

A Quarter Century of “Transitory Power Sharing.” Lebanon’s Unfulfilled Ta’if Accord of 1989 Revisited

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On 22 October 1989, Lebanon’s parliamentarians signed a peace accord in the Saudi Arabian city of Ta’if that helped end the country’s long-lasting civil war (1975–1990) by restoring a power-sharing arrangement between its eighteen religious communities. However, as the distribution of power, political posts, and status based on religious affiliation was highly contested after sixteen years of sectarian warfare, the parliamentarians also promised to “abolish political sectarianism” using a staged plan.

This paper investigates the Ta’if Accord and the related constitutional amendments of 1990 as a crucial case study of a transitory power-sharing arrangement that ranges from consociational to centripetal and finally integrationist institutions. A quarter century later, this plan has yet to be implemented; a sectarian mentality and sectarian power divisions are still affecting political opinion and paralyzing state authority. This article investigates the external and internal reasons for this failed transition. In its conclusion, it derives some general lessons from Ta’if for managing conflicts in deeply divided societies.

Introduction: The Ta’if Accord Revisited

The Ta’if Accord of 1989 has a mixed record: it helped end the Lebanese Civil War and restore state authority; however, it was incapable of creating a stable modern state. Most of the civil war militias were successfully disarmed and the Lebanese army reunited, but some of the actors remained armed; and the Israeli occupation of the security zone in South Lebanon as well as Syrian tutelage continued for more than a decade. Ta’if provided for a reformed

allotment of power among the confessional communities,¹ yet Shi'i Muslims were dissatisfied with their persistent underrepresentation, while Christians lamented their loss of power. The accord promised to abolish "political **sectarianism**"; however, it actually fixed constitutionally what had only been verbally agreed upon before: quotas for communal representation in parliament and the top positions of the state. There is controversy as to whether it really did provide a deliberate institutional design or whether it was just a cacophony of instruments.

In the academic literature, the Ta'if Accord of 22 October 1989 and the constitutional amendments of 21 September 1990 that were largely adopted from the accord are mostly analyzed as following the consociational model of power sharing.² In this article, however, I provide a complementary reading and suggest that both of these documents proposed a staged transition between different approaches to how to best govern a deeply divided society: First, an adapted version of consociational guarantees was supposed to end the civil war and to restore the state by providing community leaders with fixed shares of power. This should have *translated* existing cleavages between ethnic-sectarian groups into formal institutions. Second, institutions following the centripetal logic of power sharing intended to incentivize cross-sectarian cooperation and thus *aggregate* members of different groups and *dilute* their sectarian cleavages.³ The final goal was to abolish "political sectarianism" by creating a modern civil state that provided equal rights for its citizens

irrespective of descent and community affiliation. This step followed the integrationist approach of *neglecting* ethnic-sectarian cleavages.

Consociationalism, centripetalism, and integrationism are the three main paradigms for how to best manage deeply divided societies discussed in the academic literature (Section 1). In Section 2, I introduce Lebanon's defective consociational power-sharing experience in the run-up to the civil war and the negotiations of Ta'if to end the war. Section 3 discusses the institutions and regulations illustrative of Ta'if and the constitutional amendments that follow the three paradigms of consociationalism, centripetalism, and integrationism. In combination, they could have created a transitory dynamic and gradually overcome communal cleavages. However, due to various internal and external factors this dynamic failed to unfold (Section 4). Nevertheless, it is worth revisiting the Ta'if Accord as a core case study for the power-sharing debate about how to best manage the transition from "sticky" consociational guarantees to intercommunal cooperation and the establishment of a modern civil state (Section 5).

1. Power Sharing in Deeply Divided Societies

There are several approaches to managing and diluting ethnic-sectarian cleavages⁴ that are intended to help address the dilemma of democracy in deeply divided societies: the demand for fair democratic participation for all citizens on the one hand, and the fear of certain communities being overruled and excluded by majority rule on the other.

Consociational democracy *manages* existing divisions by guaranteeing the participation and fair representation of all groups through proportional representation, grand coalitions of all major communities, veto power for minorities, and cultural autonomy.⁵ Thus, it integrates the representatives of rival groups into a common state order that might otherwise refuse to cooperate with each other. Based on the experience of small stable democracies in central Europe such as Austria, the Netherlands, and Switzerland, consociationalism has become a widespread model of conflict resolution for post-conflict settings in deeply divided societies since the 1990s, especially in countries of the global South.⁶

However, consociationalism has also drawn widespread criticism because it often causes political immobility. Furthermore, power distribution based on primordial identities risks strengthening exactly those social bonds and cleavages that originally aggravated or even caused the previous conflict.⁷ In the medium and long term, consociationalism's regulations tend to freeze social fragmentation between those segmental groups who primarily integrate as patron-client networks. Furthermore, a shift in demographic distribution due to different birth and emigration rates easily upsets the proportional distribution between the communities, and the relative deprivation of one community compared to another is a common complaint. Finally, ethnocentric staffing causes well-educated professional elites who do not get a fair chance to leave the country.

