The Fragile Balance in Lebanon: Domestic Tension and Foreign Pressure

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Since the beginning of 2011, the Lebanese have been experiencing one event after another combining domestic tensions and outside pressure. Against a background of heightened political crisis with regard to the Special Tribunal for Lebanon (STL)[1] leading to the suspension of meetings of the Council of Ministers and the Committee for National Dialogue,[2] eleven ministers resigned on 12 January 2011, thus causing the collapse of the "national unity government" presided by Saad Hariri.[3] On 24 January 2011, following the obligatory parliamentary consultations led by the President of the Republic for the appointment of a new Prime Minister, Najib Mikati was entrusted with forming a new cabinet, thus indicating a change involving the political majority emerging from the 2009 legislative elections.[4] It was not until 13 June 2011, after 145 days of negotiations, that this businessman from the Lebanese city of Tripoli, who had entered the political arena over the course of the past decade as an independent Sunni, succeeded in forming his cabinet. Composed of thirty ministers all belonging to the new "political majority," he thus broke with the principle of

national unity government after the 14 March Coalition refused to participate in the future government. This governmental composition has put many Western diplomats and policymakers on their guard: the new government should not renege on Lebanon's international engagements, in particular those concerning the STL and Resolution 1701, as well as the United Nations Interim Force (UNIFIL) in southern Lebanon, a target of several attacks over the past few months. During this long period of domestic negotiation, Arab regimes fell under pressure from protesters and a revolt broke out in Syria whose first repercussions were felt directly on the Lebanese arena as of mid-March 2011.

In this context, everything led to believe that this new government, considered that of the 8 March Coalition and an ally of the Syrian regime, was about to collapse under the effect of the Syrian crisis and its direct projection onto Lebanon's confessional territories. But it is clear today that the government succeeded in handling the situation, creating an unprecedented regional configuration that places Lebanon, both politically and socially, before challenges of a new order.

This article will analyse recent events[5] on the Lebanese political stage through the prism of these external challenges. It emphasises the resilience of the major trends of the Lebanese political system in the

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[1] The aim of this tribunal is to try the assassins of former Prime Minister Rafiq Hariri and the crimes of the same nature occurring as a consequence. Since its establishment in May 2007 by the United Nations Security Council, this tribunal has been a source of major political rift in Lebanon.

[2] The matter of developing a national defence strategy is one of the main subjects of discord among the top political leaders, who have been discussing it since 2008 within the framework of a National Dialogue Committee, under the aegis of the President of the Republic.

[3] The resigning ministers all belonged to the 8 March Coalition: they caused the government to collapse because, according to the constitution, if over a third of its members designated by its constituting decree are no longer in office, the government is considered as having resigned.

[4] The last legislative elections, which took place in 2009, witnessed arduous competition between the two political coalitions. The 14 March Coalition, multi-denominational and primarily dominated by the Future Movement (Sunni), the Lebanese Forces (Maronite) and the Progressive Socialist Party (Druze), won the elections over the 8 March Coalition, multi-denominational and primarily dominated by Hezbollah (Shiite), the Amal Movement (Shiite) and the Free Patriotic Movement (Maronite). The Progressive Socialist Party and Sunni politicians from Tripoli (Najib Mikati, Mohammad Safadi, Ahmad Karami), who had been members of the 14 March Coalition, went over to the 8 March Coalition in 2011 to constitute a new political majority and form the government.

[5] At the time of writing: April 2012.

face of the following concomitant factors: aggravated political polarisation, the repercussions of the Syrian revolt on the domestic stage and Lebanese mobilisations to "overthrow the sectarian regime." Though an analysis of these events ultimately shows that the internal role or function of the Lebanese sectarian political system and its mode of consensual government are still valid, for the ensemble of Lebanese actors and their regional and international sponsors, it nevertheless reveals the limits of this system insofar as a model for managing pluralism in highly diverse South Mediterranean societies.

