanese state, the capabilities of which up until that time had been enormously weak. His main goal was to reduce some of the social and economic imbalances that had begun to emerge in Lebanese society and which were reflected in the political system by the dominance of the Zuama (old semi feudal elites). Personnel reform legislation passed in 1959 called for an equality of appointments for Christians and Muslims to bureaucratic posts."[14]

b- 1975 Civil War: Impunity Through Amnesty Law

In 1991, the Lebanese war that start in 1975 ended with a general amnesty without any accountability or real reconciliation in order to achieve some transitional justice. Warlords are still free, without knowing the truth about many massacres and mass graves, the displacement of hundreds of thousands from their villages and lands, and the killing and kidnapping on militia checkpoints based on personal IDs.

With the new political regime established by the Ta'if Agreement, the Lebanese Parliament did pass the General Amnesty Law promulgated on the 26th of August 1991. This law included all political crimes committed before the 28th of March; where this amnesty covered crimes including murder, torture, and kidnapping. "It was promulgated by the Lebanese government on 26 August 1991 and applied to crimes committed by all militias and armed groups throughout the civil war… it did allow for the exclusion of certain crimes, the most important of which are found in Article 3 of the Law, which says the amnesty does not cover 'crimes of assassination' or attempted assassination of religious figures, political leaders, and foreign or Arab diplomats."[15]

This is how sectarian Zaims in our modern era have repeated the reality of impunity. In an interview with Raseef22, Dr. Carmen Abu Jaoude, a specialist in transitional justice, explains: "The war ended, without honesty or real reconciliation. It ended with the obliteration of the facts. They put us before the choice of truth or civil peace… Lebanese entered into a state of denial and loss of memory, due to successive shocks, but the war is not over!"[16]

After the end of the war, and as a result of a political agreement, a general amnesty law was passed for those responsible for various types of crimes against Lebanese, many of which are considered a war crime or a crime against humanity according to international law. Abu Jaoude says: "The criminal who committed crimes against humanity in war, and was not punished, has

14 Britannica official website. **Lebanon After Independence**. Link available on: https://www.britannica.com/place/Lebanon/Lebanon-after-independence .

15 Amnesty International's official website, **Lebanon: Samir Gea'gea' and Jirjis al-Khouri: Torture and unfair trial**, p2-3. Link available on: https://www.amnesty.org/en/wp-content/uploads/2021/06/mde180032004en.pdf .

16 رصيف22، التفلّت من العقاب في لبنان: اللا عدالة أو الحرب الأهلية، الفهرسة على الرابط التالي: https://rb.gy/q4xdrw .

no force to deter him from committing economic and financial crimes in peace, without any fear of accountability."[17]

Issues related to displacement, land, and property ownership have been an unresolved until today. Furthermore, there has been no establishment of truth commissions aimed at acknowledging and investigating displacement as a severe human rights concern. Additionally, there have been no criminal prosecutions targeting the individuals responsible for human rights violations that led to displacement, nor have there been legal actions specifically addressing forced displacement as a crime.

Despite the pressing need for Consociational Democracy in a complex society with a long history of conflict, such as the one in question, neither the Tai'f agreement nor the Amnesty Law made any reference to effective transitional justice measures that have, in certain contexts, played a role in addressing displaced-related issues.

Foreign interferences also shaped how politics work in Lebanon, within a power balance among religious groups that each is politically related with other countries. The country's governance through sectarian politics, evident in the post-civil war regime that emphasizes Power Sharing mechanisms entrenched in the Tai'f Agreement after the civil war (1989). After the Israeli army withdrawal from southern Lebanon in May 2000 (Resistance and Liberation day عيد التحرير), Hizbullah didn't agree to give up its weapons as the other armed militias. As time passed, Hizbullah became a main decision maker in Lebanese governments.

Although the governments acknowledge Hizbullah weapons as resistance (ministerial statements البيانات الوزارية) and many Lebanese supported it during the 2006 Israeli war on Lebanon, in 2008, the Lebanese government, which was supported by Western countries, tried to close down Hizbullah's wire communication system and remove the person in charge of security at Beirut Rafic Hariri Airport because of his relationship with Hizbullah. That decision was backed up by high level of US and Saudi support who were also financing Sunni and Christian armed groups on ground and on media.

In response, Hizbullah took control of large parts of Beirut by force and fought against other groups and militias (7 May 2008) especially Future party which is Sunni majority; that increased the tension among sectarian communities in the country especially Shia and Sunnis and became a main reason for the lack of trust towards Hizbullah's among the Lebanese population.

Again, this internal armed conflict that many calls a "**mini civil war"** ended by an informal political deal (new agreement among those responsible) in Doha that was based on new sectarian

17 رصيف22، التفلّت من العقاب في لبنان: اللا عدالة أو الحرب الأهلية، الفهرسة على الرابط التالي: https://rb.gy/q4xdrw .

standards for balancing power among "all means all" of the Zaims as well as the foreign powers who support and fund each of them.

c- 1990 Constitution Amendments: failure to implement Article 95

There were several amendments on the original text of the Lebanese constitution of 1926 since then (October 1927, may 1929, January 1947...) as the last amendments in September 1990 resulted from the Tai'f agreement of 1989 that ended the civil war.

Great Lebanon is a republic of parliamentarian system of governance, where Chamber of Deputies is a high authority that legislate laws, hold government accountable after giving it the "vote of confidence", and electing a president for the republic.

In article 49 of the Lebanese constitution, it is only mentioned generally that: "the president of the republic shall be elected by secret ballot and a two-thirds majority of the Chamber of Deputies. After a first ballot, an absolute majority shall be sufficient. The president's term is six years."[18] This text also is not clear about whether these two-thirds majority should be calculated among the ones who are present in the session or from the total number of MPs of the Chamber of Deputies.

Once discussing the sectarian sharing of the three presidencies in Lebanon, sectarian authorities often engage in hate speech[19] to demand the protection of their respective sects. This exacerbates divisions and perpetuates sectarian tensions, undermining national unity and fostering a climate of distrust. In Lebanon, this phenomenon is particularly damaging due to the delicate balance of power among various sectarian groups. By inciting fear and hostility, sectarian leaders can mobilize their constituencies and consolidate power, often at the expense of broader national interests and democratic principles. Such practices not only hinder effective governance but also contribute to the persistence of a culture of impunity and clientelism.

While in article 95 of the Lebanese constitution, it is mentioned "to bring about the abolition of political confessionalism according to a transitional plan. 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. The tasks of this Committee shall be to study and propose the means to ensure the abolition of confessionalism, propose them to the Chamber of Deputies and to the Council of Ministers, and to follow up the execution of the transitional plan."[20]

The mentioned national reconciliation did not actually take place, and here we must ask ourselves: in practical, how the civil war and sectarian conflicts were overcome at that time

18 The Lebanese Constitution: promulgated May 23 1926 with its amendments, p41.

[19] UNESCO Digital Library. **Countering Online Hate Speech**. Link available on: https://unesdoc.unesco.org/ark:/48223/pf0000233231 .

through general amnesty law that protected officials and war lords from what they did and thus shared the highest posts of the state among them?
The failure to implement the provisions outlined in Article 95 of the Lebanese constitution, which calls for the abolition of political sectarianism through a transitional plan, highlights the deep issues in achieving a real national reconciliation. The absence of a unified vision and serious efforts to address sectarianism is allowing sectarian authorities to keep maintaining control over key aspects of governance including the judiciary.

1.3. Lebanon's Post-War Period: no accountability but more corruption covered by sectarian immunities and clientelism

During the last three decades despite the Tai'f Agreement, a culture of impunity persists in Lebanon. Numerous crimes, including the assassinations of politicians, journalists, and activists, remain unsolved and did not lead to an actual result of transparency and accountability.

Salim Ayyash: convicted by an international court; Special Tribunal for Lebanon in the case of the assassination of Prime Minister Rafik Hariri (February 2005)[21], Habib Al-Shartouni: convicted by a Lebanese court in the case of the assassination of former President Bashir Gemayel (September1982)[22], the crime of bombing the Al-Taqwa and Al-Salam mosques in Tripoli (August 2013)[23], the Beirut Port blast crime (August 2020), until the killing of LF official in South Lebanon Elias Hasrouny months ago which initially was considered as a car accident..[24] and many that spanned over decades. Similar crimes are still happening in Lebanon without taking or implementing serious accountability mechanisms.

For sure, the prevailing reality of impunity in Lebanon has greatly affected decision-making, the rule of law, and all aspects of the citizen's life. The lack of accountability for war crimes, the blocking on depositors' money, and political interference in the investigation of the Beirut port blast are clear indicators of this impunity. This absence of accountability undermines the

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20 Ministry of Justice, The Lebanese Constitution: promulgated May 23 1926 with its amendments, p83.
21 International Crimes Database official website, **The Prosecutor v. Salim Jamil Ayyash, Hassan Habib Merhi, Hussein Hassan Oneissi**, Assad Hassan Sabra. Link available on: https://www.internationalcrimesdatabase.org/Case/3314/The-Prosecutor-v-Salim-Jamil-Ayyash,-Hassan-Habib-Merhi,/ .
22 Reuters official website, **Lebanese court issues death sentence over 1982 Gemayel assassination**. Link available on: https://www.reuters.com/article/idUSKBN1CP22D/ .
23 Reuters official website, **Lebanon indicts Syrian officers for twin 2013 mosque bombings - state media**. Link available on: https://www.reuters.com/article/idUSKCN1182CW/ .
24 LBCI official website, **Death of Elias Hasrouni in Ain Ebel was not the result of car accident: LF leader Geagea**. Link available on : https://www.lbcgroup.tv/news/lebanon-news/717492/death-of-elias-hasrouni-in-ain-ebel-was-not-the-result-of-car-accident/en .

principles of justice and transparency, leading to widespread corruption and governance failures. Impunity and corruption are systemic, affecting various levels of governance and daily life of Lebanese citizens. The failure to hold officials accountable for war crimes committed during the civil war, as well as the continued influence of warlords in political positions, demonstrates the deep-rooted nature of this problem. Additionally, the inability of the state to protect citizens' financial assets, as seen in the blocking of depositors' funds, and the political meddling in crucial investigations, such as the Beirut port blast, further exemplify the extent of impunity.

This chaotic reality goes beyond any specific political regime or constitutional framework; it is a fundamental issue that affects the entire governance structure in Lebanon. The sectarian power-sharing regime entrenched by the Ta'if Agreement, which was intended to ensure stability and representation, has instead perpetuated a cycle of corruption and clientelism. This system has allowed political leaders to evade accountability and prioritize sectarian interests over national interests, severely impacting the rule of law and democratic governance.

"The Politics of Sectarianism in PostWar Lebanon" book analyses the strong presence of a sectarian network that extends into various aspects of daily life of Lebanese citizens. It examines the challenges faced by teachers, public sector employees, students; across local associations, private institutions, and NGOs. We are talking about a situation where state's administrations are taken and controlled by different sectarian powers and officials (political elite of militias who came into power after Amnesty law that followed ending civil war), all together, describe the sectarian regime and how this helps reproducing it.

a- Clientelism: A Tool for Strengthening Sectarian Immunity of the Zaim

Sharing state resources and state posts in Lebanon has gone beyond symbolic power-sharing between confessional groups or the concepts of coexistence between different religious communities to the stage of actual sharing of these resources and posts directly among some Zaims of the largest sects in the country. This is different from the general concept of Muslims and Christians participating in ruling the state or the "Power Sharing".

Geographically, this socio-political reality has contributed to dividing society and exacerbating conflicts within it. Each region has its own system of clientelism, where the socio-political relationship between citizens and decision-makers or influential people varies based on the types of services offered by the Za'im and the personal interests of these leaders. This fragmentation creates significant disparities in access to resources and services, undermining the principles of citizenship and cross-sectarian equality. Varying types and networks of clientelistic relationships across different regions mean that citizens' interactions with their leaders are heavily influenced by the specific services and benefits provided, which can range from access to healthcare and education to employment opportunities and infrastructure development. These services are often

provided in exchange for political loyalty, creating a system where the Za'im holds significant power and influence over the local population.
The prevalence of clientelist practices in public institutions, coupled with sectarian quotas in recruitment, undermines merit-based principles and perpetuates inequality. In a state where high positions are allocated based on political affiliation or sectarian identity rather than competence and expertise, rule of law comes at the end, as fairness and impartiality are compromised.

In a statement to Raseef22 the former governor of Beirut said: "There is a generation of general managers (about public institutions) who were military officials in the Progressive Socialist Party and in Amal Movement. A course was organized to assimilate militias into the military forces and they became officers in the army and security forces. There are daily-workers in public institutions and those who deal with the Ministry of Information. In every place where there is no Civil Service Board competition, militia members have been absorbed."[25] The recruitment of former militia members into public posts poses a serious threat to the independence of the judiciary and the rule of law in the country.

The Constitution was clear about the priority of expertise and competence in recruiting in public administrations and institutions and the judiciary: "The principle of confessional representation in public service jobs, in the judiciary, in the military and security institutions, and in public and mixed agencies shall be canceled in accordance with the requirements of national reconciliation… the posts shall be distributed equally between Christians and Muslims without reserving any particular job for any sectarian group."[26]

b- Lack of Judicial Independence: preventing accountability

It is clear in the Lebanese Constitution regarding how to promote equality and justice, sectarian quotas continue to influence judicial appointments. A practical example of this issue occurred in 2022 when the proposed independent judicial appointments (known as "التشكيلات القضائية" or "judicial formations") were blocked by the Minister of Justice affiliated with the Free Patriotic Movement.

In this context, even the head of the Supreme Judicial Council could not implement significant changes without the approval of the majority of the council members, many of whom are connected to other political leaders or Zaims in the country.[27] This situation highlights the

25 رصيف22، **محاصصة وضرب لمبدأ الكفاءة: للتوظف والترقي في لبنان عليك الاستزلام ل "الزعيم"**، فهرسة التحقيق على الرابط التالي: https://raseef22.net/article/108580 .

26 Ministry of Justice, The Lebanese Constitution: promulgated May 23 1926 with its amendments, p83.

27 Legal Agenda official website, **Independence of the Judiciary Coalition: The Administration and Justice Committee's Bill Fails to Achieve Judicial Independence**. Link available on: https://english.legal-agenda.com/independence-of-the-judiciary-coalition-the-administration-and-justice-committees-bill-fails-to-achieve-judicial-independence/ .

challenges of achieving an independent judiciary in Lebanon, where sectarian and political affiliations often override constitutional principles and judicial independence.

The term "judicial formations" refers to the appointments and transfers of judges within the Lebanese judiciary. These formations are intended to be based on merit and aimed at ensuring an independent and efficient judiciary. However, in practice, these appointments are often influenced by sectarian quotas and political considerations or direct sharings.

This is a core argument regarding the difficulties in achieving a truly independent judiciary in Lebanon, where the judicial system is heavily intertwined with the political landscape. It reflects broader challenges in implementing constitutional principles in a context where sectarian and political loyalties often take precedence over legal and judicial independence.

"Although the Constitution enshrines both the principle of the separation of powers (Article 5 of the Preamble) and the independence of judges and the judiciary (Article 20), Lebanon's judicial system remains far from independent. The restrictions on the judiciary's independence can be seen in the violations of its various aspects, namely the principle of the natural judge, the guarantees of institutional and individual independence, and the impartiality of the courts, and in the violations of the standards of the concomitant principle of judges' accountability."[28]

Political interference in judicial appointments threatens the independency of the judiciary which is the main base for the rule of law. When state institutions are subjected to external influence or manipulation for political gain, it erodes public trust in the legal system and undermines the principle of equal protection that the state of law should provide.

The Supreme Judicial Council is made of ten members, eight of whom are appointed by the government. The government also decides how to elect the last two members. How can a judicial body be independent from a political authority when its members are appointed by the same authority itself?! This is literally the political interference in judiciary that proves a severe **lack of "separation of powers."** This Council is responsible for managing the careers of judges, including their appointments, transfers, and promotions. However, these judicial formations require the approval of the Minister of Justice to become effective. Once the Supreme Judicial Council proposes these formations, they must be endorsed by the Minister of Justice and then issued through a formal decree initiated by the Minister. Such a procedure means that the Minister of Justice has considerable power over judicial appointments, which can lead to political influence within the judiciary.

"The Lebanese Coalition for the Independence of the Judiciary and nine members of Lebanon's parliament introduced two draft laws on March 2023, that would strengthen the independence of

28 Legal Agenda and ANND, **Report on the Independence of the Judiciary and the Right to Fair Trial in Lebanon**. Link available on: file:///C:/Users/USER/Downloads/JS8_UPR37_LBN_E_Main.pdf .

judicial investigations and prevent political interference with the judiciary. The Coalition and MPs stressed the need to confront obstructions of justice in Lebanon as well as institutionalized impunity, which have stalled criminal investigations and hindered justice."[29]

The **political interference in judicial appointments and investigations, undermines the rule of law and imposes a culture of impunity**. The recruitment of former militia members into public positions further compromises the integrity of state institutions, perpetuating clientelist practices and weakens merit-based recruitment. Moreover, the influence of sectarian quotas in public service jobs perpetuates inequality and marginalizes minority confessional groups, exacerbating societal divisions.

Political appointments in the judiciary permit executive and influential Zaims or political officials to interfere in judicial processes. This interference often disregards the merit or professional qualifications of the judges, undermining the independence and integrity of the judiciary. Additionally, political pressure can be exerted on judges to make rulings that align with the interests of these powerful officials, further compromising judicial impartiality and fairness.

The judicial authority, that should be enforcing the rule of law and ensuring accountability, is then also facing political interference and manipulation. Threats against judicial officials and the lack of independence in decision-making undermine public confidence in the legal system. The absence of accountability for powerful politicians accused of crimes reinforces a culture of impunity, where the rule of law is selectively applied based on sectarian and political considerations rather than principles of justice and equality.

c- Corruption and Mismanagement Leading to One of the Worst Economic Crisis in Recent History: impunity again through a draft amnesty law on Financial Crimes

In November 2019, few weeks on the popular uprising, the government proposed a rescue plan that did not satisfy protesters who were committed to the overthrow of the corrupt sectarian political system, under the slogan "All means all"[30] which protesters chanted for the first time during 2015 YouStink movement. Then, on the morning of that day when the clashes began with the parliament police to prevent the arrival of the deputies at approximately 6-7 a.m., which ended with a large number of detainees and injured at night after preventing passing the law under street pressure. Nabih Berri included it on the agenda of the legislative session. "The draft law includes granting general amnesty for a number of crimes committed before the end of

29 Human Rights Watch official website, **A Path Toward Judicial Independence in Lebanon**. Link available on: https://www.hrw.org/news/2023/04/03/path-toward-judicial-independence-lebanon .

30 المرصد اللبناني لحقوق العمال والموظفين، **التقرير السنوي الرابع: الاحتجاجات والتحركات المطلبية والشعبية في لبنان لعام 2015**، لا.ط، بيروت، لا.د ، عام 2016م، ص 11.

October and referred before the judicial or military courts, whether the perpetrators have been sentenced or are still waiting in the courts."[31]

A general amnesty was a demand for some groups in Lebanon, most notably the families of those known as "Islamist detainees," who currently number approximately 1,200. The majority of these detainees come from the city of Tripoli, which has a Sunni majority. A general amnesty is also the demand of the families of thousands of detainees and those wanted from the Baalbek and Hermel regions in eastern Lebanon, where the Shiite Hezbollah has great influence, while the majority of them are accused of drug crimes, car theft, planting and selling Cannabis etc.
This is a clear example that explains such a reality in Lebanon; how sectarian quotas take place in even when it comes to crimes and accountability.