Donald Horowitz offers a different power-sharing approach, centripetalism. As consociational theory does, he acknowledges the relevance of deep divisions between ethnic-sectarian identity groups, stating that it is “both fruitless and undesirable to attempt to abolish ethnic affiliations.”⁸ However, he draws different conclusions. Instead of strengthening intracommunal solidarity, his model intends to limit the impact of binary ethnic-sectarian cleavages by aggregating social entities– for example, through vote-pooling. Centripetalism holds that “the best way to manage democracy in divided societies is not to replicate existing ethnic divisions in the legislature and other representative organs, but rather to put in place institutional incentives for cross-ethnic behavior in order to encourage accommodation between rival groups.”⁹

Contrary to both consociationalism and centripetalism, integrationist models intend to either *neglect* or even *block* expressions of particular identities from politics – mostly by overpowering cultural divisions with a strong, unitary national identity.¹⁰ According to this logic, a neutral state should neither address ethnicity nor grant specific rights to communities because this would strengthen subnational identities and reinforce societal fragmentation. Instead of collective cultural privileges, it provides equal rights and duties for all citizens irrespective of descent and creed. In its most rigid form, Jacobinism, it even enforces assimilation to a single national culture.¹¹ Such an integrationist approach assumes that neither guarantees (as in consociationalism) nor incentives (as in

centripetalism) are required for the fair participation of all citizens. However, the ideology of secular nationalism often has been misused by autocracies in the Middle East to hide a single community's rule – for instance, Sunni Arabism in Iraq under Saddam Hussein or 'Alawite dominated Ba'athism under the Asads in Syria.

In deeply divided, post-conflict societies consociational guarantees are often introduced as a quick fix to help end a civil war and to bring the antagonists back to cooperation. However, in the long run they should be combined with and gradually substituted by more integrative institutions.¹² Horowitz asserts that such a transitory dynamic is still a desideratum in power-sharing theory and practice: "Most agree that consociational institutions, once established, are sticky. The wish for a possibility of a transition away from them has often been expressed, but no one has yet specified the location of the exit."¹³ The following analysis of the Ta'if Accord tries to uncover some potential steps towards such an exit.

2. Lebanon's Power Sharing Before and After Ta'if

From "Switzerland of the Middle East" to "Lebanonization"

The Middle East comprises a great variety of ethnic, sectarian, tribal, and regional parochial identities. There is great potential for conflict escalation between these groups because their members may stylize their communal identities and interests as parochial antagonism instead of regarding them as negotiable dissent or adjustable

inequalities of distribution. Often the members of the political and military elite come from the same community and discriminate against members of other communities.

In modern Lebanon, in contrast, a single community has never monopolized power. Religious communities self-confidently represent their creeds, historiographical narratives, and political convictions.¹⁴ Until the early 1970s, Lebanon was often idealized as the “Switzerland of the Middle East.”

However, “political sectarianism” (*al-ṭāʿifiyyaal-siyāsiyya*) also caused the politicization of religious identities, the fragmentation of society, and the weakening of the state.¹⁵ With the outbreak of civil war, the country descended into a nightmare of internecine violence for which “Lebanonization” became the neologism. Numerous external actors intervened via local deputies or with their own troops and exploited the country as a playground for their proxy wars. Even after the cessation of hostilities and the restoration of state functions in 1990, Lebanon’s shattered disorder –with sectarian leaders and parties bickering for power and resources, frequent political deadlock, and a high level of political violence – offered a wretched image of democracy. Until the outbreak of the Arab Spring, the unique Lebanese experience offered convincing proof for the neighboring monarchical and republican autocracies that it might be worth abstaining from “too much of freedom” for the sake of political stability.

Defective Consociationalism until 1989

Since the mid-19th century, Lebanon has been a testing ground for power sharing and has been considered a model case of consociational democracy.¹⁶ Elements of consociationalism were laid out in the 1926 constitution as well as in the verbal National Pact of 1943. Ethnic-sectarian communities were to be represented in parliament, government, and leading public offices in supposed proportion to their demographic distribution. The president was to be a Maronite Christian, the prime minister a Sunni Muslim, and the president of parliament a Shi'i Muslim. Representatives of all major communities were to participate in grand coalition governments. Furthermore, the religious communities should (and did) embrace far-reaching cultural autonomy with their own institutions for education, charity, family law and conflict mediation. This enabled a degree of political participation, empathy for religious coexistence, and a democratic culture unique in the Arab world.

However, the consociational arrangement also showed some substantial defects. It raised an expectation of fair participation for all communities that it did not fulfill: The distribution of parliamentary seats and the staffing of the state administration were not seriously attuned to demographic change, resulting in imbalances in the distribution of power. By the 1960s, the representation of Christians in parliament and leading state offices versus Muslims at a ratio of 6:5 – based on the contentious last official census of 1932¹⁷ – was long outdated due to a higher birthrate among Muslims and the more

frequent emigration of Christians.¹⁸ Presidentialism privileged the Maronite head of state relative to the Sunni prime minister and the Shi'ipresident of parliament – not to mention the smaller communities that did not hold any decision-making positions. Therefore, the Maronite president or a Maronite-Sunni duumvirate could easily overrule the other communities. Furthermore, weak state institutions compelled people to rely on sectarian patron-client networks for services; this undermined state authority and prevented the formation of a common national identity.