Majority Government and Consensual Governance

Though the composition of the government in 2011 showed a change insofar as the balance of power, i.e. a governing majority and an opposition minority, the exercise of executive power and the main decisions taken since then reconfirm certain structuring factors of power that prevailed well before the application of the 1990 Ta'if reforms. On the one hand, they demonstrate that the spirit of consensus is essential for any form of government in Lebanon, whether it be of the majority or national unity type. On the other hand, they emphasise the polycentric nature of power when state institutions do not have the monopoly over the legitimate political order and decision-making. Indeed, in the name of the constitutional principle of "living together," Article 65 of the Ta'if Constitution designates fourteen basic national issues requiring the approval of two thirds of the members of the Council of Ministers in order to be adopted. This veto or blocking minority principle serves, in consensual democracies, to eliminate the risk that a majority segment be de facto marginalised or excluded from decision-making. Under Syrian control between 1990 and 2005, one or another of the three Lebanese Presidents (of the Republic, of Parliament and of the Council), were alternately granted or prohibited the right to veto by the Syrian regime, while a blocking third or blocking minority was prevented from forming in the Council of Ministers or Parliament. In so doing, Syria assumed the role of arbiter and gained the last word on all impor-

tant decisions with the aim of serving its own interests. After the withdrawal of the Syrian army from Lebanon in April 2005 and until January 2011, the competition and the tension between the parties revolved around the principle of a blocking minority in the Council of Ministers as a guarantee to the Parliamentary minority. Thus, all governments constituted during this period respected the principle of "national unity government," linking the "majority" with the "opposition" in the Council of Ministers.

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Although Prime Minister Mikati's "majority government" does not respect the principle of a "blocking third" and granting of seats to the opposition, his administration has, however, reinstated the power of the right to veto, thus returning to the consensual mode of governance, which, in the exercise of power, takes into account the interests of all groups in Parliament. All the decisions and measures taken by the Mikati administration to the present attest to this, for they take into account the interests of the different segments and forces active in Lebanese society. They also respect Lebanon's international commitments and the will of the "major international decision-makers" insofar as the strategic choices to be adopted by Lebanese actors, whether they be geographically close (Syria, Saudi Arabia, Iran, Qatar, etc.) or farther away (the United States, France, the United Nations, etc.). Among the main contentious issues dividing the two coalitions – 14 March and 8 March – were the following: the STL and related matters, i.e. false witnesses, the indictment, funding and the renewal of its mandate;[6] the issue of the public expenditure effected "in an anti-constitutional manner" by the administrations presided by Fouad Siniora (one of the main leaders of the Future Movement and the 14 March Coalition) from 2005 to 2009; the issue of the senior officials considered by

[6] For further information on these matters, cf. Nidal Jurdi, 2011, "Falling Between the Cracks: The Special Tribunal for Lebanon's Jurisdictional Gaps as Obstacles to Achieving Justice and Public Legitimacy," *Journal of International Law and Policy,* University of Californian, Davis. http://jilp.law.ucdavis.edu/issues/Volume%2017.2/Jurdi%20-%20Final%20PDF.pdf

the 8 March Coalition as working for the Future Movement and the 14 March Coalition; the matter of the national defence strategy and the fate of the Hezbollah weapons. None of these issues has been settled by this administration in a manner detrimental to the interests of either of the two political poles:

- In the absence of agreement between the two antagonistic poles on the issue to be placed on the agenda of the National Dialogue Committee – the national defence strategy for the 14 March Coalition vs. the issue of the "false witnesses" for the 8 March Coalition –, this committee's work was simply suspended in November 2010 and indefinitely postponed.
- Concerning the STL, the indictment was made public in late July 2011, charging four members of Hezbollah. The suspects have not been arrested, since at this point they cannot be found, and no further conflict relating to this matter has arisen between the Shiites and the Sunnis in Lebanon.
- Faced with the 8 March Coalition's refusal to allow the Council of Ministers to authorise the government to pay its part in funding the STL for 2011 (to the sum of 32 million dollars), an extra-governmental compromise was reached, saving face for all parties. At the end of November 2011, Prime Minister Mikati declared that Lebanon had paid the amount of its contribution to the STL from the funds of the High Relief Commission, an organism attached to his office.[7] Thus Lebanon honoured its international commitments as well as its commitments to its own (Sunni) community and its electorate. The 8 March Coalition did not have to yield, and the 14 March Coalition considers its interests protected and the State of Lebanon's commitment to the STL confirmed.
- Despite the exacerbation of political debate with the expiration of the STL mandate in March 2012, the latter was finally extended for three years, according to internal United Nations procedures, with no jolts on the domestic political scene.
- The two other contentious issues, that of the senior officials and that of public expenditure between 2005 and 2009, were also handled

along the lines of consensual compromise. The government led by the 8 March Coalition neither dismissed nor tried anyone: the officials are still in office, and bills of law are being discussed in order to find a constitutional solution to the "anti-constitutional" expenditure of preceding administrations led by the Future Movement.