Later on, the Legal Agenda explained several problems related to the proposed general amnesty law. It explained that it includes environmental crimes and financial crimes as tax evasion, which deprive the state treasury of billions of dollars, in addition to the crimes of the Audit Bureau related to public finances and not holding accountable state employees of their responsibilities.[32] Talking about "Sunni" and "Shiite" detainees in this way and in such a context is literally an example of sectarian quotas even on this level.

Thus again, "on the agenda of the parliamentary session scheduled to be held tomorrow (April 21, 2020) is a proposal to grant Amnesty for a group of crimes."[33]

While this proposal was mentioned in the programs of a number of political parties before the parliamentary elections and in the program of the previous government that emerged from those elections, it is noteworthy that the political authority (in the government as well as in Parliament) pressed to put its final wording after the revolution."[34] This draft law in 2020 was not adopted due to huge demonstrations and clashes with number of MPs convoys who failed to reach the Parliament.

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31 المفكرة القانونية، **قانون عفو عام بطعم الرشوة والعفو والذاتي: انهيار النظام القانوني**. الفهرسة على الرابط التالي:
https://bitly.cx/qQ1QP .

32 المصدر نفسه.

33 Legal Agenda official website, Lebanon's General Amnesty in the Age of Corona: The Right to Health as a Tool for Political Ends. Link available on: https://english.legal-agenda.com/lebanons-general-amnesty-in-the-age-of-corona-the-right-to-health-as-a-tool-for-political-ends/ .

34 المفكرة القانونية، **قانون عفو عام (2020): وصفة العفو الممتازة للرشوة وتبييض الذات**. الفهرسة على الرابط التالي:
https://bitly.cx/32uO .

d- One of the Top Largest Non-Nuclear Explosions[35]: wanted persons defying the law on public

The restrictions on the independency of the judiciary, and the direct political interference in its work, as a Hizbullah official threatens a judge, the judicial investigator in the Beirut Port blast case Tarek AL Bitar inside the Justice Palace, all threaten the rule of law in a fair and equal situation among citizens within a strong state by its institutions that is independent of the influence of Zaims, where the supreme authority is the law and state institutions and nothing else.

The failure to interrogate or hold accountable most of the accused or suspects in the Beirut port blast case on August 4, 2020, is one of the clear examples of impunity in Lebanon. Wanted persons are protected by sectarian militias, parties, tribal immunities and political authority in order to evade facing investigation into the crime of the third largest non-nuclear explosion in which more than 222 people were killed and half of the capital was destroyed.

More than that, those wanted in the case, including Ali Hassan Khalil and Ghazi Zaaiter, dared to run in the 2022 parliamentary elections. They are now members of the Chamber of Deputies and even threatening other MPs under the surveillance of the security forces.

The failure to hold accountable those responsible for crimes undermines the foundations of democracy and the rule of law. Addressing impunity requires political and social reforms aimed at strengthening institutions, promoting transparency, and restoring public trust in Lebanon's governance system. Only through concerted efforts to stop impunity can Lebanon pave the way for a more just, equitable, and democratic society. **In conclusion, impunity dominates various aspects of political life in Lebanon, from electoral processes to economic governance and judicial independence.**

This chaotic situation due to the **absence of a "state of law**", despite the fact that the legislations on paper are civil and also secular in some parts, has expanded the role of sectarian authorities (sectarian courts) and the role of sects, which usually integrate their discourse with the Zaim, especially since the Lebanese are divided into 15 sectarian personal status laws (over 18 sects).

This failure to implement real practical transitional justice measures, reflects a broader challenge to achieving the rule of law. Without addressing historical injustices and holding perpetrators accountable for past crimes, Lebanese will stay in struggle to reconcile and move forward in a manner that upholds the principles of justice and the rule of law. In practical, there should be

35 Cambridge University Press's official website, **Beirut Explosion: The Largest Non-Nuclear Blast in History**. Link available on: Beirut Explosion: https://www.cambridge.org/core/journals/disaster-medicine-and-public-health-preparedness/article/abs/beirut-explosion-the-largest-nonnuclear-blast-in-history/59966B1618F97EF91B6C3C414819A94A#access-block .

merit-based recruitment, training, and adherence to the principles of a just and transparent legal system that assure protection to all citizens.

2. Chapter Two: Confessionalism and Electoral Laws: the majoritarian law of 1960 and the proportional law of 2017

As I have explained in the Thesis introduction, the relationship between citizens and the state in Lebanon, as in any country, is foundational to governance and societal order. Citizens engage with the state in various events, including participation in elections to choose representatives who will legislate laws, formulate policies, and protect their rights. However, the essence of elections goes beyond the mere act of casting a vote; it encompasses a broader framework that ensures legitimacy, fairness, and accountability. For elections to fulfill their democratic purpose, they must occur within a context of social and legal protection of **all** voters, transparency, and equal opportunity for both voters and candidates. In Lebanon, this lacks the presence of practical mechanisms to ensure accountability by enforcing the law for fair representation of the people.

This chapter discusses Lebanon's struggle after the civil war, mainly through the Tai'f Agreement. Lebanon's governance complexities stem from a history marked by foreign interference back to both of the Ottoman and French rule; how the French mandate era saw Lebanon population's division between aligning with France or Arab rule, until the independence in 1943 as the current form of the state of Great Lebanon. Chapter Two delves into the new governance under consociational democracy after the civil war ended in 1990, analyzing how institutional practices perpetuate sectarian divisions across various aspects of the Lebanese society; how sectarianism within political institutions, economic policies, and civil society, presents a wide view of Lebanon's complex socio-political context while referring to "Politics in PostWar Leabnon" in how sectarianism is deeply entrenched in Lebanon's postwar landscape, influencing institutional frameworks and hindering socio-economic transitions; the book that raises the need for reconfiguring and redefining power-sharing arrangements to stand beyond sectarian roles for social stability.

2.1 Tai'f agreement ending 15 years of civil war: regime today

From Tai'f agreement's political reforms: II: A. Chamber of Deputies: "The Chamber of Deputies is the legislative authority which exercises full control over government policy and activities."[36]

The Lebanese sectarian regime, that was formed out of militias after the end of the civil war in 1989, took on political power while promoting sectarianism and regionalism.

36 UN PeaceMaker official website, Document Retrieval: Tai'f Accords, p2. Link available on: https://peacemaker.un.org/sites/peacemaker.un.org/files/LB_891022_Tai'f%20Accords.pdf .

The period followed the civil war in Lebanon witnessed the rise of militia warlords to power, leading to decades of economic mismanagement and financial collapse in 2019. The World Bank has characterized Lebanon's economic downfall as "one of the most severe in modern history"[37], mentioning huge consequences on the Lebanese population. The mismanagement of public funds, adding to a reality that lacks accountability for those responsible, has bred a culture of impunity where powerful figures/politicians evade consequences for their crimes, leaving citizens to live the crisis and adapting with it.

The confessional quota was enshrined in the Tai'f Agreement in 1989, that is, the National Accord Document, from which the National Commission for the Abolition of Political Sectarianism was not even formed.

The Ta'if Agreement or the Charter of National Reconciliation, resulted into a permanent ceasefire but not into serious practical measures for a real socio-political transition after the war. The Agreement was negotiated in Ta'if, Saudi Arabia, in September 1989 and approved by the Lebanese parliament on November 4, 1989. It has covered political and constitutional reforms, the ending of the Lebanese Civil War, the establishment of special relations between Lebanon and Syria, and a framework for the beginning of complete withdrawal of Syrian troops from Lebanon.

The following table from "Politics in PostWar Lebanon" shows an approximate population of sects in Lebanon since 1913.[38]

Year	*1913*	*1932*	*1975*	*2011*
Christians				
Maronite	58.3	28.8	23	19.313
Greek Orthodox	12.6	9.8	7	6.75
Greek Catholic	7.7	5.9	5	4.375
Other	0.8	6.8	5	4.292
Total Percentage	79.4	51.3	40	34.9
Muslims				
Shi'a	5.6	19.6	27	29.375
Sunni	3.5	22.4	26	29.375
Druze	11.4	6.8	7	5.479
Total Percentage	20.5	48.8	60	65.1
Total Population	414,963	786,000	2.55 million	4.8 million

"When democracy is only partially institutionalized and the basic rules of allocating power are disputed, parties may opt for an extra-state approach or pursue a "dual game" combining the two

37 World Bank official website, **Lebanon Sinking into One of the Most Severe Global Crises Episodes**. Link available on: Lebanon Sinking into One of the Most Severe Global Crises Episodes, amidst Deliberate Inaction (worldbank.org) .

38 Salloukh, Bassel. (2015). *Politics in PostWar Lebanon,* p22.

modal types of political strategies. Extra-state politics entails forms of political participation that occur outside of and often challenge existing formal state institutions. This type of political strategy also tends to involve militancy. Some sectarian organizations even maintain armed wings."[39] Says author Melanie Cammett in Compassionate Communalism.

The sectarian power-sharing arrangements, that shaped Lebanon's politics since the Tai'f agreement, do perpetuate divisions and stop the progress towards a unified stable governance. This sectarian regime, institutionalized through the Ta'if Agreement, continues to shape Lebanon's socio-political situation, promoting sectarianism over national unity. Thus the socio-political crises in Lebanon is characterized by a complex interplay of sectarian interests, institutional arrangements according to custom, and clientelist practices.

Such an environment would of course perpetuate sectarian divisions more and more, weakening institutional reform, and undermining efforts towards national reconciliation. But without addressing the root causes of sectarianism and impunity, Lebanese will continue to struggle with governance issues and societal conflicts, impeding progress towards a more stable and equitable society ruled according to a state of law.

It is true that Consociationalism and Power Sharing are closely intertwined, with Consociationalism serving as the theoretical framework that elucidates the arrangements for power sharing in deeply divided societies. Power Sharing, in turn, is the practical implementation of Consociationalism, necessitating that various political parties or groups have the equal right to decision making positions and offices. This concept finds application in various political systems characterized by ethnic or other divisions, where power is distributed among segments of society bound by a common citizenship but separated by factors such as ethnicity, language (or accent), religion, or others.

2.2 Consociational democracy's form of implementation in Lebanon: reproducing the system of "Zaims"

Tai'f agreement mentions the need for a phased plan and the formation of a national committee. The tasks of the council include proposing means to abolish sectarianism, presenting them to the Chamber of Deputies and the cabinet, and observing the implementation of the agreed phased plan in transitional actions: "The Chamber of Deputies elected on the basis of equal sharing by Christians and Muslims shall adopt the proper measures to achieve this objective and to form a national council which is headed by the president of the republic and which includes, in addition to the prime minister and the Chamber of Deputies speaker, political, intellectual, and social notables. The council's task will be **to examine and propose the means capable of abolishing**

39 Cammett, Melani. *Compassionate Communalism: Welfare and Sectarianism in Lebanon*, p24.

sectarianism, to present them to the Chamber of Deputies and the cabinet, and to observe implementation of the phased plan. The following shall be done in the interim period"[40]

46 *Chapter 2*

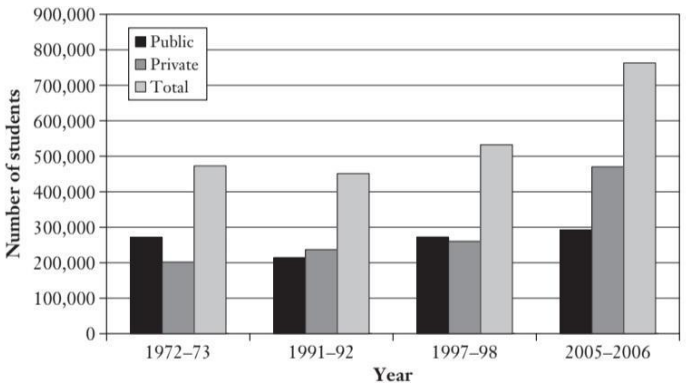

Figure 2.2 Students enrolled in public and private primary and secondary schools, selected years.
Sources: Ministry of Education, *Daleel al-Madaris* (2006); Tabbarah (2000a, 7).

41

In the book Politics of Post-War Lebanon, authors contribute to the understanding of sectarianism and its shapes and forms in post-war Lebanon. The book argues that sectarianism is "institutionalized in a **corporate consociational** power-sharing system prone to immobilism and overlapping domestic and external contests. The mix of a weak but centralized state guarantees sectarian/political elite use of resource allocations to lubricate populist patronage networks to ensure social and political control."[42]

Such a corporate consociational power-sharing system in Lebanon, meant to divide power among confessional groups, actually reinforced political sectarianism. Today, power is held by sectarian Zaims who share state positions (sectarian quotas) and resources to maintain dominance within their communities. Furthermore, post-war economic policies favoring privatization primarily benefitted a network of sectarian wealthy elites in various regions, widening the economic gap. In short, the order designed to prevent conflicts has become a tool for sectarian Zaims to strengthen their influence and deepen sectarian divisions.

This describes the process of reproducing sectarianism (reproducing the same regime). Additionally, the authors explored how the sectarian system reacts to these acts of resistance towards it by different opposite actors.

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[40] UN PeaceMaker official website, **Document Retrieval: Tai'f Accords**, p6. Link available on: https://peacemaker.un.org/sites/peacemaker.un.org/files/LB_891022_Tai'f%20Accords.pdf .
41 Cammett, Melani. *Compassionate Communalism: Welfare and Sectarianism in Lebanon*, p46.
42 Bassel Salloukh, Rabie Baraket, Jinan Al Habbal, Lara Khattab and Shoghig Mekailian. (2015). *Politics in PostWar Lebanon*, p175.

This unique approach signifies a methodological analysis that focused on sectarianism in Lebanese politics. In this context, sectarian identities are not viewed as originally inherent. Instead, the focus is on understanding the historical development of sectarian identities and institutions within the framework of an institutional breakdown that has made the rise of secular and anti-sectarian alternatives or movements way harder.

All the mentioned above explains the core of their study in seven chapters. Those chapters expand on the different facets of a complex mix of sectarian shapes and practices reflecting the socio-political situation in Lebanon. The book also examines the political economy of sectarianism in post-war Lebanon, which revolves around Rafiq al-Hariri's neoliberal reconstruction model. It shows how this neoliberal approach -as they describe it- did privatize the country's post-war economy and served the interests of an interconnected sectarian, political, and economic elites, often at the expense of an increasingly marginalized lower middle class. Such an economy neither serves the majority of the Lebanese population nor state's financial stability but a sectarian socio-political network that is the deep-state behind the ruling regime. In practical, these policies were exemplified by projects undertaken by "Solidere", LibanPost and other companies, associations, private banks that are owned by politicians and their families in last decades especially early 2000s.

2.3 Sectarianism in Electoral Laws: Zaims Advantages from Such Laws

For Lijphart, successful Consociational Democracy needs in practical implementation four primary elements, which are:

- "That the elites have the ability to accommodate the divergent interests and demands of the subcultures.
- This requires that they have the ability to transcend cleavages and to join in a common effort with the elites of rival subcultures.
- This is turn depends on their commitment to the maintenance of the system and to the improvement of its cohesion and stability.
- All of the above are based on the assumption that the elites understand the perils of political fragmentation"[43]

These elements are essential for the functioning of Consociationalism, ensuring that different groups within a divided society can coexist and govern together.

First: distribution of executive authority among representatives from different social groups or communities; second: the establishment of confessional autonomy, accompanied by the

43 Lijphart, Arend. (1969). *Consociational Democracy*, p216.

promotion of equality between those divided communities; third: the implementation of proportional representation and the equitable management of resources and positions (public office) across all communities, including roles within the civil service and judiciary; and fourth: the inclusion of an **minority veto** on different decisions or matters, which, in practice, allows both majorities and minorities to exercise mutual veto power.

From Political Reforms of Tai'f agreement, it is mentioned clearly that: "Until the Chamber of Deputies passes an election law free of sectarian restriction, the parliamentary seats shall be divided according to the following bases: a. Equally between Christians and Muslims. b. Proportionately between the denominations of each sect. c. Proportionately between the districts.[44] While in reality, what was done is the opposite, since the ruling system strengthened sectarian standards and restrictions within electoral laws. In the chapter "The Movement's Position from the Election System in Lebanon" (referring to حركة مواطنون ومواطنات في دولة MMFD) from the book written by former Minister of telecommunications Charbel Nahhas: it is mentioned that "real" parliamentary elections have not been held in Lebanon for decades. The author also mentions extensions between the years 1972 and 1992 and he considers that: "since independence, all electoral laws and draft laws have been based on two fixed points: first: that voters vote according to the 1932 census, in polls (أقلام) that separate them according to their families and thus according to their sects, which allows controlling their electoral behavior...

The seats then are distributed among sects. "Since the numbers of voters who were obligated to belong to each of the sects are different, and the percentage of their geographical distribution is different, this complicates the process of controlling the electoral behavior." [45]
The author then explained the manipulation of Lebanon's electoral system, which has relied on the outdated 1932 census and segregated polling stations to control voter behavior. This system does not only maintain sectarian divisions but also facilitates the control of political leaders through clientelism. Such an arrangement complicates efforts to achieve fair and free elections, reinforcing a cycle of impunity and corruption.

In addition to many of the amendments or reforms required by the current law and not just the sectarian standard, for example: Mega Centers, which was the pretext for the third extension in 2017 for a year, that is, the centers that have not been launched yet, so the voter must still go to his or her hometown according to the registry in order to vote, even if he or she does not live in the place of village/hometown or even familiar with it. Also with regard to the voting age, and regardless of our personal opinions in the wake of such an amendment, in Lebanon a citizen can obtain a driver's license immediately upon reaching the age of 18. The religious authorities also

44 UN PeaceMaker official website, **Document Retrieval: Tai'f Accords**, p2. Link available on: https://peacemaker.un.org/sites/peacemaker.un.org/files/LB_891022_Tai'f%20Accords.pdf .

45 نحاس (شربل)، **الانتخابات النيابية اللبنانية 2016-2019**، رياض الريّس للكتب والنشر، الطبعة الاولى، بيروت، 2021م، ص 327.

bless the marriage of minors and their marriage is registered while they still cannot vote until reaching 21 years old.

The previous "majoritarian electoral system" considers the district an electoral zone or electoral district, and the one who obtains the largest number of votes wins the district. – according to the proportional law, it is not possible to run alone, but rather candidates must form alliances and join electoral lists.

Before 2017, Lebanon relied on majoritarian electoral systems since 1922 In 2009, when the last parliamentary elections before the three extensions until 2018 took place, was held according to "Law of Sixty قانون الستين" (since it was approved in 1960) before the Sectarian Proportional Law was issued in June 2017.

The majoritarian system considers the district (Qadaa' قضاء) an electoral district, and the one who obtains the largest number of votes is considered the winner in the district, in contrast to the proportional law that divided the country into 15 bigger districts, and linked the candidate's win to the win of his electoral list.
Article 2 of the electoral law of 1960: "The electoral zone consists of a district (Qadaa' قضاء), provided that the number of representatives in it is not less than two, otherwise it will be added to the neighboring district. Governorate centers are excluded from this rule, and they may be separated from the district or divided into more than one district."[46]

One of the main issues with the new law is the lack of control on electoral financing while in an interview with Elsy Moufarrej, journalist who is former member and founder of the Free Patriotic Movement until 2018 and now coordinator for the Alternative Press Syndicate Group, she says that: "Millions of dollars entered media channels in this way. **The money was not declared**. Even the institutions/companies/channels did not declare it. The media institution must have a clear pricing (for mornings and evenings). This rate card must be announced in advance. It was announced late and was not adhered to, as all deals occurred under the table.

Why this is happening? Because of the candidates' rate, they exceed that by many steps: 400 thousand dollars instead of 100 thousand dollars as an example. For example: in the last week before election day, the rate in the morning period (11 am), reached around $25,000, for half an hour and this is not the evening period."