A lack of institutionalized veto power caused oppositional forces to use extra-legal obstruction to press for their demands. As a result of their insufficient political representation and influence, in the years before the outbreak of civil war members of the marginalized communities, especially the Shi'a, Druze, and Sunni, started joining oppositional left-wing parties and sectarian movements that resorted to bargaining for power outside the rules of the game. Spoiler strategies included the resignation of the prime minister, labor strikes, the occupation of university campuses, street protests, and, finally, the creation of militias.¹⁹

In addition to the defective state structures, external actors also burdened the political order, aggravating domestic political and socioeconomic tensions. Following the historic defeat of the Arab armies in the Six-Day War of 1967, Palestinian militias fighting for the “liberation of Palestine” from their bases on Lebanese soil triggered massive retaliatory and “preventive” airstrikes by Israel against

villages in the south and thus a substantial wave of refugees to the capital. The unresolved issue of 400,000 Palestinian refugees in a country of only three million citizens exacerbated social instability. A rapidly growing belt of misery surrounded Beirut, where Palestinian refugees, Shi'i rural migrants and other disenfranchised elements fed the ranks of revolutionary party-militias. These would later clash with right-wing, predominantly Christian militias defending the status quo.²⁰

Consociationalism was over-stretched by this mixture of internal and external conflicts. It was too weak to prevent the outbreak of violence, for which it also bore considerable responsibility. It was freezing sectarian cleavages, and it prevented the development of a modern, inclusive state that most probably would have been able to moderate the conflicts in a more rational and effective manner. The Lebanese Civil War broke out in 1975, mainly due to political quarrels and socioeconomic grievances. Lebanon became the hub of ideological confrontation between different wings of nationalism, socialism, and Islamism and a bone of contention between regional and global powers like Egypt, Iran, Iraq, Israel, Saudi Arabia, Syria, and the United States. The fighting continually degenerated into warfare between militias and warlords that primarily followed ethnic-sectarian divisions. By the late 1980s, the remaining symbols of state sovereignty – namely, the prime minister, the government, the parliament, and the army – were disintegrating and threatening to collapse.

The Negotiations of Ta'if

After fifteen years of civil war, Lebanese politicians and warlords eventually realized that they would destroy far more through the continuation of hostilities than they could ever gain by a possible military victory at an unforeseeable point in the future.²¹ This “self-negating prophecy,” described by consociational theorist Arend Lijphart as “the realization that further escalation of a conflict will result in mutually damaging outcomes,”²² was reflected in the famous Lebanese formula of “no victor and no vanquished” (*lāghālib, lāmaghlūb*), which had been coined at the end of the civil war of 1958 and was revitalized in 1989/1990. An Arab League (AL) initiative for a negotiated end to the violence finally bore fruit, and on 23 May 1989, the Arab Summit Conference in Casablanca appointed Saudi Arabia, Morocco, and Algeria to help reach a comprehensive agreement. Under the AL deputy secretary-general, the Algerian Lakhdar Brahimi, this Troika drafted a national reconciliation document. At the same time, the president of the Lebanese parliament, Hussein al-Husseini, prepared another draft that he had negotiated with Lebanese politicians and religious leaders.²³ The latter version became the blueprint for the Ta'if Accord.²⁴

On 30 September 1989, sixty-two of the seventy-three surviving (there had formerly been ninety-nine) Lebanese parliamentarians elected in 1972 assembled in the Saudi mountain resort of Ta'if; eight were unable to participate for health-related reasons, and three refused to participate for political reasons. On 22

October, after twenty-three days of tough negotiations, sixty of them signed the Lebanese Document of National Accord (*Wathīqatal-Wifāqal-Waṭanī al-Lubnānī*).²⁵ Known as “the Ta’if Accord,” the document contained a revised power-sharing formula that – after another year of internal fighting – helped end the civil war in October 1990. In September 1990 most of the regulations were integrated into the revised constitution that became the basis of Lebanon’s Second Republic.²⁶

The warlords, the factual rulers of the country, were excluded from both drafting the blueprint and the negotiations in Ta’if. Nevertheless, they were kept informed by participating parliamentarians and indirectly influenced its outcome,²⁷ because in the end they had to be convinced to lay down their arms. Some of the warlords later took on posts as ministers and obtained guaranteed shares of state power that none of them had been able to acquire in wartime. The Syrian regime of Hafiz al-Asad – the other power on the ground in Lebanon, with a strong military and political presence – was also excluded physically from the negotiations, though it was an invisible participant. Syria fixed its control over Lebanon from the start by enforcing some substantial amendments to the Accord.²⁸ In the Treaty of Brotherhood and Cooperation of 22 May 1991 and with seventeen additional bilateral contracts, it further expanded its tutelage over Lebanon.²⁹

3. The Different Power-Sharing Paradigms of the Ta'if Accord

Ta'if was a unique political experiment that did not follow the standard patterns of policy advice. Instead, the document outlined a set of instruments that roughly followed and combined elements from three different approaches to managing cleavages in multiethnic societies: Following the consociational model, it first proposed to *manage* diversity by preserving fixed quotas of representation for the religious communities. This guaranteed that no community would be overruled and excluded from power. Second, following centripetal reasoning, it intended to *dilute* cleavages by encouraging interethnic cooperation. Finally, Ta'if aimed to abolish political sectarianism and establish a modern, inclusive nation state following integrationism with functionally diversified institutions that performed public-sector staffing and provided access to services regardless of confessional affiliation.