This form of government is thus above all grounded in the management of successive crises through extra-institutional compromise and the search for a lowest common denominator and far from the establishment of new public policies. Beyond certain temporary aspects, it represents a return to the main characteristics of the Lebanese consociational system. Whether they are in the ruling party or the opposition, community leaders still have the power to veto major decisions. This form of governance, which has been progressively established since 2005 – after the withdrawal of the Syrian army, the return from exile of General Michel Aoun and the release of Samir Geagea, leader of Lebanese Forces, from prison –, is being consolidated today through the exercise of majority government.

Lebanon in the Face of the Syrian Revolt: Dissociation or Dislocation?

The Lebanese government's reaction to the Syrian crisis can also be deciphered according to the same analytical framework, with two original elements worthy of discussion.

The first element is illustrated through the development of a new concept called "dissociation," applied by Lebanese policymakers in regional and international forums with regard to the Syrian crisis. This concept overrides the concepts and notions in use at earlier times to qualify Lebanese foreign policy: "neutrality" during the pre-war period, "concomitance of the respective Lebanese and Syrian processes and their common destiny" under Syrian control from 1990 to 2005, and "positive neutrality" as of 2005. The concept of "dissociation" consists in abstaining from voting in certain regional or international authorities in which Lebanon participates in decision-making. Abstaining allows Lebanon not to block the vote,

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[7] Several days later, in mid-December 2011, it turned out that it was the Association of Banks in Lebanon, a private organisation, that transferred to the government the sum paid to the STL from the High Relief Commission funds.

especially when, according to certain regulations, taking a decision is conditioned by the absence of any votes against it. "Dissociation" was adopted by Lebanon six times: twice with regard to Iran at the United Nations Security Council, to which Lebanon was elected a non-permanent member, between 2010 and 2011 (in June 2010, for instance, Lebanon abstained from voting on Resolution 1929 to impose new sanctions on Iran), and four times with regard to Syria, at the UN Security Council (in August 2011, regarding the presidential declaration on Syria, and 4 October 2011, during the vote on a draft resolution condemning the violence and repression in Syria) and at the Arab League (in January 2012, for instance, regarding the plan for transfer of power in Syria proposed by the League).

In light of these two elements – i.e. dissociation with and delimitation of the conflict – and through its consensual form of governance, Lebanon has succeeded, though within certain limits and on the short term, in not importing the Syrian crisis in its violent dimension

The second element appears in the capacity of the two political coalitions to establish an implicit threshold, not to be crossed in their support to the regime or to the opposition in Syria, and to respect it, despite certain episodic security slips, with the aim of preventing the conflict's generalisation on the domestic scene. Since March 2011, Lebanon has been living to the rhythm of demonstrations and counter-demonstrations, for or against the Syrian regime. Though demonstrations have taken place in a non-violent manner, violent, bloody clashes fuelled by the Syrian crisis did occur twice in the Lebanese city of Tripoli: in July 2011 and in February 2012, between the Bab al-Tebbaneh district, of primarily Sunni composition, and the Jabal Mohsen district, primarily Alawi. The Lebanese army managed to contain these confrontations and prevent the conflict from propagating beyond this terrain of "multidimensional geography,"[8] which is but a microcosm of the national political geography.

Governmental policy regarding the Syrian problem has the support of the highest Christian and Muslim religious authorities. The new Patriarch of the Maronite Church, Bechara Rai, elected on 15 March 2011, is concerned about a confessional tendency emerging in popular uprisings in Arab Countries, above all in Syria, and its impact on the fate of Eastern Christian minorities. Patriarch Rai has not ceased repeating this position, which is in the spirit of the Synod dedicated by the Vatican to the situation of Eastern Christians held in October 2010, on his numerous visits abroad and before Western and Arab Heads of State. The same approach has characterised the discourse at the different Islamic-Christian summits taking place in Lebanon (on 12 May 2011 and 15 March 2012), which have rejected violence and appealed to dialogue and the peaceful coexistence of the different communities, abstaining from openly taking sides in the conflict underway in Syria. These declarations do not quite manage to eclipse the criticism made by a number of Lebanese Sunni religious dignitaries against the Bashar el-Assad regime and Lebanese government policy.[9] In fact, the near majority of protests taking place in Lebanon against the Syrian regime are led by sheikhs and take place on the esplanades of mosques, especially in the coastal Sunni cities of Tripoli and Sidon. That said, the position of the religious establishment, whether Christian or Muslim, is one of considerable support to the policy followed by the Najib Mikati administration, offering him a sort of "legitimisation" that he uses to strengthen his position on the domestic and, above all, the international arenas.