46 الانتخابات النيابية 1972: بالأرقام والنسب المئوية، لا.ط، بيروت، لا.ت، ص8.

Answering same questionnaire, journalist and writer Jean Nakhoul answers: "You will never be able to control it. It's not the situation of a virtuous city. Lebanon is a cash economy. You will never control it especially with the judiciary situation."

Also regarding **funding electoral campaigns**; "The amended article adjusted the campaign spending limit as follows: a fixed lump sum of LBP 750,000,000 per candidate. A fixed lump sum for the list, amounting to LBP 750,000,000 per candidate. A variable sum of LBP 50,000 for each voter registered in the voter lists in the major constituency. It is no secret that the legal campaign spending limit was raised due to the devaluation of the Lebanese pound."[47]

One of the **most important legal obstacles referred to by the Supervisory Commission** is the legislator's deletion in the Elections Law issued in 2017 of the authority that was granted to it in the 2008 law to directly access campaign bank accounts at any time. The Authority considered that this amendment stripped it of an important authority which prevented it from being able to exercise control over financing and spending as required. The commission indicated that most banks refused to respond to its requests to disclose information about accounts, even though they are not subject to banking secrecy.[48]

The new proportional electoral law introduced preferential voting according to Article 97 of the electoral law no.44, which states: "Each voter is to vote for one list from those competing and is entitled to choose a single candidate as their preferential vote in the respective administrative district." This system aims to increase proportionality in representation. However, the implementation of sectarian preferential voting leads to several issues.

One major issue with this law is that it encourages competition among candidates on the same list, which can undermine the unity within the same party/group and increase sectarian divisions due to votes counting when it comes to "preferential vote". This is due to the pre-set distribution of votes among traditional parties, allowing for greater control over the election results by sectarian Zaims and their representatives. While it might be seen as an improvement over the previous majoritarian law, which offered little chance for opposition parties to succeed, it still poses significant challenges.

A voter cannot give this preferential vote except to a candidate who is not only running in the voter's electoral zone but from his or her same sub-district. Example: Third South electoral zone

47 Lebanese Association for Democratic Elections, **2022 Parliamentary Elections Observation Report of LADE**, p29. link available on: https://docs.google.com/gview?embedded=true&url=http://www.lade.org.lb/getattachment/39274855-fca9-4a51-915a-6cf772d72953/2022-Parliamentary-Elections-Monitoring-Report.aspx .

48 نقولا غصن، **تقرير هيئة الإشراف على الانتخابات 2022: تقرير عن الانتخابات أم عن عجز الهيئة؟**، الفهرسة على الرابط التالي: https://legal-agenda.com/wp-content/uploads/2023/07/Al-Mufakira-Issue-69-LA-Digital.pdf .

is formed out of 4 districts: Nabatieh, Marjeayoun, Bint Jbeil and Hassbayya. A voter who is registered in Nabatieh cannot give his or her preferential vote to a candidate running in Hassbayya knowing that the voter is giving the vote to the whole list that is running in the Third South zone in this case.

In the Third South electoral zone, which includes Nabatieh, Marjeayoun, Bint Jbeil, and Hassbayya, a voter registered in Nabatieh cannot give their preferential vote to a candidate running in Hassbayya, even though they are voting for the entire list running in the Third South zone. The problem here is that the preferential voting system limits voter choice within their sub-district, which can fragment voter support and dilute the impact of their vote across the larger electoral district. This restriction can lead to unequal representation and reinforces local sectarian divides by making it difficult for voters to support candidates from other sub-districts who might better represent their interests.

The proportional electoral law's introduction of preferential voting was intended to enhance representation. However, it has inadvertently reinforced sectarian divisions and allowed for political manipulation. Beyond preferential voting, the electoral system is plagued by issues such as campaign funding, media bias, and legal bribery, which collectively undermine the integrity of elections in Lebanon. The limitations imposed by sub-district voting, as seen in the Third South electoral zone example, further complicate achieving equitable and effective representation.

"In my academic opinion, its main problem is the preferential vote and the quotient (to win a seat) that is very high, which does not allow the opposition to achieve victory. The sectarian preferential vote destroys the idea of proportionality because it returns it to the majority and narrow calculations." Says MP Michel Douihi.

Article 98 of the 2017 electoral law mentions that: "The number of MPs taken from each list will be determined by the percentage of votes each list gains. The percentage of the seats earned by a list will be determined by the number of voters in each electoral district relative to the number of seats.

Lists which do not receive a high enough percentage of votes to earn a seat will be eliminated and votes will be counted again based on the lists that met the threshold percentage to earn a seat.[49]

While before, article 12 of the electoral law of 1960 mentions that: "The electoral lists for each zone (district) include the names of all voters whose original and real place of residence has been there for at least six months."[50]

49 Ministry of Foreign Affairs official website, Electoral Law 2017, p34. Link available on: http://mfa.gov.lb/Library/Files/Uploaded%20Files/Lebanese%20electoral%20law%202017.pdf .

II- Part Two:

Rise of Anti-Sectarian Secular Movements:

a sign for a change that is coming

Part Two discusses and analyzes different political participation of anti-sectarian secular movements in last years; the formation of a new secular opposition within Lebanon's sectarian context.

In Chapter Three I am trying to prove a situation of **minimalist democracy** in Lebanon, summarizing the period from 2011 to 2017 and mentioning some anti-sectarian regime movements that gained momentum during that period. This chapter highlights events such as the 2011 movement: "to overthrow the sectarian regime **اسقاط النظام الطائفي**" YouStink movement protests in 2015 under the slogan "All means All" that was raised again in October uprising 2019, and the protests before extension of parliamentary elections 2017.

I am discussing these events since they represent critical challenges to the minimalist democracy framework that has characterized Lebanon's political system. Minimalist democracy, not only in Lebanon, primarily focuses on procedural aspects like elections, which often reinforce sectarian divisions and clientelism rather than resulting in a genuine democratic changes. Most of these movements emerged as popular responses to the current minimalist model in Lebanon's politics, advocating for a more substantive democracy that transcends sectarian boundaries and addresses deeper issues of fair governance at least within the same confessional order. By revolting against the limitations of such a democracy, these movements sought to transform the democratic process so it genuinely reflects the will of the people across all sectarian lines. This context help understanding the momentum of the 17th October 2019 uprising, that took place during an increase in the political and economic collapse that triggered widespread popular engagement and marked a transition from grassroots activism to reshaping Lebanon's political reality through voting for non-traditional political groups and newly formed parties.

Chapter Four is mainly about 17th October 2019 uprising's momentum, exploring the political and economic collapse that triggered a huge popular uprising in street until the change within syndicate and university elections, marking a transition from grassroots activism to engaging through voting boxes for reshaping Lebanon's political reality. Focusing on changes within Syndicate elections (Naqaba Tantafid 2020) and student elections after (2016, 2020 and 2023) movement.

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50 الانتخابات النيابية 1972: بالأرقام والنسب المئوية، لا.ط، بيروت، لا.ت، ص9.

3. Chapter Three: anti-sectarian secular movements 2011-2017

Before 2018 Parliamentary Elections (chapter five), the 2011-2017 period saw challenges within Lebanon's minimalist democracy reality. "Overthrow the Sectarian Regime" protests of 2011 and "All Means All" slogan of YouStink movement in 2015 did advocate for a more substantive democracy that transcends sectarian boundaries. These movements helped in building the path for the October 17th, 2019 uprising, marking a shift towards a more participatory political system that opposes the system of sectarian Zaims.

Most of the interviews collected during the qualitative research of this thesis raise a common agreement that the problem is structural and much bigger, and that a better narrative must be created than the narratives of the regime's parties and militias since sectarian narratives are effective and convincing to many people.

"There is no clear and strong narrative among the "Change" forces. A narrative must be created based on certain foundations related to the political regime itself, freedoms, and a clear position on issues as the Palestinian cause, militia weapons -and the resistance- and how Lebanon could defend itself. These are all issues that must be raised and confronted in order to get out of the system's narratives so that people can elect and the same political class is not reproduced." Hadi Mounla said. This highlights the urgent need for a new unified political elite that shares with the public a clear and strong narrative on what are the goals for a better situation, how could they be achieved, and using what tools.

Lebanon's political regime, characterized by sectarianism, clientelism, and foreign interference, resembles an electoral autocracy. "This means that Lebanon is considered an Electoral Autocracy by the democracy Report 2024. The VDem report also classified Lebanon among the bottom 30%40% of scores in the LDI."[51] In Electoral autocracy, the political system hold elections, but the ruling party or individual maintains significant control over the political process, limiting the choices available to voters and undermining the principles of fair competition and accountability. This could be considered as a form of hybrid regime that combines elements of democracy and authoritarianism.

Despite holding elections, the country's political elite maintains power through a system that limits meaningful citizen participation but strengthens the clientelist networks. To break out of this cycle, Lebanon needs a lot of practical reforms to implement the law, strengthen public administrations and institutions, encourage political engagement, protect freedom of expression, and resist foreign interference.

51 Credit Libanais Economic Research official website. Link available on: https://www.economics.creditlibanais.com/Article/212069#en .

This need is even more pressing when viewed within the global context, around 70 percent of the population (around 5.4 billion individuals) lives under dictatorial regimes, a significant rise from 49% in 2011. Electoral autocracy remains the most prevalent system worldwide, dominant in 60 countries. Accordingly the number of closed authoritarian regimes has increased to thirty countries as of 2021.[52] While the struggle is a better participation of citizens in decision making related to their rights, Angelo Segrillo says that "the goal of a liberal democracy was to allow participation of greater portions of the population as electors and potential candidates (for government posts), at the same time trying to keep the public and private spheres separate, restraining government so that it would not become tyrannical over the individual. Thus, liberal democracy became an indirect democracy".[53] In Lebanon, the challenge is similar: to avoid reproducing the same political class, there must be a deliberate effort to build a new narrative that resonates with the people and offers a convincing alternative to the current regime's sectarian-based power structure.

3.1 Minimalist Democracy in Lebanon: elections lack a lot of maximalist democratic conditions

When the state engages with individuals, it does so on various levels as it addresses the person as an individual entity, within broader cultural and national community, and acknowledges the individual as a member of a specific group. This shows the nature of addressing human rights within democratic systems. The state must navigate between recognizing the individual's relationship with broader communities, and their affiliations with particular cultural groups in order to ensure the realization of everyone's rights and interests. A lot of what was discussed by political scientists (especially transitologists) has its roots in Joseph Schumpeter's minimalist definition of democracy as "that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote." In other words, **democracy here is characterized by the existence of competitive elections for the executive and legislative posts instead of them being filled by means of violent or revolutionary means.[54]**

Based on Schumpeter's minimalist approach: what kind of democracy as a way of selecting leaders and making decisions is there in Lebanon?

[52] V-Dem official website. Link available on: https://v-dem.net/media/publications/dr_2022.pdf .

[53] Segrillo, Angelo. *Liberalism, Marxism and Democratic Theory Revisited: Proposal of a Joint Index of Political and Economic Democracy*, Department of History University of Sao Paulo, p12 available on: http://www.scielo.br/pdf/bpsr/v6n2/a01v6n2.pdf .

[54] Segrillo, Angelo. *Liberalism, Marxism and Democratic Theory Revisited: Proposal of a Joint Index of Political and Economic Democracy*, Department of History University of Sao Paulo, p9-10. Link available on: http://www.scielo.br/pdf/bpsr/v6n2/a01v6n2.pdf .

Schumpeter's minimalist democracy, **focusing on competitive elections, is not fully realized in Lebanon**. Sectarianism, clientelism, foreign interference, and limited choices can hinder the effectiveness of elections and undermine the democratic process. While Lebanon holds elections, its political system often falls short of the ideal where leadership is determined solely by the people's will.

Schumpeter's definition referred to as a minimalist approach, taking democracy as an institutional arrangement for making political decisions. He emphasizes that in a democratic system, individuals acquire the power to decide through a competitive struggle for people's votes.

In the context of Schumpeter's minimalist approach to democracy, the term inherited[55] refers to systems of governance where political power is passed down through family lines or by birthright, such as in monarchies or aristocracies. In these systems, leadership positions are not determined by competitive elections but are instead transferred from one generation to the next within a particular family. For example, in a monarchy, a king or queen might inherit the throne from a parent, without any election or competition for that position. This is in contrast to Schumpeter's definition of democracy, where leadership is determined through competitive elections, and any individual has the opportunity to acquire political power by winning the support of the electorate.

The concept of inheriting authority, as described in Schumpeter's minimalist approach to democracy, is not fully applicable to Lebanon's political regime. While Lebanon has a history of strong families and clans exerting influence, it has not been a monarchy or aristocracy. However, the concept of inherited power can be indirectly related to Lebanon's ruling system since power is often dominated by a small group of families from different sectarian affiliations. These families have maintained their influence over generations, passing power and resources within their own networks. While this is not strictly hereditary in the same sense as a monarchy, it does create a system where political power is concentrated within certain families.

Schumpeter's emphasis on competitive elections ("**competitive struggle**"[56]) underscores the idea that in a democracy, leadership is not something that can be passed down or claimed by force, but must be earned through the consent of the governed. This distinguishes democratic systems from those where positions of power are inherited or seized through undemocratic means, such as coups or other forms of violent takeover.

Schumpeter, who studied how democracy works, his view point is different as he sees that democracy isn't really about digging in this "Common Good" through elections and other

55 Schumpeter, Joseph. (2003). *Capitalism, Socialism and Democracy*, Taylor and Francis e-library, p189.
56 Schumpeter, Joseph. (2003). *Capitalism, Socialism and Democracy*, Taylor and Francis e-library, p271.

democratic tools. "This is due not primarily to the fact that some people may want things other than the common good but to the much more fundamental fact that to different individuals and groups the common good is bound to mean different things."[57] Instead, he believed that making political decisions is very complicated and in many cases, the people don't always have enough time or information to form well political thought decisions before taking action. For Schumpeter people might follow things that do not serve their own benefits adding to the fact that people principles or high ethical values could differ between a person and another as well as from a society to another. So, he argued that democracy isn't really about finding what is a common agreement among "everyone" through elections, but it is rather a way to choose leaders through a competition that is elections.

In summary, Schumpeter thought that democracy isn't just about finding what everyone agrees on for the common good but, instead, it's a way of selecting leaders and making decisions, and it is still worth depending on whether it helps achieve important values like freedom and fairness or not.[58] He criticized people support to democracy as he sees that they believe in it in order to protect important things like freedom of speech, justice, and fair governance. Thus, Schumpeter did not value democracy itself, but its tools like elections that could be a way for organizing decision making in a country through the best involvement of the population.

Mounk: liberalism and democracy as parts of a puzzle that completes itself

Regardless Schumpeter's explanations on democracy, **elections stay as a main tool for practical change using it democratically as the only game in town.** I am not saying that election results are always accurate or reflect the true representation. The Syrian President "Bashar El Assad" has also been elected several times. Democratic elections that could lead for a real democratic change needs a state that its interests are above any individual and that protects all citizens and that gives them their opportunities and rights equally taking into consideration all political rights at the top.

Adam Przeworski wrote that: "the minimalist conception as: Schumpeterian conception of democracy which maintains that democracy is just a system in which rulers are selected by competitive elections.[59] In doing so, he does not accept the entirety of Schumpeter's arguments but unlike Schumpeter, Przeworski finds reason to unconditionally value democracy above other forms of government. He concludes that elections, although not a reliable source of rational, representative, fair, or just outcomes, do guarantee peaceful changes of government and help

57 Schumpeter, Joseph. (2003). *Capitalism, Socialism and Democracy*, Taylor and Francis e-library, p251.
58 Schumpeter, Joseph. (2003). *Capitalism, Socialism and Democracy*, Taylor and Francis e-library, p242.
59 Przeworski, Adam. (1999). *Minimalist Conception of Democracy: A Defense*, Cambridge University Press, p23.

democracy function effectively and last longer, particularly in environments where there is wealth, political balance, and regular, fair elections.

"Here then are three facts: 1- democracies are more likely to survive in wealthy countries; 2- they are more likely to last when no single political force dominates; and 3- they are more likely to endure when voters can choose rulers through elections."[60]

Until recently, many political scientists believed that the stability of democracy was guaranteed once certain key conditions were met: legitimacy, prosperity, transparency, accountability, separation of powers, individual freedoms, equal opportunities, and the development of a strong and effective civil society. Once these conditions were established, democracy was thought to be consolidated, capable of remaining stable, and even progressing to more advanced stages.

Yashcha Mounks says: "Liberalism and democracy, we have long thought, make a cohesive whole. It is not just that we care both about the popular will and the rule of law, both about letting the people decide and protecting individual rights. It's that each component of our political system seems necessary to protect the other".[61]

This raises an idea that liberalism and democracy work together to support each other. But some people disagree with this idea. Mounk believes that liberalism -which cares about individual rights- and democracy -where people make decisions together- are like parts of a puzzle that completes itself. They both fit together and make a good system. He thinks they each help protect the other. This means they rely on each other to stay strong. However, some say that liberalism and democracy might not always get along. Sometimes, when many people decide something in a democracy, it might not be fair to everyone.

For example, if a lot of people vote to take away rights from a smaller group, it can be a problem considering the rights that liberalism wants to protect. Mounk also thinks that everywhere in the world, people understand liberalism and democracy in the same way while in my opinion, in different places, cultures, and histories, people understand these concepts differently. What's considered fair and what a law or a rule to follow can be very different from one place to another.

Lebanese Anti-Sectarian Movements: a public's dissatisfaction with the minimalist democratic framework

Minimalist democracy, as theorized by Schumpeter, focuses on the procedural aspects of democracy, particularly the role of competitive elections in selecting leaders. However, in Lebanon, this model of democracy reveals significant limitations. Despite the existence of

60 Przeworski, Adam. (1999). *Minimalist Conception of Democracy: A Defense*, Cambridge University Press, p16.

[61] Mounk, Yascha. (2018). *The People VS Democracy: Why Our Freedom Is in Danger and How to Save It*, Harvard University Press, p6.

regular elections, these processes often lack the broader democratic conditions necessary for fair accurate representation and accountability. The Lebanese state's engagement with individuals reflects the complexities of recognizing both individual rights and group affiliations within a sectarian framework. While elections occur, they do so within a system that perpetuates sectarian divisions rather than offering genuine choice for voters who enjoy the protection of their political rights. The sectarian power-sharing arrangements in Lebanon means that electoral outcomes are heavily influenced by sectarian Zaims and their narratives, which contradict with fostering big democratic change.

The anti-sectarian movements such as the 2011 movement to "overthrow the sectarian regime" and the 2015 YouStink movement protests (3.2), proved the public's dissatisfaction with this minimalist democratic framework. These movements arose in response to the recognition that elections, under the current system, do not lead to substantial change but rather reinforce the existing power structures.

Therefore, while Lebanon technically meets the minimalist criteria of democracy through regular elections, **these elections lack the fairness, transparency, and equal representation that are essential for a more substantive democratic system**. The persistence of sectarian narratives and the absence of a unified political narrative capable of transcending these divisions as well as lacking independent judiciary all this illustrate how minimalist democracy in Lebanon fails to address the deeper structural issues, thereby limiting its ability to bring about meaningful political change.