The Consociational Approach: Fixed Shares of Power

The Ta'if Accord and the constitutional amendments of 1990 adopted some consociational provisions from the pre-war order, strengthened others, and weakened and abolished others: Ta'if included the regulation of the National Pact of 1943 that provided the confessional communities with fixed shares of seats in parliament. It even strengthened this regulation by turning the formerly verbal agreement into a constitutional provision. Chapter II.A.5 reads: "Until such time as the parliament enacts an electoral law on a non-

sectarian basis, the distribution of parliamentary seats shall be according to the following principles: (1) Equal representation between Christians and Muslims. (2) Proportional representation among the confessional groups within each of the two religious communities. (3) Proportional representation among geographic regions.” Before this regulation was amended to Article 24 of the constitution in 1990, this same article did not explicitly mention proportional representation. The privileges of the large communities to hold the “three presidencies,” the president of state, the prime minister, and the president of parliament, remained an unwritten gentlemen’s agreement. Furthermore, religious communities maintained their high degree of autonomy in organizing family status and religious schools (Const. Art. 9 and 10), charities, and other cultural spheres.

The two unfulfilled conditions of pre-war consociationalism – proportional representation and vetopower for the various communities – were partly adjusted by Ta’if. First, the controversial claim of proportional representation of all denominational communities was partially dropped in favor of an agreed-upon parity of seats in parliament between Christians and Muslims. Only inside the two religions should they be distributed proportionally among the confessions. In an earlier reform, President Fouad Shihab (who governed 1958 to 1964) had already introduced such a parity distribution (instead of the 6:5 formula) for the cabinet. This allocation was still a concession to Christians, whose share of the population had

dropped well below 40 percent. Second, the two Muslim presidencies were strengthened at the expense of the Maronite president of state, a move that provided the Sunni and Shi'i representatives with more effective (veto) power.³⁰ The president could not dismiss the prime minister anymore, as some presidents had done frequently before 1975.³¹ On the other hand, the 1990 amendments to Article 95, the main stipulation of consociationalism in pre-war Lebanon,³² limited communal staffing and even enacted the gradual abolishment of "political sectarianism."

Centripetal Institutions to Overcome Sectarian Fragmentation

Many Lebanese held sectarianism responsible for the civil war because it had weakened national cohesion and strengthened a parochial mentality. Therefore, the signees of Ta'if developed several institutions and procedures that followed the centripetal paradigm of incentivizing interethnic cooperation – though with little success. A bicameral system with a community-based Senate as an additional representative body was intended to provide religious leaders with a symbolic degree of representation and a certain veto power in essential matters.³³ As a result, the then non-sectarian parliament should have been able to focus more on a national agenda. However, to this day, the Senate has not been implemented.³⁴ Ta'if III.B, in accordance with Article 19, provided for a Constitutional Council (MajlisDusturi) that was "to interpret the constitution, to supervise the constitutionality of laws, and to arbitrate conflicts and contestations

that arise from parliamentary and presidential elections.”This council was established by Law No. 250 in July 1993.³⁵ It should have followed the centripetal paradigm of mediating conflicts and transcending sectarian polarization; however, it was “infected” by consociational logic because it was staffed based on sectarian considerations. This blurring of centripetal and consociational powersharing is further demonstrated by two principles of Ta’if which should have helped to gradually overcome sectarianism: the demands for decentralization and a reform of the electoral law.

Decentralization

Consociationalism and centripetalism both foster federalism and decentralization, yet based on different considerations. In consociational theory, the self-government of ethnically homogeneous provinces is intended to guarantee cultural autonomy.³⁶ However, such territorial self-government may actually strengthen ethnic cleavages and have centrifugal effects, and perhaps even lead to secession. During the Lebanese Civil War, sect-based militias established their own territories with local self-rule through security agencies, media outlets, and educational and charity institutions.³⁷ Given the weakness of state institutions, many of them continued to exist in the post-war period. Parties-turned-militias – the Maronite Lebanese Forces in Mount Lebanon; the Druze Popular Socialist Party in the Shouf; and the Shiite Amal movement and Hizbullah in South Lebanon, the Bekaa Valley, and the southern suburbs of Beirut– as well

as new parties such as the Sunni Future Movement still dominate semi-autonomous territorial entities.³⁸

Centripetalism dismisses such homogeneous enclaves in which territorial and ethnic-sectarian cleavages mutually reinforce each other and have centrifugal effects. Instead, it promotes subnational territories that crosscut ethnic boundaries and strengthen regional solidarity vis-à-vis the central state, thereby breaking the primary cleavage of confessionalism through a second level of regional solidarity.³⁹ In addition, heterogeneous provinces may function as an experimentation field for national politics, as they “can foster intergroup cooperation between politicians as a form of political socialization to norms of cooperation before they arrive at the center.”⁴⁰ The Ta’if Accord added a strong centripetal element to the sectarian proportional distribution of parliamentary seats by requesting the division of seats “proportionately between the districts” (Ta’if II.A.5). Such “electoral and territorial engineering” can support multipolar fluidity and enable cross-sectarian regional alliances.⁴¹

The authors of Ta’if also designed a sophisticated measure to overcome regional discrepancies, as pre-war laissez-faire politics had neglected peripheral areas and thus resulted in a strong sentiment of deprivation among some rural communities. The accord specifies, “Culturally, socially, and economically balanced development among the districts (*li-l-manāṭiq*) is a mainstay of the state’s unity and of the system’s stability.”⁴² Section III.E states that

a Socioeconomic Council for Development was to be created “to ensure that representatives of the various sectors participate in drafting the state’s socioeconomic policy by providing advice and proposals.” The objective was to remedy the relative deprivation of certain areas and communities that had contributed to the sectarian framing of discrimination in the run-up to the civil war. However, due to neoliberal maxims, investment and reconstruction in post-war times basically focused on Beirut, in addition to those areas with strong patronage links to the government.