The idea endorsed by the Lebanese government of keeping the country isolated from events in Syria has

[8] These two neighbourhoods, among the poorest in Lebanon, have been experiencing conflicts since at least 1983, consisting of a combination of sectarian and political conflicts. Today it is one of the areas where there is confrontation between the Future Movement and Hezbollah.

[9] Such as the virulent Sheikh Ahmad el-Assir, who organises meetings and protests in different regions of Lebanon, one of which in downtown Beirut on 4 March 2012. His criticism is not limited to the Syrian regime; he also attacks Hezbollah and its secretary general, Hassan Nasrallah. This sheikh has made rivers of ink flow in Lebanon, and the press wonder "how, at 44 years of age, this imam of a small mosque, from the suburbs of Sidon, has become the Lebanese symbol of the triumphant Islamism of the Arab revolutions?" cf. www.magazine.com.lb/index.asp?ArrowIndex =0&HId=&HIssueNum=2835&Category=1&DescId=10524&DescFlag=1.

progressively gained ground among some of the "major external decision-makers."[10] Thus, the repeated pressure exerted on the Lebanese government at the start of the crisis by certain ambassadors and Western and Arab emissaries for it to condemn the Bashar el-Assad regime, apply the different sanctions imposed on the latter, and organise Syrian refugee camps on Lebanese territory and humanitarian corridors, have lost their virulence today.[11] This has resulted, for instance, in the Lebanese government's applying the international financial sanctions established against Syria following a firm request by the United States to the Lebanese political and financial authorities in late March 2012, during the visit of the US Treasury Under Secretary, David S. Cohen. Nonetheless, Lebanon maintains a considerable margin in the application of economic and commercial sanctions, for matters of the very survival of the Lebanese economy, closely tied to that of Syria. It should be noted that the situation is very fragile in Lebanon and financial sanctions are a source of concern, as the Lebanese economy mainly relies on the banking sector for its survival. Moreover, with regard to the matter of refugees, the government has decided not to take them officially under their care, leaving the matter in the hands of the UN organisations working in Lebanon or Sunni religious organisations with ties to the Future Movement. Along the same lines, it refuses to create humanitarian corridors and to allow the use of Lebanese airports. At the same time, at the Syrian government's request, the Lebanese government is deploying its army along the entire northern border to stop the arms traffic and the circulation of combatants between the two countries.[12] Ironically, beginning in 2004, it had been the Syrian regime that had refused the demarcation of this northern border of Lebanon and the reinforcement of border guard posts in the region.

In light of these two elements – i.e. dissociation with and delimitation of the conflict – and through its consensual form of governance, Lebanon has succeeded, though within certain limits and on the short term, in not importing the Syrian crisis in its violent dimension, despite the density and complexity of Syrian-Lebanese relations. Managing to prevent such conflict in a country where, throughout its history, sectarian community segments have developed their own foreign policy and have always served as the cogwheels in all sorts of regional conflicts, is a major challenge. The policy of dissociation is the result of an implicit political consensus among the top Lebanese policymakers, representing the whole of the Lebanese political spectrum.[13] Likewise, it is well known that the Lebanese army's capacity to intervene in a decisive manner in certain types of conflicts in Lebanon does not only depend on its repressive force but also on accords between the top Lebanese and "external" policymakers. This policy has allowed the different Lebanese parties to express themselves and position themselves freely regarding the Syrian crisis without their stances committing the government.

In an unprecedented development, Lebanon has managed to define a political line of its own based on national interest regarding a foreign policy issue without it being entirely dictated by a dominant foreign actor or by international resolutions

This allows Hezbollah a great margin for manoeuvring, such that it can use its strategic alliance with the Syrian regime and maintain its privileged ties, as it does the 14 March Coalition, such that

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[10] After Prime Minister Mikati's trip to Paris in February 2012, French diplomacy affirmed its support for Lebanese government policy "aiming to keep the country apart from events in Syria," cf. www.lorientlejour.com/category/Liban/article/744928/Paris_soutient_la_ligne_politique_de_Mikati_a_l'egard_des_evenements_en_Syrie.html.