3.2 Movement of 2011: "to overthrow the sectarian regime اسقاط النظام الطائفي"

"The organizers of 2011 protests did not only seek to break away from the binary logic of the 14 and 8 March coalitions, but also from the extreme de-politicization of associations, generated by the NGOization of political activism… Similarly, protests in summer 2014 against the extension of Parliament's term were also organized by youth activists seeking to change rather than reform the sectarian regime. At the heart of their protests is a call for novel, non-sectarian forms of political subjectification and mobilization."[62]

The protests, even such a short period and small movement (as in numbers) early in 2011, aimed not merely at reforming but fundamentally altering the sectarian regime. Protesters back then made a brave step against sectarian divisions for the sake of creating a new, more inclusive form of political engagement. Their core demand revolved around seeking non-sectarian but secular ways of political participation and mobilization on all Lebanese land. This is clear in the main

[62] Salloukh, Bassel. (2015). *Politics in PostWar Lebanon,* p68-69.

slogan or actually the title of the marches in that period which is: to overthrow the sectarian regime اسقاط النظام الطائفي .

While the concept of civil society today exists as a theoretical concept within both political and social frameworks, particularly evident in the Arab world and developing countries or states. This socio-political reality surrounds the concept with numerous expectations, responsibilities, and aspirations, hindering its effective implementation in countries. The theoretical dimensions of this concept, alongside its relationship with the inherent characteristics of concepts like the state, power, nation (country), regime, order and governance, causes the concept of "civil society" to be defined in correlation with these concepts and their meanings or characteristics. This combination with other concepts contributes to the complexity and challenges in defining "civil society" in present times especially in complex pluralistic societies. Beginning with such an understanding of civil society and its role within the state's framework and limitations, it is crucial to define civil society from a perspective rooted in civil life or “civility” and only then we’ll be able to discuss and develop the philosophy behind this concept.

In Lebanon, civil society plays a critical challenging role in the country’s complex political landscape, marked by sectarian divisions and frequent political instability. The sectarian power-sharing system complicates the ability of civil society to function independently, often aligning civil society organizations with sectarian interests and limiting their capacity to advocate for democratic principles effectively. Despite these challenges, civil society has been instrumental during peak of popular moments, such as the Cedar Revolution in 2005, 22nd of August 2015 and the 17th October 2019 uprising protests until now, by promoting non-violent actions and demanding greater accountability and transparency. However, Lebanon's democratization process has been repeatedly interrupted by internal divides, political conflicts, and external pressures, highlighting the need for stronger institutional protections and practical solutions to implement the law. In this context, civil society continues to be a vital force for implementing democratic principles, but its efforts are constrained by the factors it seeks to reform, illustrating the complex nature of sustaining democracy in a pluralistic and geopolitically sensitive environment like Lebanon.

Civil society's role could be evident in leading transition during and after popular uprisings or revolutions, helping as a tool or sphere for communities to counter the violence of dictatorships. Furthermore, it effectively implement democracy based on the peaceful transition of government –Non Violent Direct Actions by activists as an example- and reorganizes people's power according to the freely expressed popular will; and this is the core meaning of democracy's concept that put us on the path of democratization in a society (country) or a wider democratization wave in case of having the momentum in several countries in specified period of time and specific region (geopolitical relationship) at the same time as transitologist Samuel Huntington sees.

But it happens, that the democratization process stops and democracy goes backward; the issue that needs practical steps (as institutions protection) and solutions (propositions) to be taken when driving forces for democratization and the needed criteria are taking place.

Election results could reflect a socio-political movement happening in society, especially on short periods as in the first months or years. Here it is important to stop on how authorities in Lebanon strictly refused early parliamentary elections but were and are still trying to make more extensions for municipal council instead. As long as it does not lack fair, equal, and transparent representation of the people, elections are not a way to count 100% accurate representation of people's will in a country, but it is for sure **one of the tools that are used for peaceful transition that is a democratic change.**

Melanie Cammett perceives that in Lebanon: "ordinary citizens expect to receive social benefits and favors in exchange for voting in elections, and when parties fail to reward electors, people feel that an unspoken contract has been violated. Even higher-income respondents, who may not have benefited directly from party services, claimed that parties that offer voters material benefits are deemed worthy of support."[63]

Resignations Within Sectarian Traditional Parties: A decline in the popularity of the ruling system, which will be reflected in the election results later

One of the interviewees, Hadi Mounla, political activist who ran elections of 2022 and who's political affiliation started to change and was active within independent opposition since 2010, he answered the questionnaire saying: "In 2011, I participated in the campaign to overthrow the sectarian regime in response to the Arab revolutions. In 2015, there was a need for a new political situation after the garbage crisis. 2018 witnessed a change, and this situation moved from complaints and demonstrations to participation in the parliamentary elections. In 2019 I was also with the people who chanted "All means all" against corruption and against thieves,

63 Cammett, Melani. *Compassionate Communalism: Welfare and Sectarianism in Lebanon*, p134-135.

while in 2022, we were part of "Change" lists that produced the current status of representatives in the Parliament." For Hadi, the **environment prior to elections** in most of the Arab countries especially lacks genuine popular representation, particularly evident in Lebanon, where sectarian divisions persist. For him, the electoral process is controlled by authorities shaping candidate lists and pre-setting certain outcomes (as election results). This significantly impacts voters and diminishes the influence of their votes on actual results, highlighting the issues within the electoral law itself.

The emphasis on proportionality and sectarian quotas at the same time tends to make elections toward a form of federalism. Elections may be one aspect of confrontation, but they are not the only ones, especially in a regime like the one in Lebanon.

"In Lebanon, some people praise this democracy while such a democracy of sects and clans cannot be called democracy" Hadi says.

Several of the interviewees were in other political positions before the phase of 2011-2015, but at the same time they say that their values and principles were always the same, while the political party they were affiliated to changed itself. "The change began earlier, starting in 2011. In the 2016 municipal elections I voted in favor of the opposition. The decision stemmed from observations that began on the party's internal system, especially the general policies that it followed until the full separation." said Elsy Moufarre.

Most of the interviews, especially with persons whose vote has changed in last years, have resulted in an opinion about the Elections **as a tool for democratic change in Lebanon as that it could and should be one aspect of confrontation, but elections itself are not enough, especially within a regime like the one in Lebanon.**

Such a status of democracy in Lebanon lacks protection of both of voters and candidates, equal opportunities, transparency and accountability otherwise it cannot achieve anything.

3.3 Youstink 2015 and the third extension for parliament 2017 protests: "All Means All (كلن يعني كلن)"

To the Sectarian System Zaims: You Stink!

In the context of democratic change, YouStink movement was born after garbage filled the streets in July 2015; In order to find an environmental and healthy solution to the waste crisis, such as: sorting from the source and recycling. However, the way the regime dealt with the protestors, the violence practiced against them, and the political authority's insistence on not fulfilling their demands made the move to a new stage of NVDA; higher level of non-violent direct actions as taking garbage to the minister of environment's house, occupying ministries,

blocking road on convoys of officials and also demanding parliamentary elections and changes within the whole regime itself that would be a start to restoring life to Lebanese legitimate institutions and beginning a serious process in changing the harsh situation.

On July 21, 2015, the demonstrators went to the government (grand serial السراي الحكومي) to throw waste there; the numbers were very small at that time. Under the name "You Stink," the demonstrations began to grow, but they did not expand much in the areas as far as Beirut and its surrounding areas and villages. The movement started in solidarity with Naame town families who were affected by the waste landfill made there. Despite charging high fees compared to other recycling companies worldwide, Sukleen, which was responsible for merely transporting garbage to landfills in villages and along the coast, suddenly stopped collecting waste from the streets pressing for higher prices/costs.

It is true that YouStink movement have started as a campaign on Twitter using the title itself as a hashtag. A small number of opposition groups at that time were participating in street until the extreme violence by security forces towards the movement started in 19th of August 2015, and 22th of August after –that became also in solidarity with protesters subjected to violence three days before- which was a turning point in terms of the size of the demonstrations and also in terms of the security forces excessive use of violence, especially arrests and both civil and military trials for protesters.[64] The movement quickly grew into a broader protest against the ruling political Zaims and the sectarian regime, demanding better governance, environmental responsibility, and greater transparency in public affairs. That period was known for the chants of "to overthrow the rule of the thug يسقط حكم الأزعر" "All means all كلن يعني كلن" and "to overthrow the sectarian regime." This movement was extremely against the sectarian political alignment between March 8 and March 14.

The period from the 8-29th of August 2015 witnessed large demonstrations in central Beirut. The August 29 demonstration, which several anti-sectarian regime groups and parties at that time worked for it, was considered at that time to be the largest demonstration after March 14, 2005.

"At least 343 people were treated for injuries and 59 more were hospitalized, according to the Red Cross, after protests on 22 and 23 August organized by the local "You Stink" civil society movement."[65]

Even before the 2019 uprising protesters have been summoned to the military court, yet this oppressive situation persisted. Following the 2015 movement, many went before the military

[64] Rights Observer blog, **YouStink Protesters Appear in Military Court**. Link available on: https://www.rightsobserver.org/blog/you-stink-protesters-appear-in-military-court .

[65] Amnesty International Official Website, **Lebanon: Security forces using excessive force against protestors must be held to account**. Link available on: https://www.amnesty.org/en/latest/news/2015/08/lebanon-security-forces-using-excessive-force-against-protestors-must-be-held-to-account/ .

tribunal[66] while others faced the civil judiciary. Arrest, abductions from protest squares, violence, including the use of machine guns to separate protesters by the parliament police67 – who are armed security persons wearing army suits or ministry of interior suits while they do not follow neither of their decisions but are directly obedient to the parliament's president-68 took the movement to a higher popular momentum while the YouStink movement and other groups in street took advantage of internet's availability and social media platforms in organizing central demonstrations, a lesson that was taken from especially both of the Tunisian and Egyptian revolutions.

"My political choices have been fixed for a long time. We are many, even if we are not organized. Our goal is to have a non-sectarian system. A secular state that guarantees equality among all residents regardless of sect, gender, or region; For a country that has a level of self-sufficiency that protects it from any foreign interference, whether in a convincing way (state financing and loans, for example) or a direct way, such as excessive reliance on transfers from abroad, which links Lebanon and restricts it to its diplomatic relations. Any political dispute between Lebanon and that country will reflect negatively, especially on the stability of the economy… 2015 changed as a turning point on the personal level. Before that, I focused more on human rights." Wadih Al Asmar said.

For Wadih who is the president of the Lebanese Center for Human Rights, after 2015, he started to see that respecting human rights is very important for how a country is run. For him, human rights are like rules that help a country to be fair and open towards the world., so they make sure things like transparency and accountability, having a fair legal system. For instance, when there's corruption (like unfair practices), it can stop companies from taking part in opportunities like tenders because of favoritism or unfair connections, which is called "Wasta", and this is one of the direct effect of a sectarian regime that is full of corruption.

Results of interviews showed a clear desire among persons for a strict and fundamental change in Lebanon's political reality. While some interviewees had a change in their own political affiliations, their core values remained the same. They expressed a severe conflict with the sectarian regime ruling the country and emphasized the need for a non-sectarian, inclusive democracy that prioritizes civil rights, transparency, and fair governance. The interviews also result in a common agreement that **democratic change necessitates more than just elections that is actually a minimalist criteria**; that it requires modernized party laws, transparent party

66 Human rights Watch official website, **Lebanon's Military Courts Have No Business Trying Civilians**. Link available on: https://www.hrw.org/news/2020/02/05/lebanons-military-courts-have-no-business-trying-civilians .

67 Human Rights Watch official website**, Lebanon: Witnesses Details Police Violence**. Link available on: https://www.hrw.org/news/2015/08/27/lebanon-witnesses-detail-police-violence .

68 موقع الأنباء، **ريّا الحسن: شرطة المجلس تابعة لمجلس النواب وليس لوزارة الداخلية وأنا فعلت ما يجب فعله من منطلق واجبي كوزيرة داخلية لحماية المؤسسات**. الفهرسة على الرابط التالي: https://www.anbaaonline.com/news/41483 .

financing, an independent electoral supervisory commission[69] -as well as the whole electoral system-, and amendments to reduce local influence on elections. These insights collectively emphasize the ongoing struggle for a new political system that transcends sectarian divides, fosters equality, and upholds the rights of all Lebanese citizens.

Considering the parliament extensions, Human Rights Watch have reported: "dashing the hopes of citizens who have been waiting to elect their representatives since 2013. The last general election was in June 2009. Because Lebanon's voting age is 21, some people are close to turning 30 but have never had a chance to elect their parliamentary representatives."[70]

Protests to Prevent the Third Extension for Same Parliament:

In June 2017, during the third extension for the parliament for 1 year more, "protesters said the beatings occurred after some of them threw eggs and tomatoes at cars they believed to be carrying members of parliament. Human Rights Watch spoke with six protesters, including five who said that army personnel hit them with batons, punched them in the face, and kicked them, next to the Beirut municipality building near parliament."[71]

After all this, the parliament in 16th June 2017 did an extension until 2018 where first elections took place in May after 9 years of three extensions for different arguments. (since 2009 elections).[72]

Demonstrations continued especially in Beirut but on a lower momentum after 2017, against the increase in taxes, banking and financial policies in front of the Bank of Lebanon also in front of the VAT building. These protests became bigger in December 2018 under the title of the "health-card for all" with the rise of yellow vests in France[73,] especially after the child, Muhammad Qaseer, died in front of a hospital entrance after the hospital administration refused to let him enter without paying a certain amount of money. Even a few weeks before October 17, downtown Beirut witnessed a huge number of demonstrations and marches. Jalal Dika, injured in

69 Lahham, Wissam. (2022). 2022 Parliamentary Elections Observation Report, LADE, p52. link available on: https://docs.google.com/gview?embedded=true&url=http://www.lade.org.lb/getattachment/39274855-fca9-4a51-915a-6cf772d72953/2022-Parliamentary-Elections-Monitoring-Report.aspx .

70 Human Rights Watch, **Human Rights Cost of Parliament Extension**. Link available on: https://www.hrw.org/news/2017/05/31/human-rights-cost-parliament-extension-lebanon .

71 Human Rights Watch, **Lebanon Hold Soldiers who beat protesters account**. Link available on: https://www.hrw.org/news/2017/06/21/lebanon-hold-soldiers-who-beat-protesters-account .

72 Reuters, Lebanese Parliament Extend own term till 2017. Link available on: https://jp.reuters.com/article/uk-lebanon-parliament/lebanese-parliament-extends-own-term-till-2017-amid-protests-idUKKBN0IP19120141105/ .

73 Middle East Eye official website, **Thousand Lebanese Protest Against Failing Economy and Politicians**. Link Available on: https://www.middleeasteye.net/news/thousands-lebanese-protest-against-failing-economy-and-politicians-beirut .

Beirut port blast who did not vote in last two elections, he says: "I had no specific political orientation or affiliation. When the revolution began, it changed a lot and showed the facts: how criminals, horrible, and thieves they are. They exploit their groups with certain discourses: for example, medicine. They control citizens by providing services. The state must provide these services in order to live decently. The citizen now requests services as a customer. While the ones who are responsible in the state must secure these services from the taxes we pay. For years, we have seen the death of people at the doors of private and government hospitals affiliated with or owned by the same authority -or at least many of them, so as not to generalize."

Demonstrations were also taking place in 2018 at the municipality of Beirut and in Mdawwar area against the establishment of waste incinerators based on studies and proposals that prove there's no need for such a solution while having around 60% organic waste, these demonstrations were mainly organized by the Waste Management Coalition WMC that includes movements and opposition groups as YouStink, until the disastrous deal for Beirut and its people was canceled under street pressure.[74]

Also after two years of advocating and protesting for and inside the Bisri Valley by many political and environmental movements, "the World Bank cancelled its controversial Lebanon Water Supply Augmentation Project on the Bisri River…project faced ongoing resistance from the local community and environmental groups, amidst economic turmoil in Lebanon after its first sovereign default in March."[75]

Such serious achievements done by civil society in Lebanon prove the effect of such sociopolitical movements as well as the sphere of freedom of expression that the Lebanese population could lay on.

74 فرانس24، **لبنان: مئات الأشخاص يتظاهرون في بيروت ضد إقامة محارق نفايات وفساد الطبقة السياسية**. الفهرسة على الرابط التالي: https://www.france24.com/ar/20180830-%D8%A8%D9%8A%D8%B1%D9%88%D8%AA-%D9%84%D8%A8%D9%86%D8%A7%D9%86-%D9%86%D9%81%D8%A7%D9%8A%D8%A7%D8%AA-%D9%85%D8%B8%D8%A7%D9%87%D8%B1%D8%A7%D8%AA-%D9%81%D8%B3%D8%A7%D8%AF-%D9%85%D8%AD%D8%A7%D8%B1%D9%82-%D8%A3%D8%B2%D9%85%D8%A9-%D8%A8%D9%8A%D8%A6%D8%A9 .

75 BrettonWoods Project, **World Bank cancels Bisri Dam Project in Lebanon After Years of Community Resistance**. Link available on: https://www.brettonwoodsproject.org/2020/12/world-bank-cancels-bisri-dam-project-in-lebanon-after-years-of-community-resistance/ .

4. Chapter Four: October 2019 uprising

Lebanon is still struggling with a lot of crisis on all levels that combines political ideologies, economic situation, societal divisions, and foreign interferences. This chapter discusses Lebanon's ongoing political and economic crises, highlighting the influence of foreign powers, internal sectarian divisions, and widespread corruption that have contributed to the country's instability. It also examines the role of popular movements or uprisings, the struggle for reform, and the challenges faced by the opposition in seeking change through both of street pressure and electoral processes. In this chapter I am analyzing complexities, obstacles, and challenges faced by Lebanese people as it navigates a path towards genuine reform and independent building of state of law.

4.1 Political and Economic Collapse:

Adding to the mismanagement of country's both private and public sectors (especially banks and financial entities), highest levels of corruption from inside every public administration, this has also led to a devaluation of the Lebanese pound, reaching more than 110,000 per one dollar few months ago: official rate at the central bank is 15,000 only, and was still 1517 Liras per one dollar until recently. This economic crisis is for sure related to huge corruption and ineffectiveness within Lebanon's governing order, which is also affected with foreign interests.

During the fall of Saad Hariri's government, when Hezbollah and Amal supporters set fire in protest tents[76] shouting "Shia Shia" after weeks of daily threat toward peaceful protesters at the square, the narrative shifted to show the uprising as targeting the Sunni Prime Minister's seat; a main struggle of secular opposition groups when criticizing any official. While also the "Shiite" Hezbollah did control the Ministry of Finance for years by its main ally Amal Movement, and again, slogan "all means all" was the answer of protesters.

This following is how the Lebanese state was ruled before discussing professional qualifications neither equality among citizens until the full collapse in present:

[76] Lebanese Center for Human Rights, **Lebanon's Uprising: Human Rights Violations Throughout a year of Demonstrations**, p47. Link available on: https://www.cldh-lebanon.org/HumanRightsBrie/Uprisings_Report_-_HR_Violations_Throughout_a_Year_of_Demonstrations1.pdf .

Maronite	*Sunni*	*Shi'a*	*Greek Orthodox*	*Druze*
President	Prime Minister	Speaker of Parliament	Deputy Prime Minister	LAF Chief of Staff
LAF Commander	Director General of Internal Security Forces	Director and Deputy Director of General Security	Governor of Beirut	Second Deputy Governor of the Central Bank
Director of the LAF's Intelligence Directorate	Second Deputy Director of the LAF's Intelligence Directorate	First Deputy Director of the LAF's Intelligence Directorate	Director General of the Council of Development and Reconstruction	Director of the Judicial Police
Governor of the Central Bank	Director General of the Ministry of Justice	First Deputy Governor of Central Bank	Head of the Central Fund for the Displaced	Director General of the Ministry of Health
Head of the Higher Judicial Council	Prosecutor General	Director General of the Ministry of Economy	Director General of the Ministry of Labor	Director General of the Ministry of the Displaced
Head of the State Consultative Council	President of the Council of Development and Reconstruction	Vice-President of the Council of Development and Reconstruction	Head of the Educational Center for Research and Development	Governor of the South
Director General of the Ministry of Finance	Director General of Ministry of Foreign Affairs and Expatriates (alternates with Maronites)	Director of Social Security		
President of the Constitutional Council	Third Deputy Governor of Central Bank	President of the Council of the South		
Director of *Casino du Liban*	Director General of the Presidency	Director General of the Council of the South		
Director General of the Ministry of Education	President of the Civil Service Board	Chief Comptroller		
Director General of Customs	Governor of Mount Lebanon	Chairman of the Finance Bank		
Vice-President of the Council of Development and Reconstruction		Governor of Nabatiyé		
		Head of Embassies Security Unit		
		Director General of the Ministry of Interior and Municipalities		

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The table above shows how public positions are being shared according to sectarian affiliations.