The Electoral Law

In contrast to the grand coalitions of consociational democracy, which are formed between ethnically homogeneous parties after the elections, the centripetal approach encourages participants to form interethnic pre-electoral coalitions.⁴³ Lebanon’s frequently revised electoral law showcases a cacophony of approaches. It connects consociational proportional representation with centripetal vote pooling and a majoritarian first-past-the-post vote. In the rather complex and unique Lebanese electoral system, each voter, irrespective of sectarian affiliation, casts a multisectarian ballot list that reflects the proportional ethnic-sectarian composition of the electorate. Candidates on one list can be swapped with those of others among members of the same community; however, the number of candidates and their sectarian distribution is fixed. Candidates from all lists with the highest turnout for each community win as many seats as are reserved for their community. As

a result, candidates are encouraged to form cross-confessional pre-electoral coalitions in the form of common candidate lists and to moderate their campaigning in order to accumulate votes from different communities instead of focusing on their own community, as is the case in consociationalism. The larger the electorate, the more candidates from various communities are incentivized to cooperate and formulate a common political program, and the less opportunity remains for oligopolistic patrons to form preconfigured electoral lists and to bribe their constituency. In contrast, smaller and more homogeneous electorates harmonize with the consociational logic of cultural and local autonomy as the ethnic entrepreneurs do not need to moderate their campaigning.

Ta'if III.D strengthened the centripetal logic of vote pooling as it replaced the small subdistricts (*qaḍā'*) of the 1960 electoral law with the larger provinces (*muḥāfazāt*). However, gerrymandering and pre-electoral bickering eroded the effectiveness of this measure. While the large size of electorates should have privileged pro-Syrian candidates in the elections from 1992 until 2005, changing calculations led to the return to the "1960 formula" of the small *qaḍā'* electorates in 2009, following the 2008 Doha agreement: After the Syrian retreat of 2005, internal competition between the Lebanese local communal elites increased because there was no Syrian tutelage preconfiguring electoral coalitions anymore. Therefore, communal leaders and confessional entrepreneurs

demand that electorates be made as homogeneous as possible in order to increase their chances.

Abolishing “Political Sectarianism”

Ta’if also proposed rules and ideals for an integrationist unitary state in which sectarian identities should cease to have any relevance in power distribution and staffing. Although Article 95 of the 1926 constitution had maintained political sectarianism only “as a provisional measure ... for the sake of justice and amity,”⁴⁴ the abolition of sectarianism had never been stipulated explicitly until the Ta’if Accord. The new constitution’s Preamble 8, in line with Ta’if II.G, explicates: “The abolition of political sectarianism is a basic national goal and shall be achieved according to a gradual plan.” The first elected post-war parliament was mandated to form a National Council (Hai’a Wataniyya) that would “examine and propose the means to ensure the abolition of sectarianism.”⁴⁵ The goal was to suspend fixed power-distribution quotas and to grant all Lebanese equal rights to attain any post in the state based on “expertise and skills,” as the revised Article 95 of 1990 highlights.

Other Ta’if and constitutional provisions confirm this norm.⁴⁶ They outline regulations and institutions to ensure balanced economic development, information, and conflict resolution, secular education, and non-sectarian citizenship. All of them should have helped to depoliticize confessional identities and foster national unity. Ta’if III.F.5 stipulates a country-wide school curriculum intended to strengthen “national belonging and fusion; spiritual and cultural openness; and

unified textbooks on the subjects of history and national education." Such common textbooks could potentially have helped generate a multiperspective view of Lebanese history and culture instead of the opposing "truths" of parochial narratives. However, two draft versions of the history books that were finalized in 2001 and 2012 caused an uproar among communal representatives, who felt that their own versions of history had been neglected. The books thus went straight to the archives.⁴⁷

Many new regulations and institutions of the accord aimed to create a strong state that would protect its citizens and grant them equal rights; however, they became bogged down in sectarianism. The mention of denomination was removed from Lebanese identity cards (*biṭāqat al-hawiyya*) as a result of Ta'if II.G.b. However, it took another twenty years, until 2009, before individuals had the option of having their sectarian affiliation erased from their registration form (*sijjal-nufūs*).

Table 1 about here

4. A Failed Transition

In this paper, the Lebanese Ta'if Accord is portrayed as a crucial case study of a transitory power-sharing arrangement under which consociational guarantees should have gradually been replaced by centripetal and, finally, integrationist patterns of intercommunal cooperation. However, a combination of external and internal obstacles prevented this sequential dynamic from unfolding. Instead

of fostering cross-sectarian cooperation, most of the institutions resulting from the accord soon fell victim to the zero-sum bargaining of ethnic entrepreneurs. Other institutions that were intended to overcome confessionalism, such as the Senate or the National Council, which was to abolish sectarianism, were not implemented at all.