[11] British Minister of Foreign Affairs William Hague expressed the same thought when he welcomed "the wise policy of the Lebanese government, which has helped consolidate stability in Lebanon," cf. www.lorientlejour.com/category/Liban/article/754019/Mikati_evoque_la_situation_locale__et_regionale_avec_William_Hague.html.

[12] Despite the presence of the Lebanese army, there have been many casualties on the Lebanese side of the border due to fire from the Syrian army, among them Lebanese soldiers and Syrian and Lebanese civilians, including journalists.

[13] The three main figures behind the dissociation policy are Ambassador Nawaf Salam, Representative of Lebanon to the UN and with ties to the 14 March Coalition; Prime Minister Mikati, who seeks to play the role of centrist arbiter; and current Foreign Affairs Minister Adnan Mansour, with ties to the Amal Movement and Hezbollah and former Lebanese Ambassador to Iran.

it can openly proclaim full alliance with the Syrian opposition.

In an unprecedented development, Lebanon has managed to define a political line of its own based on national interest regarding a foreign policy issue without it being entirely dictated by a dominant foreign actor or by international resolutions.[14] Are these the premises for a national foreign policy that are paradoxically germinating through Lebanon's approach to the crisis in Syria, the country that subordinated it throughout the two countries' shared history, the elements constituting the Lebanese State, political sovereignty, territorial integrity and the monopoly of violence? Or perhaps these are but elementary mechanisms of survival and self-protection that will rapidly dissolve the moment Syria slips into civil war?

Aborted Mobilisations and the Survival of the System

In the atmosphere of the Arab Spring and popular uprisings, Lebanese youth summoned people through Facebook to a protest "to overthrow the sectarian regime" on Sunday, 27 February 2011. Individuals and civil society organisations responded to the call, some 2,500 people gathering to demonstrate in the streets of Beirut, chanting slogans against the sectarian regime, corruption and clientelism. These protests multiplied from one Sunday to the next in Beirut and other areas. The height was reached on 20 March 2011 in Beirut, with approximately 25,000 protesters, before the mobilisation ran out of steam under the weight of various constraints, but above all due to the society's major segmentation and the rigidity of political polarisation. The divisions in internal politics quickly spread to the protest movement, with political parties transferring their conflicts to the demonstrators and their slogans and placards. The outbreak of the Syrian revolt was another element of discord among protesters which they were unable to overcome. All of these factors weighed down the protest, which collapsed before reaching the steps of Parliament at Nejmeh Square because the square had been cut off by order of Speaker of Parliament Nabih Berry, who, by the way, continually demands the system's secularisation, or "deconfessionalisation."

To what extent could this system – with its endemic crises, where the idea of "national," "civil" and "individual" citizenship is sacrificed to the benefit of confessional communities and their representatives – serve as a model for managing the diversity of the South Mediterranean's plural societies?

Indeed, in the face of such challenges, potentially undermining the system's structuring framework, all the dominant confessional community elites have united, going beyond their differences to protect the foundations that ensure their control over all aspects of the country's political, social and economic life. Since the end of the war in 1990, these elites have thus succeeded in blocking all structural reforms, such as those relating to the electoral system, decentralisation, the right of Lebanese women to grant their nationality to their children, a transitional justice system and the fate of the disappeared during the war, the fiscal system, salaries, the health and education systems, etc. The Lebanese political system consists of sharing the power and major functions of the State among the confessional elites, and entirely entrusting confessional community institutions with managing personal status (marriage, divorce, inheritance, etc.). To what extent could this system – with its endemic crises, where the idea of "national," "civil" and "individual" citizenship is sacrificed to the benefit of confessional communities and their representatives – serve as a model for managing the diversity of the South Mediterranean's plural societies?

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[14] This is the case, for instance, with UN Resolution 1559 (September 2004) proposed by France and the United States, which makes declarations and demands, not only regarding Lebanese security and political affairs, but also on certain aspects of the country's foreign policy. Cf. http://globaladvocacy.com/resolution_onu_1559.html