At its core, Lebanon is facing a hard path towards comprehensive reform peacefully according to maximalist democracy standards. The interference of foreign powers, coupled with internal divisions and severe corruption, creates a challenging environment for the Lebanese people striving for any kind of socio-political change. The complex network of sectarian regime, international interventions, and a fragmented society further complicates the efforts for one unified population.

4.2 Popular Uprising struggles with Economic and Political Violence

Many, also among those who support or are members in ruling sectarian parties, were fed up with political leaders for being corrupt, not responsible, not providing good services, causing sectarian conflicts, and making the economy –and Lebanese currency- in full collapse.

On that night around 6:30pm, and after calls started from different active movements/groups as Lihaqqi, YouStink, AlMarsad AlShaabi and others, protesters started gathering after the government announced the possibility of adding more taxes, including on the free messaging app, Whatsapp, on that day of October the 17th. More people joined the protests after a march

77 Salloukh, Bassel. (2015). *Politics in PostWar Lebanon*, p24.

from Riad Solh Square to the Ministry of Interior got attacked by guards working for Minister Akram Chehayeb before reaching their stop: Bank of Lebanon. "That night, protesters burned tires in the streets and clashed with police. Two Syrian workers died when the building they were sleeping in was set ablaze. The hashtag that emerged that night was "Lebanon is burning"."[78]

These protests directly got way bigger and non-centralized only in the capital, which gave it the symbolic naming as a revolution where many people in Lebanon were not expecting such a momentum or such an uprising that will continue for months. "Besides some clashes involving the security forces and various political factions, the protests have remained peaceful. Contrary to the country's 2005 and 2015 uprisings that were managed by political parties (2005) or spearheaded by civil society groups (2015), the current protests are grassroots and decentralized in character"[79] From 17th of October 2019 onwards, a lot of people in Lebanon took the streets all over the country until present as we still have some protests and sit ins being organized although authorities took advantage of Covid Pandemic in order to remove the tents from at the square using by force.

"The killing of peaceful protester Alaa Abou Fakhr is a human rights violation that should be investigated by civilian and not military prosecutors."[80] Amnesty International said.

The Lebanese security forces and the army used excessive force to suppress protests in Tripoli in January 2020, resulting in injuries, case of death: Fawwaz AlSamman[81], and the detention and torture of protesters. They fired teargas, rubber bullets, and live ammunition at protesters, injuring hundreds and killing one protester. Military Intelligence forcibly disappeared and tortured detainees who were participating in these protests. The military prosecution charged at least 35 of the protesters, including two children, with terrorism before the military courts, which are inherently unfair.[82]

"Riot police beat and violently arrested largely peaceful protesters and media workers during demonstrations on January 15, 2020, Human Rights Watch said today… Hundreds of protesters gathered in front of the El-Helou police station in Beirut on January 15 to demand the release of 57 protesters arrested during protests the previous night, some of whom had thrown water bottles

[78] The New Yorker, **The Making of Lebanon's October Revolution**. Link available on: https://www.newyorker.com/news/dispatch/the-making-of-lebanons-october-revolution .

[79] DRI official website, **A Moment for Change**. Link available on: https://democracy-reporting.org/en/office/global/search?query=moment+for+change .

[80] Amnesty International official website, **Lebanon: Only a civilian court can bring justice for the death of Alaa Abou Fakhr**. Link available on: https://www.amnesty.org/en/latest/press-release/2019/11/lebanon-only-a-civilian-court-can-ensure-justice-to-the-death-of-alaa-abou-fakhr-and-his-family/ .

[81] Human Rights Watch, **Lebanon: One Protester Dead in Tripoli**. Link available on: https://www.hrw.org/news/2020/04/29/lebanon-one-protester-dead-tripoli .

[82] Human Rights Watch, **Lebanon: Events of 2021**. Link available on: https://www.hrw.org/world-report/2022/country-chapters/lebanon .

and firecrackers at officers. At around 9:15 p.m., the Internal Security Force's riot police charged onto the crowds, firing large amounts of teargas at protesters, beating some severely, and violently arresting at least 55. Riot police also beat at least eight media workers covering the protests and briefly detained three."[83]

All this oppression that happened in Lebanon make it even harder for independent protesters to keep advocating for change and this also violate the anti-torture legislation in 2017. However, Human Rights Watch has consistently recorded cases of torture occurrences in Lebanon subsequent to the law's implementation. The responsible authorities have demonstrated a consistent failure –or rejection- to conduct thorough investigations into these allegations, resulting in the absence of justice concerning cases of torture within detention facilities, thus perpetuating an environment where **accountability remains elusive** as the situation in Lebanese political life.

"On Sunday afternoon as the revolution reached its 30th day, Martyr's Square became home to Martyr's Sunday, in honour of Omar Zakariya, Hussein al Attar, and Alaa Abou Fakher".[84]

Protestors in downtown Beirut were also attacked by supporters of former Prime Minister Saad Hariri, Walid Jumblatt in Al-Shuf (Baakline especially), and Samir Geagea in Beirut, along with all steps taken by authorities that kept oppressing demonstrators more and more. Also Amal-Hizbullah supporters were threatening and attacking protest squares on daily bases and for weeks mainly in Beirut, South (Nabatiyye & Tyre) and Baalbeck chanting "shia shia".[85]

4.3 Change in Orders (Naqaba Tantafid case) and Universities Election results: from street to voting boxes

In Lebanon, a new normative is needed; a revolution of thought that considers **public interest and rule of law as the main priorities**. The actual practice of such a new mentality takes place through the rule of fair and modern laws that protect the state, enhance its resources, and give the citizen his or her rights in return, whether in terms of services or in terms of supporting personal or private initiatives. This requires high level of transparency and accountability, unlike the current reality.

To achieve a transition at the level of the political system in the country, the first practical democratic steps for that we can take or must take is to organize fair and impartial elections

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[83] Human Rights Watch. **Lebanon Police Violence Against Protesters**. Link available on: https://www.hrw.org/news/2020/01/17/lebanon-police-violence-against-protesters .

[84] Annahar official website, **Martyr's Sunday as revolution hits 30 days**. Link available on: https://www.annahar.com/english/article/1069870-martyrs-sunday-as-revolution-hits-30-days .

85 Moulahazat official website. **The Revolution Diaries**. Link available on: https://moulahazat.com/2019/11/10/the-revolution-diaries/ .

through a new electoral law that does not reinforce sectarianism, instead of forcing laws that negatively effects democratization and the chances of making a or "any" change.

Verena El Amil, explaining the **secular student movement that reached its peak by 2020-2021** especially in universities as USJ, AUB, LAU, summarizes the situation since then as that in 2016, a new movement emerged, rejecting the traditional political coalitions known as the 14th and 8th March (at university campuses). This movement was driven by students with clear ideologies and visions for the country on a national level. Individuals who were involved in initiatives like Beirut Madinati in 2016 and Libaladi in 2018, aiming to bring about change and reform in Lebanon's political landscape. After being part in forming student secular clubs, Verenea El Amil was also part of those two initiative before she ran elections.

Interviews with figures like Verena El Amil prove that the rise of secular student movements, particularly inside university campuses, represents a significant shift in the political landscape. This change could examine how these movements, driven by a new generation rejecting traditional sectarian politics, are challenging for a different future of Lebanon's political regime.

There was an obvious transformation in the social attitude, especially within university campuses like at Huvelin street (social sciences campus of USJ CSS). Initially, many people held prejudices such as homophobia and sectarianism. However, as the movement progressed, these attitudes began to change, and there was a growing representation of diverse voices, breaking away from traditional stereotypes.

The rise of the revolution as she calls it in 2019, followed by the huge Beirut blast, had a great impact on people's perspectives and beliefs. Many individuals who actively participated in the street protests during the 2019 uprising eventually left the country. Instead of merely sending money back to their families in Lebanon, there's a call for a fundamental change in the country's reality and conditions.[86]

"The Secular Club on Thursday announced that it achieved an "unprecedented victory" in the student elections at the Saint Joseph University (USJ). It managed to win the chairmanship of all student councils in the 12 faculties it ran in," the Club said in a statement, adding that 85 out of 101 of its candidates have won in these faculties."[87]

Although the 2020-2021 Covid quarantine affected the uprising in universities and not only in protest squares when riot police forcibly removed the tents, the momentum continued until the last university elections of 2023 that showed a new rise for sectarian parties. Independent coalitions, especially in USJ and LAU did lose a lot of the student councils seats that were achieved until 2022.

86 The 961, **Independent Win Majority of Seats**. Link available on: https://www.the961.com/usj-independents-win-majority-of-seats/ .

87 Naharnet, **Secular Club Hails 'Unprecedented Victory' in USJ Elections**. Link available on: https://www.naharnet.com/stories/en/277310 .

Also the **unique victory of "Naqaba Tantafid" list in Engineers Syndicate** in 2020, it was a shift in Lebanon'n modern history and not only engineers syndicate. The victory achieved the President of the Bar seat, the syndicate's council members and branch heads. The elections for the Engineers Syndicate in Lebanon gave hope to the opposition that was have been repressed in street, represented by the "Naqaba Tantafid" in these elections, which were postponed several times, with more than 67 percent of the votes.

It was a political test, especially after the decrease in number of protesters as a result of the Covid pandemic, extreme repression, and the high level of the financial collapse, to the extent to which the opposition groups were united facing the lists of sectarian traditional ruling parties. Back then, 8,727 members out of more than 46,000 engineers registered in the syndicate voted in the elections.

III- Part Three:

Parliamentary Lebanese Elections in 2018 and 2022:

sectarian proportional electoral law

Part Three is about Parliamentary Lebanese Elections conducted in both 2018 and 2022 in numbers and details, criticizing the application and implications of the sectarian proportional electoral law that was used for the first time in May 2018 elections. Chapter Five focuses on the 2018 parliamentary elections held under Lebanon's current political regime. It delves into the rise of the Watani coalition (lists named: "Kulluna Watani" back then), dissecting the legal and social situation back then as well as the achieved results. Additionally, the chapter sheds light on the involvement of the Minister of Interior as a candidate, raising concerns regarding the abuse of power within the electoral process.

Moving to Chapter Six, the focus is on the transformative 2022 parliamentary elections, which was a real change and shift in voter turnouts across various electoral districts that resulted in having 13 anti-sectarian regime MPs. The chapter mentions changes observed in several districts, emphasizing violations such as the lack of independence within the Electoral Supervisory Commission and disparities in media coverage, which influenced the whole electoral process.

5. Chapter Five: 2018 Parliamentary Elections

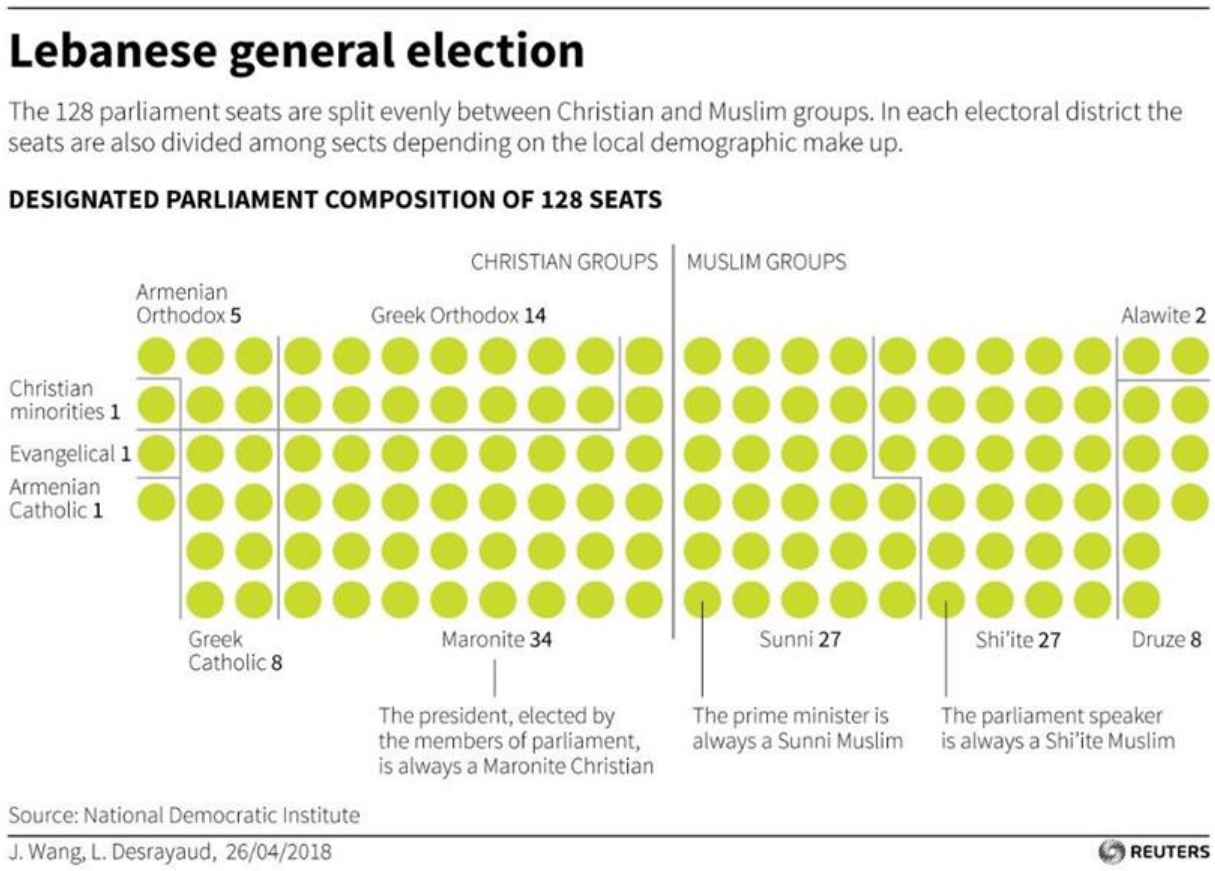
Talking about how democracies work is really important here. In a democracy, the main goal is to let everyone take part in making decisions about how things are run. Even though democracies can work differently in different socio-political situations, they always aim to involve people in politics and sharing power among them. Basically, democracy lets everyone have a say in how things are run, giving them the right to choose leaders and make decisions together. This is what makes democracy special, it puts power in the hands of regular people when it comes to making choices about how their country is run.

Etymologically speaking, the word democracy comes from the Greek Demokratia Demos (people power, rule, govern) meaning: 'rule of the people'. It referred to the government system of Athens in the 5th century BC. In Athens every male adult citizen could himself vote in the Assembly (Eklesia) on the most important questions of the city.[88]

Even though Yascha Mounk's idea about this combination between liberalism and democracy; that they could help each other is really interesting, there are problems to think about. It's important to see that these ideas might sometimes not work well together. Making sure they work well and are fair means always keeping an eye on how they work together. This helps keep things fair for everyone in a society. Understanding and dealing with these problems can help make the relationship between liberalism and democracy stronger in how our governments should be working. Sometimes there is legal equality, but there is enormous material inequality within societies and across 'democratic sovereignty'. These inequalities often come under the name of Neoliberalism.

[88] Segrillo, Angelo. *Liberalism, Marxism and Democratic Theory Revisited: Proposal of a Joint Index of Political and Economic Democracy*, Department of History University of Sao Paulo, p11, available on: http://www.scielo.br/pdf/bpsr/v6n2/a01v6n2.pdf .

5.1 Elections under the management and organization of the current political regime in Lebanon



"The 2008 electoral law, which was applied to the 2009 national elections, reverted to the formula used in the 1960 electoral law, which generally took the qaza as the electoral district"[89]

The present Lebanese political context was shaped post-war with the emergence of political parties led by former militia leaders known as "Za'im" (زعيم) for each community[90]. Additionally, the notion of "wiratha" (political heritage) persisted. Widespread corruption within state administrations, societal insecurity, a lack of independent judicial authority, the absence of sustainable official development policies or initiatives, pervasive bribery, a failure to implement effective economic solutions, disparities and inequalities within a sectarian electoral system, and the absence of citizenship-based protections all raise the fundamental question:

Does Lebanon operate under a democratic regime? Are the tools for democratic change used effectively and freely? Whether it adheres to a consociational model or any other form of democratic governance in a republic remains uncertain. To address this query, a reexamination

[89] Cammett, Melani. *Compassionate Communalism: Welfare and Sectarianism in Lebanon*, p62.
[90] Salloukh, Bassel. (2015). *Politics in PostWar Lebanon*, p170-180.

of the core meaning of democracy concept is needed, also questioning the situation of its tools in Lebanon **to see whether there are independent effective tools doing their role or not? parliamentary elections as one of them.**

"Elections are one of the means of change, but in Lebanon there are conditions imposed on the electoral process, which restrict the possibility of change such as the electoral law, media, and electoral money law (on the part of the regime), while on the part of the people: dependency and the sectarian-partisan bond that has not been broken. Sectarian leaders are able to play on this sectarian nerve and make tension before the elections. There is also the absence of a state in terms of securing people's rights; services that are their rights and that are usually provided through sectarian "zaim" as a client services... which contributes to keeping the results as they are in favor of the sectarian leaders." Elsy Moufarrej said.

Here, in practical implementation, elections are not fairly reflecting people's will, and even if some consider this a qualitative shift from the majority law, the 1960 majoritarian electoral law (قانون الستين), this law is still deficient in contrast to correct popular representation. This does not mean that the ruling parties has no representation, here were are discussing how big and accurate this representation is.

All interviewees agreed that the electoral supervisory commission must have independency, executive power, and not be under the authority of the Ministry of Interior which is a political side in the country as other ministries in order for the elections in order to reflect an accurate reality. Elections then is a stage that exists but in different conditions in order to present ideas and thoughts, just like demonstrations in the street and student elections etc.

5.2 Watani coalition ("Kulluna Watani" lists) in 2018: first seat won by anti-sectarian coalition

During the May 2018 elections, and after three extensions of the same parliament of 2009 -the last extension of which was for a year in June 2017- , **six women out of 86 female candidates in the elections won only one parliamentary seat,** journalist Paula Yacoubian.

While in 2022, "only eight women among the 118 women candidates (16.4 percent) on the lists were elected into Parliament. Reforms are needed to include in the legal framework temporary positive measures, such as quota to strengthen equality between men and women and women's representation in Parliament, in line with Lebanon's international commitments.")[91]

Paula Yacoubian, who ran as an independent, won from the "Kulluna Watani" lists, which where the main independent lists against the lists of ruling sectarian parties, did win a seat despite some

[91] European Union Election Observation Mission 2022. Link available on: https://www.eods.eu/library/EU%20EOM%20Lebanon%202022%20Final%20report%20English.pdf .

opposition towards her from within some member groups of the same coalition itself, which numbered around 12 groups/movements/parties, who had allied themselves in 9 of 15 electoral districts in an attempt to complete what began with the 2015 movement.
I can mention thousands of votes that the "Beirut Madinati" list achieved in the municipal elections years before under a majoritarian law (that is still applicable in municipal elections), also the establishment of "Libaladi" initiative later on and "Seven" party who were both part of the coalition too as well as other organizations or initiatives. I am saying this to prove the struggle and fragmentation within newly formed independent opposition.