The negative effects of rigid consociational representation still hold Lebanon captive and hinder the development of a modern state with functionally diversified institutions.⁴⁸ Today Lebanon has a great variety of political parties; yet most of them are mono-confessional in composition and centered on a semi-feudal leadership. The country has a pluralistic, though biased, media landscape, and it hosts competitive, yet manipulated, elections. State institutions provide checks and balances that are often blocked by competing sectarian factions. In this section, I present some of the causes of this failed transition. I then provide some general insights on the flaws of power-sharing arrangements in deeply divided societies.

Considering the conflict-ridden local, regional, and global context of Lebanon from 1989 until today, it is surprising that the country has been able to preserve even a limited degree of democracy. Lebanon is a crucial state in the Middle East conflict: Israel occupied a self-declared security zone in South Lebanon until 2000, still holds some disputed border areas, and regularly breaches the border with its army. Israel's approach has caused several wars – in 1993, 1996, and 2006 – and military escalations, all involving

significant devastation, and provided Hizbullah with an excuse to keep its weapons. Likewise, more than one hundred political assassinations since the end of the civil war, most of them as yet unsolved, and a dozen local battles have made the “peace” a precarious one. The US-led “war on terror” as a result of the attacks of 11 September 2001, the Sunni-Shi‘a divide, the competition for regional power between Iran and Saudi Arabia, the rise of Salafism and Jihadism, and the violent uprising in neighboring Syria since March 2011 have all had a strong impact on the powerstruggle within Lebanon as competing local actors have taken opposing sides in these regional and global conflicts.

Political deadlock, caused by the vetostrategies of communal elites, is a serious risk of consociationalism. A possible solution is externally “imposed power sharing” such as the *PaxSyriana* for Lebanon.⁴⁹ As agreed upon in Ta’if, Syria has helped disarm the Lebanese militias and restore state authority since 1990. However, the role Syria played after the civil war was highly contested. For some, it protected the country from Israeli aggression and from sliding back into civil war. Others maintained that through a divide-and-rule policy Syria was manipulating Lebanon’s politics and undermining its sovereignty. However, competing Lebanese politicians facilitated this tutelage because they were often more concerned with pulling the Syrian arbiter to their side than with seriously negotiating a compromise with their local rivals. Furthermore, they sometimes escalated bargaining in a self-destructive way, well aware that the

guarantor in the background would ultimately prevent the collapse of the state order. Such behavior points to a strong connectivity between external and internal factors, and it contradicts the general wisdom among many Lebanese that they are basically the victims of evil outside forces.

In April 2005, Syria retreated from Lebanon due to massive protests based on the accusation that it was responsible for the assassination of Rafiq al-Hariri on 14 February 2005. Since this “Independence Intifada,” political-sectarian polarization has even increased. After a short, promising period of national dialogue in 2006, the two camps of the 8th of March Movement and the 14th of March Movement kept the country in suspense. The political order experienced serious crises in which the claim of consensual rule was abandoned several times, with the excluded side employing massive protests and extra-legal force to block the other side from imposing its decisions. The most dramatic incident was the near eruption of civil war in May 2008 when the rump cabinet passed far-ranging resolutions against Hizbullah, even though all the Shi’a ministers had already resigned. Hizbullah and allied militias took over West Beirut by force for a few days. Again, external mediation was necessary before an agreement was reached, in Doha (Qatar) on 21 May.⁵⁰

Stakeholders’ practice of bargaining with instruments outside the “rules of the game,” which was, as we have seen, a practice well established before the outbreak of civil war, continued even after 1990: As the majority of Christians rejected Syrian guardianship and

felt deprived by the weakening of their community, most of their parties and political leaders boycotted the post-war elections of 1992 and, to a lesser degree, 1996. In 2001, they formed the core of the extra-parliamentary oppositional Qornet Shahwan Gathering. The Sunni prime minister Rafiq al-Hariri, a tycoon who had made billions in Saudi Arabia and held Saudi citizenship, mixed his significant private fortune and personal relations to the Saudi royal family with political interests. This provided him with the resources to manage a shadow budget and the power to manipulate the decision-making process.⁵¹ Last but not least, the Shi'i Hizbullah, with its non-state "Islamic resistance" approach to the Israeli occupation, disrupted the complex power equilibrium between the communities. Many Lebanese regard Hizbullah (or in sectarian parlance, "the Shi'a") as a shadow power of Iran that dominates and controls the country.

The Ta'if Accord provided a set of instruments that could have brought about a transitory power-sharing arrangement capable of overcoming the fixed quota distribution. However, politicians kept on quarrelling about the agreement's meaning, implementation, and ultimate goal. As Jarstad has demonstrated in general,⁵² once the shares of power are allocated, ethnic entrepreneurs work to stabilize the slices of the cake they have been given instead of risking a transition towards contingent democratic contestation. Lebanese politicians elected due to prearranged quotas had no incentive to delegate their power to new institutions that transcended confessional quotas. In the ones they had created, they staffed their

boards with clients of their own. As in the pre-war period, sectarian entrepreneurs profited from keeping the country in a permanent mode of crisis that mobilized and united their followers and discouraged them from questioning the status quo.⁵³

The mentality of power bargaining between Lebanese politicians prevented the implementation of centripetal institutions that should have helped overcome sectarianism. For example, the positive effect of vote pooling with multiconfessional lists on intersectarian cooperation was undermined by gerrymandering and the decreasing of the size of electorates. The smaller the electoral districts, the easier incumbent confessional elites can trade votes across sectarian lines, a practice which privileges local patrons over national politicians.⁵⁴ Furthermore, Lebanese politicians of different communities have preferred a local formula of vote exchange over the negotiation of a common political program – the latter of which centripetalism aims to foster.