Kulluna Watani lists at that time nominated 66 candidates along the country.[92] The most prominent achievements done by the coalition is its ability, along with all the other parties within it, to form a single list for the civil opposition in the first Beirut district, under the name "Kulluna Watani" to confront the multiple lists of the authority that are often allied with each other. It can be said that during that period, awareness had begun to form regarding the complex objective circumstances that required reaching a common list of all parties/groups opposing the ruling authority and aspiring to radical and political change, which required, at that time, a conscious self-criticism and self-renunciation, in order to preserve the unity of work.

We are talking about the year 2018, when the community of "civil society" that time was more limited in terms of size, resources, and location (where present). The collapse of the currency, the Beirut port blast, the Covid19 pandemic, etc. had not yet arrived…

With all this, the event still stood as a suggested alternative for the Lebanese public, presenting a real chance for both men and women voters. It marked a historic milestone in modern Lebanese political life, allowing the selection of the nation's representatives taking benefit out of the proportional system (law) and preferential voting. This opportunity emerged outside the traditional political elite that dominates power, controls the state's resources, and exploits its wealth.

For Verena El Amil, change is not achieved by elections only: "Not only. Elections is a tool of many tools, it's a phase. I'm thankful we have around 10 MPs who can legislate laws etc.

Being an MP is also a platform that helps bringing media which make it easier to share thoughts with the public, but pressure mechanisms are needed. Universities are priority as well.

It was a push before parliamentary elections 2022 (talking about uprising and student movement) and this is why they fight on seats I mean traditional parties"

Verena sees that it is possible to make change by elections, but there's a need for a lot of organization, structures, continuity, vision, plan, not working on reactionary bases etc.

[92] الموقع الرسمي ل "المدن، **بيروت الاولى: ما هي مفاجأة بولا يعقوبيان؟**. الفهرسة على الرابط التالي: https://rb.gy/ov5jaw .

5.3 Minister of Interior running as a candidate: abuse of power

To be clearer, the Lebanese minister of interior Nohad Mashnouk in 2018 was organizing parliamentary elections and running as a candidate at the same time. Does that serve the goals of free and democratic elections? If no, where is the rule of strict laws that protects democratic procedures for decent change? Otherwise such elections could serve criminals and corrupt.

The Lebanese Minister of Interior was controlling and organizing parliamentary elections in 2018 while being a candidate himself which raises a significant conflict of interest.

"As for the management of the elections, it remains under the authority of the Ministry of the Interior - which is headed by a minister who was elected from the elections, who did not show any hesitation to mix public with private affairs and who abuses his authority for electoral purposes. The foreign minister, who is responsible for running the elections abroad, also manages the elections, although the law delegated this right to the Ministry of Interior in collaboration with the Foreign Ministry. Other ministries who have used their power for electoral purposes include the ministers of finance, public works, and transport."[93]

Based on all arguments above, it's a situation where the person responsible for ensuring a fair and transparent election is also a participant; the person organizing elections should be impartial, but based on this case in Lebanon, the individual responsible for ensuring fair elections is also a candidate, creating a potential conflict of interest. How could this person hold the cabinet -which he is part of- accountable later on in Parliament?! If we analyze these facts comparing to international standards we reach a result that:

- Having such a **conflict of interest** can create an environment that lacks protection where individuals with personal interests, including those potentially engaged in criminal or corrupt activities, could manipulate the electoral process for their benefit.
- This threatens the principle of **Rule of Law** in a democratic system: as the absence or lack of strict laws or regulations prohibiting such conflicts of interest within the electoral process indicates a significant gap in ensuring the rule of law. In democratic politics, there should be clear and enforceable laws preventing such conflicts and safeguarding the integrity of elections. The absence of these laws can undermine the democratic procedures necessary for a fair and accountable governance system.

93 Lebanese Association for Democratic Elections, **Parliamentary Elections 2018: Executive Summary**, p12. Link available on: https://docs.google.com/gview?embedded=true&url=http://www.lade.org.lb/getattachment/1c1dbe87-ffee-4582-9400-22a52cd40078/Parliamentary-Elections-2018-Executive-Summary.aspx .

- This **threatens transparency and accountability** due to the conflicts of interest mentioned above.
- This threatens the common popular **respect towards a public administration**.
- People seeing such actions by state representatives; this could be reflected **in voter behaviors as well as people's behavior and decisions.**
- This is some kind of **Patriarchal culture:** such actions are mostly done by men in Lebanon, which also serves the culture of a man can do anything.

Upholding the rule of law and implementing strict measures to ensure fair and transparent elections is crucial to safeguarding the democratic principles essential for a just and accountable governance regime. Failure to address such conflicts could perpetuate a system that benefits those in power rather than serving the interests of the whole population.

6. Chapter Six: 2022 Parliamentary Elections

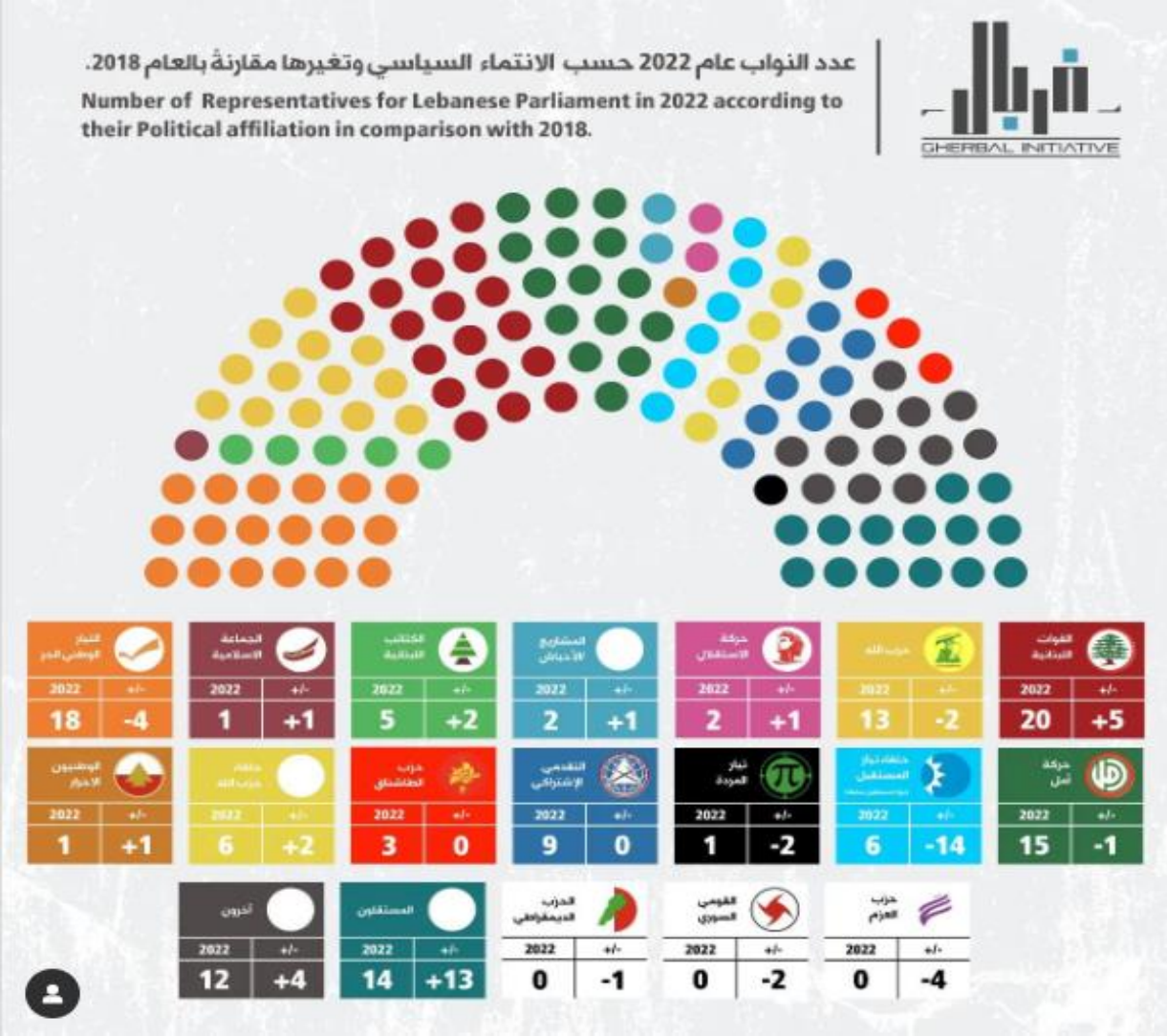
“Speaking about the law specifically, according to the numbers: Change lists received more than 300,000 votes in 2022 elections. The Free Patriotic Movement received about 150,000 votes and obtained 18 seats with fewer votes. This is all due to the nature of the existing law, the sectarian quota, and the disguised proportionality that strikes proportionality itself.” Hadi Mounla said.

MP Michel Doueihi, who believes that the political and economic reality in Lebanon can be changed through elections, said: “of course, there’s the electoral behavior of the Lebanese: only 49% voted. We were not very convincing, especially due to the lack of resources, and that the votes were scattered (high number of independent lists). In some electoral zones/districts there were 6 lists, there were 7 lists in some too (as independent/opposition). Many voters did not know what to do or who to vote for. If voting had been in larger numbers, we could have reached 20-22 representatives.

Hadi Mounla's saying focuses more on systemic issues within the electoral law, highlighting how the existing system affects the translation of votes into seats. Doueihi, gave importance to the high number of the registered independent lists in the same electoral district in several regions.

6.1 Voters turnout: reasons effected percentages in 2022

Number of Representatives for Lebanese Parliament in 2022 according to their affiliation in comparison with 2018.[94]



[94] Gherbal Initiative's official website. Link available on: https://www.instagram.com/p/CdtJHsnMayB/ .

The following is the distribution of seats among parties after the Labanese Parliament elections in 2022: [95]

a- Youth have no right to vote until 21

A majority of youth refuses engaging in the electoral process due to various factors. One primary reason is their exclusion based on age; the voting age threshold, 21 in Lebanon; many young people are ineligible to participate. This exclusion, which denies them the right to give their votes and have a say in shaping the governance of their country, inherently contributes to the overall low turnout.

Although no big age difference between MP Firas and Jalal, and Firas still in his thirties considered as a yound candidate, but they do offer contradicting perspectives on the credibility and effectiveness of Lebanon's electoral processes. Firas sees that elections as a main tool for political change within the existing democratic framework, emphasizing their role in achieving balance, enacting laws, and holding the government accountable. He believes that increased voter turnout is highly important for severe change. On the other hand, Jalal expresses deep skepticism about the legitimacy of the electoral process, citing a history of corruption and manipulation by the ruling elite as he describes it “mafia”. He fears that his vote could be easily invalidated and urgently calls for an independent commission to organize elections. Jalal

[95] نخول (جان)، **الديمقرَاطية المؤجلة: دراسة في انتخابات لبنان 2022 وأرقامها وظروفها السياسية**، ص177.

believes that the current ruling system is a sectarian dictatorship that lacks credibility and requires a complete change.

Beyond age-related barriers, a profound distrust in the entire electoral system and the democratic processes adopted to challenge the ruling regime stands as a significant impediment. The disappointment among many young individuals with the prevailing socio-political structure could also be a main reason behind their reluctance to participate actively in different elections. The systemic deficiencies, perceived biases, or corruption within the electoral framework among the population, particularly youth, regarding the efficacy and fairness of the electoral process. Consequently, they will to abstain from voting, viewing it as an exercise that might not achieve genuine change or address their big concerns.

Moreover, efforts to bridge the gap between governments and the people, addressing systemic issues, and demonstrating a genuine commitment to addressing the concerns of the people are indispensable in reinstating faith in the democratic process. Only through these concerted efforts can the legitimacy of authority be reinforced and the youth's confidence in the electoral system be restored, consequently bolstering their participation in shaping the future of their nation.[96]

b- Hybrid regional coalitions

In the Second North district, there were 7 registered lists in total:

- Shamaluna **شمالنا** : 14,121
- Nabad Al Jumhouriyye **نبض الجمهورية القوية**: 39,844
- North of confrontation **شمال المواجهة** : 22,613
- We can change **قادرين نغيّر** : 947
- _____ **وعي صوتك** : 230
- North unity list **لائحة وحدة الشمال** : 26,475
- We are staying here **رح نبقى هون** : 17,077

For one seat in parliament, around 13,000 votes are needed.[97]

The results show that several of the independent lists achieved hundreds and tens of thousands of votes, but were divided instead of uniting efforts, which made it hard to get more MPs in this district.

96 Lebanese Association for Democratic Elections, **2022 Parliamentary Elections Observation Report of LADE**. link available on: https://docs.google.com/gview?embedded=true&url=http://www.lade.org.lb/getattachment/39274855-fca9-4a51-915a-6cf772d72953/2022-Parliamentary-Elections-Monitoring-Report.aspx .

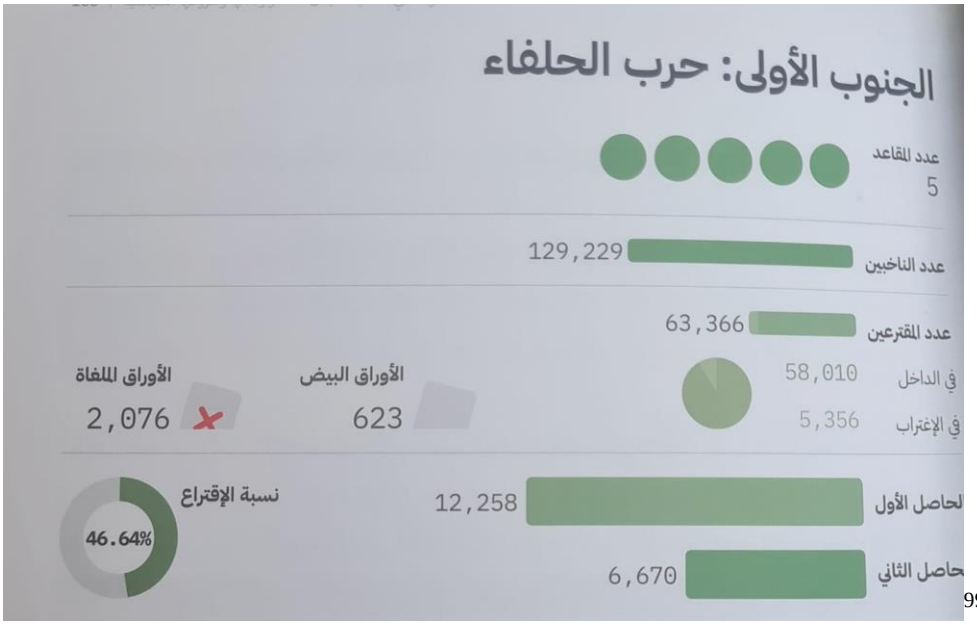
97 نخول (جان)، **الديمقراطية المؤجلة: دراسة في انتخابات لبنان 2022 وأرقامها وظروفها السياسية**، ص142.

The Lebanese Forces ran in the elections in 12 out of 15 districts, through lists that formed in 4 districts (first north – second north – northern Matn - first Beirut), and allied with the head of the Progressive Socialist Party, Walid Jumblatt, in two districts (Chouf – Aley- Baabda), and with former Prime Minister Fouad Saniora and former Minister of Justice MP Ashraf Rifi in 6 districts.
This is an example on how traditional parties in Lebanon get high number of seats.

In the second district of the South (Tyre - Al-Zahrani) and the third (Bint Jbeil - Nabatieh - Marjeyoun and Hasbaya), and the second Bekaa (Western Bekaa - Rashayya), lebanese forces did not run in the elections directly and were limited to supporting lists due to several reasons; with that, their candidates in Beqaa and other areas faced oppression and violence.[98]

Events such this attack on the candidate supported by the Lebanese Forces Party for the Shiite seat in Jbeil (Byblos), Mahmoud Awwad, are a direct threat for security and a direct acts of suppression towards citizens regardless who did it or against which candidate. Thus closing some polling centers, even for a short period, all affect the turnout of voters and their motivation or decisions.

c- Political distribution of electoral zones: a 16% decrease in turnout



99

While interviewing Jean Nakhoul, who did this analysis above, he answers the questionnaire regarding the distribution of districts saying: “Better in some areas, negative in other areas…

[98] الموقع الرسمي لجريدة النهار. **بالفيديو: حرق صورة مرشح "القوات" في بعلبك... والاعتداء على مسؤول ماكينة انتخابيّة**. الفهرسة على الرابط التالي: https://www.annahar.com/arabic/section/77-%D9%85%D8%AC%D8%AA%D9%85%D8%B9/14052022061105481 .
99 نخول (جان)، **الديمقراطية المؤجلة: دراسة في انتخابات لبنان 2022 وأرقامها وظروفها السياسية**، ص103.

South as an example, separating Saida the city from "Saida villages" (قرى صيدا), who said Jezzine and Shouf don't go together?
There is a better way of distribution even in 15 electoral districts. It could be 10 electoral districts and be fairer. Beirut could be "great Beirut" as the whole city instead adding to it "Dahye" (southern suburb of beirut) instead of having Beirut in two electoral districts which is the current situation. Jean says that this shape of governorates and districts go back to period of Camille Chamoun, and for him many things that happened that period were not made according to science and studies.

Wadih Al Asmar considers that such a division of electoral districts was done for political and sectarian reasons according to some influential people.

"The sectarian system imposes a difference in scores between one region and another, but not 200%! In Achrafieh, for example, 6,000, while in Nabatieh, the quotient is about 20,000 in order to get an MP." Wadih said.

This also did not prevent winning, as the elections resulted in two seats in the third district of the south. To be more clear: each electoral district has its electoral quotient[100] by: calculating the number of voters who did elect minus the number of voters for the losing lists then divided by the number of seats. This way of calculating the quotient makes a big gap between electoral districts and makes the situation harder for some candidates especially opposition candidates running in sensitive districts who use different kind of speech and who lack way bigger resources owned by sectarian traditional parties.

6.2 Change in several districts that resulted into independent MPs

There was an increase in numbers in candidates running for elections especially in diaspora numbers.
Total number of lists registered in 2018 was 77, while it is 103 in 2022.[101]
1,951,683 voters in 2022 while the number was 1861,203 voters in 2018.
Number of candidates increased from 976 to 1044 in 2022.
The below table shows a comparison between 2018 and 2022 Elections:[102]

[100] موقع "النشرة" الرسمي، **هكذا تمم عملية احتساب الأصوات في القانون الانتخابي الجديد**. الفهرسة على الرابط التالي:
https://rb.gy/az5u46 .
101 عكر عدره (زينة)، **انتخابات مجلس النواب اللبناني 2022: ارقام و احصائات**، ص24.
[102] المصدر نفسه.

المجلس النيابي	2022		2018	
	المجموع العام	المجموع	المجموع العام	المجموع
الناخبون				
عدد الناخبين الاجمالي	3,967,508		3,746,746	
عدد الناخبين المسجلين المقيمين		3,742,231		3,663,781
عدد الناخبين المسجلين غير المقيمين		225,277		82,965
نسبة الناخبين المسجلين في الخارج		5.68%		2.21%
عدد الناخبين الاجمالي	3,967,508		3,746,746	
عدد الناخبين المسجلين المقيمين دون الموظفين وغير المقيمين		3,727,281		3,648,965
عدد الناخبين غير المقيمين		225,277		82,965
عدد الناخبين الموظفين المسجلين		14,950		14,816
الزيادة في عدد الناخبين المسجلين 2018-2022	220,782	5.89%		
الزيادة في عدد الناخبين المسجلين المقيمين 2018-2022	78,450	2.14%		
الزيادة في عدد الناخبين المسجلين غير المقيمين 2018-2022	142,332	171.53%		
المقترعون	**المجموع العام**	**المجموع**	**المجموع العام**	**المجموع**
عدد المقترعين الاجمالي	1,951,683		1,861,203	
عدد المقترعين المقيمين		1,810,108		1,814,404
عدد المقترعين غير المقيمين		141,575		46,799
نسبة المقترعين غير المقيمين		7.25%		2.51%
العدد المعول عليه مع الأوراق البيضاء*	1,893,983		1,822,294	
نسبة المقترعين من مجموع الناخبين		49.19%		49.68%
أصوات اللوائح	**المجموع العام**	**المجموع**	**المجموع العام**	**المجموع**
عدد المقترعين الاجمالي (مقيمون، موظفون وغير مقيمين)	1,951,683		1,861,203	
مجموع الأصوات المعول عليها التي نالتها اللوائح (مقيمون، موظفون وغير مقيمين)		1,893,983		1,807,265
مجموع الأوراق الباطلة		57,700		38,909
مجموع الأوراق البيضاء		19,308		15,029
عدد اللوائح	103		77	
عدد اللوائح التي تأهلت		49		37
عدد اللوائح التي لم تتأهل		54		40
مجموع أصوات اللوائح والمرشحين	1,874,675		1,806,294	
مجموع أصوات اللوائح المؤهلة		1,643,784		1,608,679
مجموع أصوات اللوائح غير المؤهلة		230,891		197,615
مجموع الأصوات التفضيلية للوائح فقط	66,857		47,226	

عدد اللوائح الاجمالي	المجموع العام	المجموع	المجموع العام	المجموع
عدد اللوائح الإجمالي	103		77	
محافظة بيروت		16		14
محافظتا جبل لبنان وكسروان جبيل		27		20
محافظتا الشمال وعكار		26		18
محافظتا البقاع وبعلبك الهرمل		20		13
محافظتا الجنوب والنبطية		14		12
المرشحون	**المجموع العام**	**المجموع**	**المجموع العام**	**المجموع**
عدد المرشحين قبل تشكيل اللوائح	1044		976	
مجموع المرشحين	719		597	
عدد المرشحين		601		511
عدد المرشحات		118		86
عدد المرشحين المسلمين	370		311	
عدد المرشحين الخاسرين المسلمين		306		247
عدد النواب الفائزين المسلمين		64		64
عدد المرشحين المسيحيين	349		286	
عدد المرشحين الخاسرين المسيحيين		285		222
عدد النواب الفائزين المسيحيين		64		64

A significant and unexpected change occurred when the independent opposition groups, often known as the "Change" –since many lists have raised this word- or named as the opposition and civil society lists, won 13 seats in the elections. This marked a substantial rise from just one seat in 2018. Their votes surged from 39,075 (2.1% of the votes) in 2018 to 300,000 votes (16.2%) in 2022. This placed them second in votes, following Hezbollah and the Amal movement, and ahead of the Lebanese Forces.

a- Diaspora: 170% increase in registration and 206% in voting.[103]

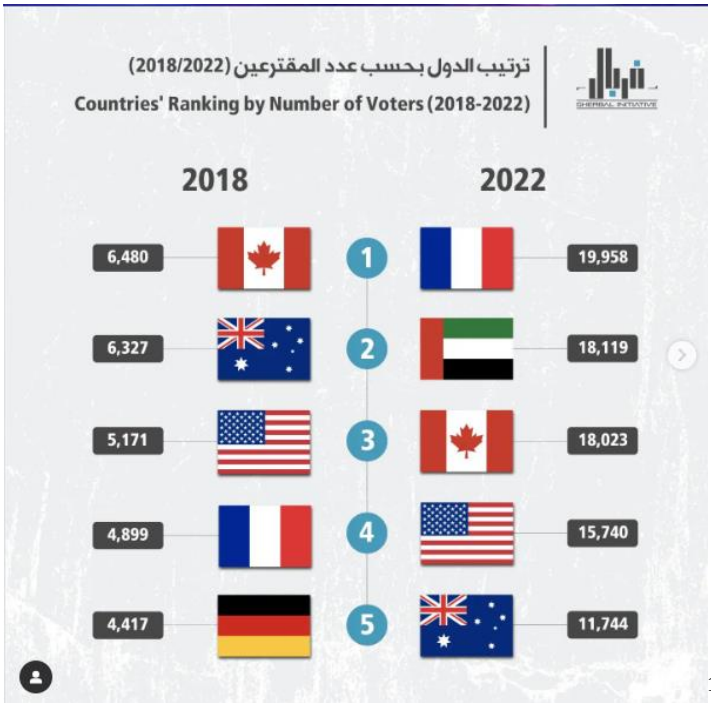
Several of the immigration countries also saw an increase in voting. Voting of diaspora was a main factor in making change and achieving that number of seats for independent/opposition lists.

More people did sign up to vote in 2022 compared to the elections in 2018. In 2018, 56% of the expatriates who signed up actually voted, while in 2022, 63% of those who signed up voted. This means there was a 170% increase in the number of people registering to vote and a 206% increase in the number of people who actually voted.

"In terms of the number of voters by immigration countries, France ranked first compared to other countries (19,958 voters), followed by the United Arab Emirates (18,119 voters), Canada (18,023 voters), USA (15,740 voters) and then Australia (11744 voters). However, in the 2018 elections, Canada ranked first (6480 voters), followed by Australia (6,327 voters), USA (5,171 voters), France (4,899 voters) and Germany (4,417 voters)."[104]

103 Gherbal official website. **Diaspora Voting**. Link available on: https://elgherbal.org/elections/analysis/diaspora_voting .

104 Same reference.



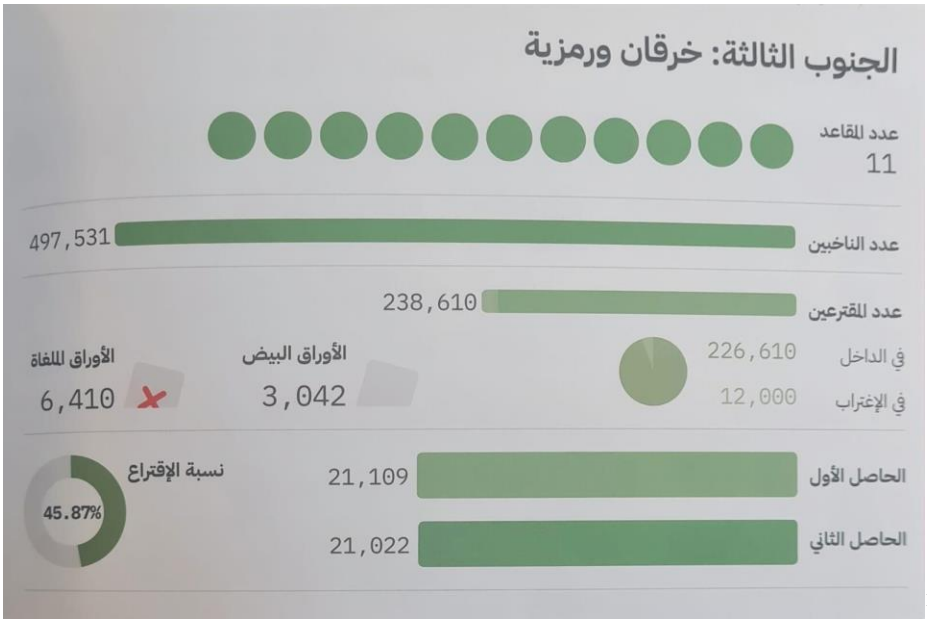
105

in LADE's report: "These elections were calm and well organized by the Ministry of Foreign Affairs and Emigrants, which cooperated with observers and sought to find quick solutions to the complaints raised by the LADE. Polling stations were opened with little delay, all polling station equipment required by laws and regulations were available."[106]

105 Gherbal official website, **Diaspora Voting**. Link available on: https://elgherbal.org/elections/analysis/diaspora_voting .

106 Lebanese Association for Democratic Elections, **2022 Parliamentary Elections Observation Report**, p5. link available on: https://docs.google.com/gview?embedded=true&url=http://www.lade.org.lb/getattachment/39274855-fca9-4a51-915a-6cf772d72953/2022-Parliamentary-Elections-Monitoring-Report.aspx .

b- Third South district: an unexpected change taking place



[107]

Hezbollah, as many of its allies, particularly Amal Movement and the Free Patriotic Movement led by President Michel Aoun's son-in-law and former minister Gibran Bassil, lost some of their seats also in the Third South district electoral zone. Two candidates who are Firas Hamdan and Elias Jradi from the list "Together Towards Change معا نحو التغيير" did enter the parliament, which was not much expected.

Additionally, there were individuals who refrained from voting. Numerous reports from various media sources indicated instances where people in certain areas felt intimidated, leading them to abstain from voting. Furthermore, some may have hesitated due to a lack of trust in available alternatives. Voter turnout was lower compared to the 2018 and 2009 elections, recording rates of 49.7% and 54%, respectively. This decrease in participation contrasts with the significant importance of the current election. Particularly noticeable was the decline in turnout in specific regions, potentially connected to the Hariri (future party) "boycott" and concerns about challenging Hezbollah's dominance.

In Hasbaya-Marjeyoun (Third South is: Hasbaya, Marjeyoun, Nabatieh and Bint Jbeil), the opposition won two seats: Firas Hamdan and Elias Jradi.

[107] نخول (جان)، **الديمقراطية المؤجلة: دراسة في انتخابات لبنان 2022 وأرقامها وظروفها السياسية**، ص114.

Regardless that the opposition did not achieve a "Shiite" seat in this region, it was still a big victory at the region where Hezbollah and Amal had used different kinds of mental and physical violence even on the election day, and after these results, they went and set on fire the tent of the revolution in Nabatieh.[108]

"Electoral districts must be restructured. A district like the third south (four districts), approximately 200 thousand who voted; the number is not only large but unreasonable.

There is no equality between districts with 15-20,000 voters. There is no equality in distribution between regions (as electoral districts).

Third zone/district of south as an example: needs reducing to more small districts.

Beirut, on the contrary, should be all one zone." MP Firas Hamdan said.

c- Beirut: one less Zaim made it a better chance for lists of independent

[109]

Everyone was waiting Beirut results (especially first Beirut district), which was severely damaged as a result of the Beirut port blast on August 4, 2020, and the involvement of a number of secular opposition figures (Watani) in the battle.

The first Beirut will reflect the battles within the "Christian" powers and the attempt of the "Free Patriotic Movement" to reduce its losses as much as possible in the face of the "Lebanese Forces" and civil opposition candidates. Opposition won two seats: Paula Yaqoubian and Cynthia Zarazir.

108 Link available on: https://www.the961.com/hezbollah-amal-destroyed-nabatieh-movement-election-tent/ .

[109] نخول (جان)، **الديمقراطية المؤجلة: دراسة في انتخابات لبنان 2022 وأرقامها وظروفها السياسية**، ص63.

However, what was happening in the second district of Beirut, where the majority of voters belong to the Sunni sect, there is no doubt that it is one of the most prominent electoral battles in this district, unlike the situation in 2018. Four years ago, the "Future Movement" was still present and was able to secure victory. Its list excludes the Shiite candidates and two of the six Sunnis. In 2022, the two MPs and current candidates, Fouad Makhzoumi and Adnan Trabelsi, succeeded in breaking Future's monopoly on Sunni representation in the capital for the first time since the 2000 elections. These two candidates were considered among the opposition or "change" candidates, Ibrahim Mnaymneh is, he also won with two other candidates Melhem Khalaf (former head of lawyers syndicate) and Waddah AlSadek; these three are part of what is known today as "opposition" although others see that some of them do not represent the "street" at all since they are on good relationship with Zaims as Samir Gaegae and Nabih Berri, as well as their positions from the banking system and the management of state's resources.

One of the important changes in 2022 is that the bloc that was giving votes into the "Future" movement has become dispersed among several options. One of them is represented by the list supported and sponsored by former Prime Minister Fouad Saniora, "Beirut Confronts بيروت تواجه." A second trend leans toward the "this is Beirut: هيدي بيروت" list, in which the candidates spread rumors that "Future" indirectly supports them. While Ibrahim Mnaymneh, Melhem Khalaf and Waddah AlSadek were on the change lists "Beirut the Change بيروت التغيير".

The Hezbollah-Amal duo maintained its "bloc," which numbered between 30 and 45 thousand voters. The same applies to the "Charitable Projects Association جمعية المشاريع الخيرية" (Al-Ahbash) bloc, which is loyal to Hezbollah and the Syrian regime, and whose candidates usually used to receive between ten and 12 thousand votes. There are less powerful blocs, such as the "Islamic Group" bloc, but they usually do not have the ability to achieve violations unless they ally themselves with larger forces.

6.3 Violations negatively affecting accuracy of results:

a- Electoral Supervisory Commission: lack of independence

Zainab HajjHassan who was monitoring in sensitive areas on election day says: "This is a huge mistake and issue (about the lack of independence of the Electoral Supervisory Commission).

The commission follows the ministry of interior. And they're no following the violations that LADE reports. If LADE is not doing that, this commission is doing nothing."

They were unable to control electoral spending, electoral campaigning, or electoral advertising: that is, equality between the candidates. The report was based on the report of the LADE and the international missions that only observed."

The government's withholding of the electoral supervisory commission dues goes beyond the budget issue. The deliberate financial scarcity was not limited to the delay in paying, but rather extended to all of the commission's work, which always limits its capabilities to secure the material and human resources to monitor and supervise the elections in the required manner.

The Commission, as usual, suffers from disagreements with the Ministries of Interior and Finance, and did not obtain the basic amount it requested to complete its work in the 2022 elections, which is a budget of 5 billion and 800 million liras, in addition to 70 thousand dollars for equipment. It did not get except around 300 Million only.[110]
"The Commission admitted that the loss of funding led to a failure in its work, as it indicated that due to the lack of a sufficient number of field observers, it was not able to monitor all the advertising billboards spread widely in the Lebanese regions, some of which were undeclared, which led to difficulty in counting them as expenses. The Ministry of Interior failed to fulfill the Commission's request to specify the location and number of license plates, the entities that invest them, and the entities that operate them."[111]

b- Media: in-equal coverage

The media has played a significant role in upholding sectarian dominance in post-war Lebanon. Bassel Salloukh conducts an extensive examination of the "mutual demonization" perpetuated by traditional media outlets owned by the sectarian political and economic elite. These channels actively contribute to the reconstruction and reassertion of sectarian divisions. According the electoral law no 44 in 17/06/2017:[112]

The law differs between media coverage, Article 68: when they are used for the purposes of this law, whether singular or plural, they mean the following:

- Electoral Media: everything dealing with media such as analysis, news, interviews, debates, dialogues, investigations, press conferences and meetings, that is directly or indirectly related to the elections, and is broadcasted free of charge within the regular programs or media companies/institutions.

[110] غصن (نقولا)، **تقرير هيئة الإشراف على الانتخابات 2022: تقرير عن الانتخابات أم عن عجز الهيئة؟**، الفهرسة على الرابط التالي: https://legal-agenda.com/wp-content/uploads/2023/07/Al-Mufakira-Issue-69-LA-Digital.pdf .

[111] المصدر نفسه.

[112] الموقع الرسمي لوزارة الداخلية والبلديات، القانون الانتخابي. الفهرسة على الرابط التالي: https://www.dgcs.gov.lb/ContentFiles/98FilePath4.pdf .

- Election campaigning: Material related to the programs of the candidates, their electoral campaigns, their electoral and political positions, and is registered in the studios of media institutions, and the candidate wants to convey them through their personal accounts within the programs of the media institutions devoted to that end and in return of money.

- Electoral advertising: promotions or materials for a candidate that is broadcasted or published in exchange of money within specific and limited spaces.[113]

In an interview with journalists Elsy Moufarrej she confirms that: “Millions of dollars entered media channels in this way. The money was not declared. Even the institutions/companies/channels did not declare it. The media institution must have a clear pricing (for mornings and evenings).
This rate card must be announced in advance. It was announced late and was not adhered to, as all deals occurred under the table.
Why this is happening? Because of the candidates' rate, they exceed that by many steps: 400 thousand dollars instead of 100 thousand dollars as an example. For example: in the last week before election day, the rate in the morning period (11 am), reached around $25,000, for half an hour and this is not the evening period.”

In Salloukh's book, authors focused on the role of traditional media outlets owned by sectarian political and economic elites in perpetuating sectarian divisions through what he terms as "mutual demonization." Salloukh's analysis revolves around the systematic perpetuation of different opposite narratives and ideologies through media channels controlled by the same sectarian elite’s resources for protecting their interests. While Elsy Moufarrej's comments shed light on the financial aspects of media influence in Lebanese elections. She discusses the non-transparent financial dealings within media institutions, where substantial amounts of money are involved, often unreported or declared.

There are common opinions between Salloukh's observations and Moufarrej's comments. Both highlight the significant influence of media channels, particularly during election periods, in Lebanon.
Answering same questionnaire, journalist Jean Nakhoul answers: “You will never be able to control it. It’s not the situation of a virtuous city. Lebanon is a cash economy. You will never control it especially with the judiciary situation.”

113 European Union Election Observation Mission 2022. Link available on: https://www.eods.eu/library/EU%20EOM%20Lebanon%202022%20Final%20report%20English.pdf .

Nakhoul's response seems to adopt a more realistic point of view. Nakhoul's viewpoint suggests a deep systemic issue within Lebanon, where he implies that attempting to control or regulate these financial dynamics within the media during elections might be futile. He characterizes Lebanon as a cash economy, indicating a culture where cash transactions dominate and implying that this culture makes it extremely challenging to regulate or control financial dealings, especially within such a context different kinds of elections in Lebanon. Nakhoul's assertion that control is unattainable, particularly given the state of the judiciary (as it is in weak position).

"Episodes were directly paid and this is against the law (when it is 500,000$ for example). Even posters/billboards (الملصقات) should be declared." MP Michel Doueihi said.

c- Lack of control on financing electoral campaigns

"The amended article adjusted the campaign spending limit as follows: a fixed lump sum of LBP 750,000,000 per candidate. A fixed lump sum for the list, amounting to LBP 750,000,000 per candidate. A variable sum of LBP 50,000 for each voter registered in the voter lists in the major constituency. It is no secret that the legal campaign spending limit was raised due to the devaluation of the Lebanese pound."[114]

One of the most important legal obstacles referred to by the Commission is the legislator's deletion in the Elections Law issued in 2017 of the authority that was granted to it in the 2008 law to directly access campaign bank accounts at any time. The Authority considered that this amendment stripped it of an important authority which prevented it from being able to exercise control over financing and spending as required. The commission indicated that most banks refused to respond to its requests to disclose information about accounts, even though they are not subject to banking secrecy.[115]

For MP Halime Kaakour, she also raised that elections lack a lot, such as: controlling electoral financing (application of legal provisions in this regard), controlling the difference between electoral advertising and electoral media, the candidate's spending ceiling, the supervisory commision (that has no independency, neither in its individuals nor in its funds) adding to what it lacks in terms of gender and other principles, pressure on voters in their areas (the lack of a mega-centre), the preferential vote that encourages the traditional electoral system... especially

114 Lebanese Association for Democratic Elections, **2022 Parliamentary Elections Observation Report of LADE**, p29. link available on: https://docs.google.com/gview?embedded=true&url=http://www.lade.org.lb/getattachment/39274855-fca9-4a51-915a-6cf772d72953/2022-Parliamentary-Elections-Monitoring-Report.aspx .