The persistent debate about a substantial electoral law reform is the playground of the unresolved controversy surrounding power distribution in post-war Lebanon. Future reforms could bolster non-religious identities and stakeholders, dividing allegedly homogeneous communities into different interest groups. A possible example is a women's quota in parliament, which was first suggested by the Boutros Commission in 2006.⁵⁵ A similar approach is mentioned in Ta'if III.D, which demands “the sound and efficient political representation of all the people's factions and generations.” Such groupings could

form alliances that help overcome communal encapsulation. Although important reform proposals have been developed,⁵⁶ politicians are still more interested in maintaining their slices of power than in improving the fairness of participation. The sectarian mentality prevents any substantial reform because such reform might shift the complex power equilibrium. This is the same quarrel that shipwrecked the deadline for the parliamentary elections of June 2013 and ultimately led to the postponement – for the first time since the end of the civil war – of elections until November 2014.

5. Conclusion: Beyond the Limits of Ta'if

Lebanon's pre- and post-war experience proves that "power sharing may be appropriate as a transitional, confidence-building mechanism but not as a permanent solution to ethnic conflict management through democratic institutions."⁵⁷ Therefore, a transitory approach that helps to transform corporate consociationalism into a dynamic process of power diffusion is required. The Lebanese Ta'if Accord has been presented as a blueprint for such a transitory power-sharing model. Lebanon's hybrid institutional design offers some insights into the dynamics and pitfalls of such a sequential arrangement. The accord's failure enables us to critically test and revise such an approach and to draw some conclusions well beyond the limits of Ta'if and of Lebanon.

During an ongoing civil war or in a still fragile post-conflict situation, it is most likely that warlords and the representatives of conflicting parties will work to hang onto their power and their spoils.

A “quick-fix” of consociational guarantees may help end the fighting earlier and postpone the fine-tuning of an elaborate agreement until later. The prophylactic listing of several institutions in Ta’if might have offered a toolkit for future reform once confidence building had taken place. In a first stage, the accord restored trust between the communities by providing communal leaders with consociational guarantees of fixed shares of power. It adjusted the pre-war order by introducing an agreed-upon parity instead of the highly contested proportional distribution of power and by strengthening the (veto) power of the Sunni and the Shi’i communities. In a second step, and following the centripetal paradigm, it aimed to gradually decrease the predetermined distribution of power and to motivate trans-sectarian cooperation. Finally, Ta’if strove to abolish the relevance of ethnic-sectarian affiliation from the political, economic, and social spheres and to install an integrative nation state with equal rights for all citizens.

However, the signatories underestimated the need for a clear trajectory and time schedule that would also have been compelling for those politicians who were elected later and did not participate in drafting the accord. Because of the delay in implementation, the more competitive centripetal elements that should have fostered trans-communal cooperation fell victim to sectarian bargaining between ethnic entrepreneurs. Instead of an emerging transitional dynamic, Lebanon became stuck in a cacophony of competing and contradictory institutions, which were often hijacked by strong

personalities and sectarian elites. The ethnic entrepreneurs who have profited from fixed shares have had no interest in abandoning them. Instead, they have trapped their followers in a cautious, self-defensive siege mentality in order to avoid any change. An overload of external conflicts has aggravated this mentality. The accord's final target, abolishing the acquisition of power, posts and status due to sectarian affiliation, has so far remained an illusory utopia.

In spite of all these faults and even after a quarter century of unfulfilled transition, there are still strong arguments for revisiting the Ta'if Accord. Most Lebanese politicians agree on the need for fundamental reforms to overcome the current political impasse, even though their diagnoses of the causes and remedies differ tremendously. Therefore, it might be easier to start from the common ground of Ta'if than to go back to the beginning. The accord contains several valuable institutions and regulations that could be used to reform the political order without changing the entire constitution: the introduction of bicameralism, larger electorates that crosscut ethnic-sectarian lines, administrative decentralization, the establishment of functionally diversified institutions, and common schoolbooks are just some of the options mentioned in the Ta'if Accord.

Furthermore, Ta'if still resonates positively with many Lebanese as the national agreement that helped end the civil war. It was developed and signed by Lebanese politicians. Although Syria and Saudi Arabia had some impact on the regulations, mostly those related to security and foreign policy, Lebanese "ownership" is an important

advantage compared to similar arrangements in Iraq or Kosovo, countries that suffer from the image of being subject to interference by outside powers. Tying into this positive image could provide an opportunity for a reform initiative. The twenty-fifth anniversary of the Ta'if Conference in October 2014, as well as the fortieth anniversary of the outbreak of the Lebanese Civil War and the twenty-fifth anniversary of its end in 2015, offer symbolic occasions for revisiting the accord.

All in all, the Lebanese model of power sharing represents more of a toolkit for transitory powersharing than a clear-cut model for other deeply divided societies. It offers a blueprint that bridges different interests and expectations ranging from the one pole of fixed power sharing to the other pole of the complete abolition of political sectarianism. Therefore, it may provide some initial steps for finding “the location of the exit” from sticky consociational institutions.⁵⁸ Ultimately, however, even the best institutional design can only help, but not guarantee, the implementation of a fair and peaceful framework for cooperation in deeply divided societies.