115 غصن (نقولا)، **تقرير هيئة الإشراف على الانتخابات 2022: تقرير عن الانتخابات أم عن عجز الهيئة؟، الفهرسة على الرابط التالي:** https://legal-agenda.com/wp-content/uploads/2023/07/Al-Mufakira-Issue-69-LA-Digital.pdf .

the implementation of monitoring such as the secrecy of elections and the control of electoral money.

d- Other violations

Following the circulation of images showing the candidate Firas Hamdan and, in the background, an image of the Israeli flag, LADE have been in contact with him to verify the truth about what he's facing. He has reported receiving numerous death threats through phone calls.[116]

For LADE's Executive Director Dayana EL Baba, the core issue in Lebanon extends beyond the legal framework (electoral law for example) but instead it lies within the fundamental nature of the regime itself. While claiming a secular identity, the country is far from being free of sectarian influences. Institutions should prioritize civil responsibilities over sectarian divides, ensuring equal rights and dignity for all citizens without discrimination based on gender or nationality. The current laws reflect the country's crisis, and while electoral laws may not be perfect, some are more suitable than others. Advocating for a real proportional system means seeking fairness within major groups rather than solely focusing on sectarian or service-based voting. Enlarging electoral circles can make better situation in voting based on programs and projects when talking for national-level initiatives.

116 Lebanese Association for Democratic Elections, **2022 Parliamentary Elections Observation Report of LADE**. Link available on: https://docs.google.com/gview?embedded=true&url=http://www.lade.org.lb/getattachment/39274855-fca9-4a51-915a-6cf772d72953/2022-Parliamentary-Elections-Monitoring-Report.aspx .

INCIDENTS RECORDED BY MOBILE OBSERVERS:

NUMBER OF VIOLATIONS: 2669

1.	Other violations (installing the voting booth in a way that breaches ballot secrecy, breach of election silence, pressure by party representatives on polling station officers...)	**910**
2.	Prohibiting observers, candidate representatives, or journalists from entering polling centers	**12**
3.	Polling center not equipped to welcome people with special needs or the elderly	**147**
4.	Delays in opening the polling stations on time after 7:30 am	**58**
5.	Threat of violence (severe tensions at the polling center, verbal altercations between voters or representatives, gatherings of armed persons of partisans...)	**91**
6.	Intimidation or pressure on voters in or around polling centers	**310**
7.	Candidate representative/polling station head officer escorting voters behind the booth	**528**
8.	Voters with disabilities or elderly voters having to be carried inside the polling station to vote	**88**
9.	Interference by a public servant or security forces in favor of a certain candidate or list	**31**

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117 Lebanese Association for Democratic Elections, **2022 Parliamentary Elections Observation Report of LADE**, p64. link available on: https://docs.google.com/gview?embedded=true&url=http://www.lade.org.lb/getattachment/39274855-fca9-4a51-915a-6cf772d72953/2022-Parliamentary-Elections-Monitoring-Report.aspx .

10.	Voters not dipping their finger in the indelible ink	**19**
11.	Withholding of ID cards	**12**
12.	Using cellphones inside the polling station without any objection by the head officer	**109**
13.	Obstruction of the electoral process by a candidate	**54**
14.	Official ballot papers taken outside the polling station	**20**
15.	Absence of the clerk and/or head officer during the voting process	**83**
16.	Violence in and around polling centers (fistfights, armed confrontation, vandalism, assaults against journalists, media outlets, polling station officers and clerks...)	**41**
17.	Persons voting without dipping their finger in the indelible ink	**7**
18.	Using public resources for electoral purposes (municipal vehicles, public schools, municipal headquarters, public dispensaries...)	**47**
19.	Preventing candidate representatives from entering the polling station	**6**
20.	Vote buying	**16**
21.	Mistreatment of women by polling station officers and clerks (harassment, pressure, verbal and physical violence, threats)	**36**
22.	Arrival of large numbers of voters shortly before the closing of ballot boxes	**23**
23.	Mistreatment of women by security forces (harassment, pressure, verbal and physical violence, threats)	**7**
24.	Roadblocks or voters' inability to reach polling centers	**9**
25.	Mistreatment of women by campaign teams (harassment, pressure, verbal and physical violence, threats)	**5**

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118 Lebanese Association for Democratic Elections, **2022 Parliamentary Elections Observation Report of LADE**, p65. link available on: https://docs.google.com/gview?embedded=true&url=http://www.lade.org.lb/getattachment/39274855-fca9-4a51-915a-6cf772d72953/2022-Parliamentary-Elections-Monitoring-Report.aspx .

Conclusion and recommendations: for more democratic elections

Before drawing conclusions from the research results and whether elections are a means for democratic change in Lebanon, we must talk about the lack of a free choice among Lebanese citizens and here I am not saying that Lebanese are under dictatorship but about the severely violent daily life at various levels of living, environment, security, and otthers...all of which reinforce clientelist relations due to frustration with the ability to change the harsh complicated reality, and mainly poverty.

So do Lebanese voters really enjoy the social protection and freedom of electoral choice? Answering the question about whether elections are a tool for democratic change in Lebanon, I say that while the services provided by the ruling militias or sectarian parties including asphalting roads, pressuring the judicial authorities to provide protection to wanted individuals and detainees, providing academic scholarships instead of working on strengthening public schools, offering medical services and other services... **all these clientelist practices and sectarian sedition prove real obstacles that affect the freedom of choice for the electorate**. "Such factors have always impacted the results of the electoral process for years, regardless of the course of the electoral process itself."[119] LADE says.

All interviewees agreed that elections can be one of the tools of democratic change in Lebanon, despite the difference in the extent of each of them reliance on them.

Through research and during interviews, I concluded that the main problem in Lebanon is the lack of the rule of law or in one word: "**impunity**." This applies to financial corruption, implementing the constitution, investigating crimes, and organizing and managing the electoral process. Impunity hinders the growth of a strong independent state and even destroys institutions instead, so we see a collapsed state where sectarian militias fighting among themselves.

"Will reforms come from the corrupt system? They don't allow honest people to work. Especially the presence of corruption in the judicial system. The judge can hold every citizen and official accountable. What enables you to hold the corrupt accountable? the threat? Or belonging to political authority...while there are many files (documents) that expose corruption." Said Jalal Dika.

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119 Lebanese Association for Democratic Elections, **Parliamentary Elections 2018: Executive Summary**, p11. Link available on: https://docs.google.com/gview?embedded=true&url=http://www.lade.org.lb/getattachment/1c1dbe87-ffee-4582-9400-22a52cd40078/Parliamentary-Elections-2018-Executive-Summary.aspx .

It is true that Consociational Democracy represents one of the recent models for addressing the issue of participation in diverse and pluralistic societies. It stands in contrast to representative democracy by elements of competition based on political programs, projects, strategies and plans, instead emphasizing the formation of broad alliances that ensure equitable opportunities for representation and participation in decision-making, from the highest down to the grassroots, without being subjected to the dominance of the majority. It's important to note that the applicability of the term **Consociational Democracy should not be judged by its success or failure in Lebanon, as an example, for various reasons**. These reasons include the absence of a party law, lack of a strong independent state (rule of law), lack of equal protection, the lack of a clear political plan among anti-sectarian political movements or individuals, and disparities between these concepts and Western countries in terms of practical implementation in a society's political order.

Thus even if a big part of the Lebanese society is still voting for officials responsible for political and financial crimes, this does not mean that we can skip different kinds of social pressure on voters which of course effects decisions.

In Lebanon, Consociational Democracy in such a situation where War Lords are the ones dominating its implementation, has indirectly facilitated the protection of corrupt practices, as they made it a basis for distributing political quotas and exploiting state's resources, but Consociational Democracy, regardless of the ruling parties or powers in a country, operates to safeguard the diverse segments of society, embracing their varied religious, national, and cultural relationships. This form of governance establishes structures and institutions aimed at fostering unity and collaboration among individuals residing within the same societal order (in pluralistic society). It encompasses legal frameworks, societal norms, and practical political mechanisms ensuring these objectives are met and implemented practically in a civil society.

Bases on all the above, factors that played a role in the change of voter's behavior are a mix of:

- Socio-political movements
- Convincing narratives and political propositions
- Personal interest and benefit
- Community's (surrounding society of environment) interest
- Economic crises, injustice and violence

For a fair and more representative democratic elections there should be:

- Independent supervisory commission
- Equal or a certain minimum media coverage for all candidates or coalitions
- On the legislative level there should be legislations that ensure the implementation of laws without misinterpreting them: practical accountability mechanisms

- Highest levels of protection and security for voters and candidates regarding freedom of expression and association without any restrictions or oppression on all Lebanese territories.

Maximalist democracy approach should be enforced by decision makers and political activists for making a change democratically in Lebanon **through all available tools at the same time (protest, advocacy, election…).**

Elections itself will not reflect people's will when it lacks the main conditions that serve its core purposes, and this is why in Lebanon as many other countries, **we have to implement higher democracy standards as accountability, transparency, independent judiciary** and practical mechanisms that serve the implementation of these values or standards; that could take us to more democratic elections as they are the only game in town in order to start rebuilding the state and achieve a transition to a non-sectarian regime that is based on equal protection, citizenship and rule of law.

This of course also needs intense theoretical work and reconciliation mechanisms among the new generation (youth) especially adolescence phase in order to generalize a new mentality among Lebanese population in the coming decades which is the needed: revolution of thought.

Annex1: Questionnaire

Voters: Q1-7; Monitors and Organizers: Q1-14; MPs: Q1-16

1. Is it possible to ask about your age and your home-town (النفوس Nufous) / electoral district?

2. Did you participate in the 2022 parliamentary elections by voting or running? or not? And why?

3. How many times did you participate in voting in the previous parliamentary elections in 2018 or 2009? What is the reason?

4. If the answer is yes, can we ask about the list or lists for which you voted in your electoral district?

5. Did your political choices change during or after the 2015 YouStink movement and the October 17 uprising? Especially the emergence of an opposition that ran in municipal, parliamentary and university elections?

6. Do you believe that the political and economic reality in Lebanon can be changed through elections?

7. Is it enough to amend the law and introduce the required reforms/amendments? Or is the problem bigger than that?

8. What are the most prominent observations related to the electoral law? Does this law ensure correct representation?

9. What is your comment on dividing districts unequally, such that the electoral quotient differs from one district to another?

10. What is your opinion about combining two variables in nomination and vote counting: regional and sectarian representation?
ما هو رأيك في جمع متغيّرَين في الترشيح واحتساب الأصوات: أي التمثيلَين المناطقي والطائفي

11. What is your opinion of the new electoral funding ceiling?

12. What is your comment about legitimizing the financing of electoral advertising and thus electoral media indirectly?

ما تعليقك حول شرعنة تمويل الإعلان الانتخابي وبالتالي الاعلام الانتخابي بطريقة غير مباشرة

13. What is your comment on the lack of independence of the electoral supervisory commission?

14. Did foreign observation missions play a role in monitoring violations or did they give legitimacy to the electoral process?

15. What can an MP do in such a political situation?

16. After you have reached the Chamber of Deputies (parliament), especially in light of the distortion of concepts such as deputy, minister and other concepts, what role should be played?

Annex2: Interviews

- I1: Verena El Amil: student and lecturer at USJ. Now Lawyer and founder of USJ secular club as well as other student clubs or networks; ran elections in 2022 as the youngest candidate (25 years which is the required age in order to run).

30min, 17th December at 9pm, coffee shop;

- I2: Jalal Dika: who was under surgeries after his injury on 4th of August 2020 Port Blast and did not vote in last elections answered.

17min,17th December 2pm, at coffee shop;

- I3: Zainab Al Hajj Hassan: journalist and LADE monitor.

13min, 17th December at 4pm, Backyard Hazmiyye;

- I4: Elsy Moufarrej: journalist and coordinator of Alternative Press Syndicate Group.

22min, 19th December at 3:30pm, office;

- I5: Jean Nakhoul: Journalist and writer

29min, 18th December at 12:30pm, MTV;

- I6: Firas Hamdan: Lawyer and MP at the Lebanese parliament (third south district).

32min, 19th of December 5:30pm, private office;

- I7: Hadi Mounla: political activist.

22min, 21th of December 2:30pm, coffee shop;

- I8: Wadih Al Asmar: president of the Lebanese Center for Human Rights, YouStink movement member, former coordinator of Watani coalition in 2018.

16min, 21th December at 5pm, coffee shop;

- I9: Dayana El Baba: executive director of LADE.

39min, 22nd of December at 1:30pm, online;

- I10: Halime Kaakour: Lecturer at the Lebanese university, international law, MP at the Lebanese parliament (Shouf – Fourth Mount Lebanon district).

15min, 22nd of December at 5pm, online;

- I11: Michel Doueihi: University professor of political sciences and research methods at AUB, Political researcher and MP in the Lebanese parliament (Zgharta – Third North district).

15min, 21st December at 1pm, coffee shop;

List of References

1. Salloukh, Bassel. (2015). *Politics in PostWar Lebanon*, Pluto Press.
1. Mounk, Yascha. (2018). *The People VS Democracy: Why Our Freedom Is in Danger and How to Save It*, Harvard University Press.
2. Cammett, Melani. (2014). *Compasisonate Communalism: Welfare and Sectarianism in Lebanon*, Cornell University Press.
3. Schumpeter, Joseph. (2003). *Capitalism, Socialism and Democracy*, Taylor and Francis e-library.
4. Przeworski, Adam. (1999). *Minimalist Conception of Democracy: A Defense*, Cambridge University Press.
5. Dahl, Robert. (1971). *Polyarchy: Participation and Opposition*, New Haven and London: Yale University Press.
6. Lijphart, Arend. (1969). *Consociational Democracy*, The Johns Hopkins University Press.
7. AKARLI, Engin Deniz. (1993). *The Long Peace: Ottoman* Lebanon 1861-1920, University of California Press.
8. The Lebanese Constitution: promulgated May 23 1926 with all amendments.
9. Lebanese Association for Democratic Elections, Parliamentary Elections 2018: Executive Summary. link available on: https://docs.google.com/gview?embedded=true&url=http://www.lade.org.lb/getattachment/1c1dbe87-ffee-4582-9400-22a52cd40078/Parliamentary-Elections-2018-Executive-Summary.aspx .
10. Lebanese Association for Democratic Elections, 2022 Parliamentary Elections Observation Report. Link available on: https://docs.google.com/gview?embedded=true&url=http://www.lade.org.lb/getattachment/39274855-fca9-4a51-915a-6cf772d72953/2022-Parliamentary-Elections-Monitoring-Report.aspx .
11. Lebanese Center for Human Rights official website. Link available on: www.cldhlebanon.org .
12. Rights observer blog: www.rightsobserver.org .
13. Gherbal initiative official website: https://elgherbal.org/ .

14. Democracy Reporting International official website. Link available on: https://democracy-reporting.org/en/office/global.
15. Reuters official website. Link available on: www.reuters.com .
16. Amnesty International's official website. Link available on: www.amnesty.org .
17. International Crimes Database. Link available on: www.internationalcrimesdatabase.org .
18. Human Rights Watch's official website: https://www.hrw.org/ .
19. European Union Election Observation Mission 2022. Link available on: https://www.eods.eu/library/EU%20EOM%20Lebanon%202022%20Final%20report%20English.pdf .
20. World Bank official website. Link available on: https://www.worldbank.org/en/home .
21. Transparency official website. Link available on: https://www.transparency.org/en .
22. UNESCO Digital Library. Link available on: https://unesdoc.unesco.org .
23. International Crimes Database official website. Link available on: https://www.internationalcrimesdatabase.org .
24. Cambridge University Press's official website. Link available on: https://www.cambridge.org .
25. UN Peace Maker official website. Link available on: https://peacemaker.un.org .
26. V-Dem institute official website. Link available on: www.v-dem.net .
27. LBCI television's official website. Link available on: www.lbcgroup.tv .
28. Credit Libanais Bank official website. Link available on: https://economics.creditlibanais.com/Article/212069#en .
29. Naharnet news website. Link available on: www.naharnet.com .
30. Aljazeera official website. Link available on: www.aljazeera.net .
31. France24 news Arabic official website. Link available on: www.france24.com/ar/ .
32. BrettonWoods Project website. Link available on: www.brettonwoodsproject.org .
33. Middle East Eye news official website. Link available on: www.middleeasteye.net .
34. 961 news website. Link available on: www.the961.com .
35. Elnashra news official website. Link available on: www.elnashra.com .
36. Moulahazat website. Link available on: www.moulahazat.com .
37. Britannica's official website. Link available on: www.britannica.com .
38. نحاس (شربل)، **الانتخابات النيابية اللبنانية 2016-2019**، رياض الريّس للكتب والنشر، الطبعة الاولى، بيروت، لا.د،عام 2021م.
39. هلال (علي الدين) ومسعد (نيفين)،**النظم السياسية العربية: قضايا الاستمرار والتغيير**، الطبعة السابعة، بيروت، مركز دراسات الوحدة العربية، عام 2014م.
40. قرم (جورج) ،**تاريخ الشرق الأوسط: من الأزمنة القديمة الى اليوم**، الطبعة الثالثة، بيروت، شركة المطبوعات للتوزيع والنشر، عام 2012م.

41. نخول (جان)، **الديمقراطية المؤجلة: دراسة في انتخابات لبنان 2022 وأرقامها وظروفها السياسية**، الطبعة الاولى، بيروت، الدولية للمعلومات، عام 2022م.
42. **الانتخابات النيابية 1972: بالأرقام والنسب المئوية**، لا.ط، بيروت، لا.د، لا.ت.
43. المرصد اللبناني لحقوق العمال والموظفين، **التقرير السنوي الرابع: الاحتجاجات والتحركات المطلبية والشعبية في لبنان لعام 2015**، لا.ط، بيروت، لا.د ، عام 2016م.
44. عكر عدره (زينة)، **انتخابات مجلس النواب اللبناني 2022: ارقام و احصائات**، الطبعة الاولى، بيروت، الدولية للمعلومات، عام 2022م.
45. غصن (نقولا)، **تقرير هيئة الإشراف على الانتخابات 2022: تقرير عن الانتخابات أم عن عجز الهيئة؟**، لا.ط، بيروت، المفكرة القانونية، العدد 69، حزيران عام 2023م.
46. تقرير هيئة الاشراف على الانتخابات عام 2022.
47. وزارة الداخلية والبلديات، القانون الانتخابي رقم 44 2017/06/17. الرابط على الفهرسة التالية: https://www.dgcs.gov.lb/ContentFiles/98FilePath4.pdf .
48. سبينوزا (باروخ)، **علم الأخلاق**، ترجمة جلال الدين سعيد، مراجعة جورج كتورة، الطبعة الأولى، المنظمة العربية للترجمة ،بيروت-لبنان، عام 2009م.
49. اسبينوزا (باروخ)، **رسالة في اللاهوت والسياسة**، ترجمة وتقديم حسن حنفي، مراجعة فؤاد زكريا، الطبعة الأولى، دار التنوير للطباعة والنشر والتوزيع، عام 2005م.
50. الموقع الرسمي ل "المدن". الفهرسة على الرابط التالي: www.almodon.com .
51. الموقع الرسمي لقناة الأخبار. الفهرسة على الرابط التالي: www.al-akhbar.com .
52. الموقع الرسمي ل المفكرة القانونية. الفهرسة على الرابط التالي: https://legal-agenda.com/ .
53. الموقع الرسمي ل المفكرة القانونية باللغة الانكليزية. الفهرسة على الرابط التالي: www.english.legal-agenda.com .