Notes

- 1 In the academic literature, the religious and confessional communities of the Middle East are often defined as “sects;” although most of them are old, deeply rooted confessional communities. The pejorative terms “sect” and “sectarianism” reflect the negative overtone of *ṭā’ifa* (sect) and *ṭā’ifiyya* (sectarianism) in contemporary Arab parlance, both of which connote the politicization of religious identities. I apply both terms depending on the context. Today there are eighteen recognized confessional communities in Lebanon; twelve are Christian (inter alia [Maronite](#), [Greek Orthodox](#) and [Greek Catholic](#)) and five are Muslim communities ([Sunni](#), [Shi’i](#), [Druze](#), [‘Alawite](#) and [Isma’ili](#)). Most of the Lebanese [Jews](#), the eighteenth community, left the country during the civil war. As no census has been conducted since 1932, demographic data is sparse and highly contested as it determines the proportional representation of political posts. As an estimate, the following numbers of the electorate (above twenty-one years old) may offer a rough impression: Muslims 60 percent (Sunni and Shi’i both 27 percent, Druze 5 percent, others 1 percent), Christians 40 percent (Maronite 21 percent, Greek Orthodox 8 percent, others 11 percent). However, demographic trends show that the Shi’i community is the largest community today, and that the Christian communities continue to decrease.
- 2 See, among others, Tamirace Fakhoury Mühlbacher, *Democracy and Power-Sharing in Stormy Weather. The Case of Lebanon* (Wiesbaden: VS, Verlag für Sozialwissenschaften, 2009);Theodor Hanf, *Coexistence in Wartime Lebanon: Decline of a State and Rise of a Nation*, (London: I.B.Tauris, 1994);Michael Hudson,“Trying again: Power-sharing in post-civil war Lebanon,” in*International Negotiation* 2 (1997), 103–122; Michael Kerr,*Imposing Power-Sharing: Conflict and Coexistence in Northern Ireland and Lebanon* (Dublin; Portland, OR: Irish Academic Press, 2006);Joseph Maïla, *The Document of National Understanding: A Commentary*, ed. Centre for Lebanese Studies, *Prospects for Lebanon* 4 (Oxford: I B Tauris Academic, 1992);Elizabeth Picard and Alexander Ramsbotham, *Reconciliation, reform and resilience. Positive peace for Lebanon*, 2012, http://www.c-r.org/sites/c-r.org/files/accord24_Lebanon_ENG.pdf (accessed on 8 February 2014), Imad Salamey, *The Government and Politics of Lebanon* (London; New York: Routledge, 2014);Brenda M. Seaver, “The Regional Sources of Power-Sharing Failure: The Case of Lebanon,”*Political Science Quarterly* 115 (2000), 247–271; and Hanna Ziadeh, *Sectarianism and Intercommunal Nation-Building in Lebanon* (London: Hurst & Company, 2006).
- 3 I derive these terms from Matthijs Bogaards, Matthias Basedau, and Christof Hartmann,“ Ethnic Party Bans in Africa: An introduction,” in *Ethnic Party Bans in Africa*, ed. Matthijs Bogaards, Matthias Basedau, and Christof Hartmann (New York:

- Routledge, 2013), 1–19.
- 4 For overviews see Kenneth D. McRae, “Theories of Power-Sharing and Conflict Management,” in *Conflict and Peacemaking in Multiethnic Societies*, ed. Joseph V. Montville (Lexington, Mass.; Toronto: Lexington Books, 1991), 93–107; Timothy D. Sisk, *Power Sharing and International Mediation in Ethnic Conflicts* (Washington/D.C.: US Institute of Peace, 1996); Ulrich Schneckener, *Auswege aus dem Bürgerkrieg: Modelle zur Regulierung ethno-nationalistischer Konflikte in Europa* (Frankfurt am Main: Suhrkamp, 2002); Stefan Wolff and Christalla Yakinthou, *Conflict Management in Divided Societies: Theories and Practice* (New York: Routledge Chapman & Hall, 2012).
 - 5 This approach is, at its core, connected to the work of Arend Lijphart, *Democracy in Plural Societies. A Comparative Exploration* (New Haven; London: Yale University Press, 1977). There is substantial debate in the literature about the meaning, character and (un)favorable conditions of consociational democracy; see, among others, Rudy B. Andeweg, “Consociational Democracy,” *Annual Review of Political Science* 3 (2000), 509–536; Matthijs Bogaards, “The Uneasy Relationship between Empirical and Normative Types in Consociational Theory,” *Journal of Theoretical Politics* 12 (2000), 395–423; and Brendan O’Leary, “Debating Consociational Politics: Normative and Explanatory Arguments,” in *From Power Sharing to Democracy: Post-conflict Institutions in Ethnically Divided Societies*, ed. Sid Noel (Montreal: McGill-Queen’s University Press, 2005), 3–43.
 - 6 Rupert Taylor, “Introduction: The Promise of Consociational Theory,” in *Consociational Theory: McGarry and O’Leary and the Northern Ireland Conflict*, ed. Rupert Taylor (London: Routledge, 2009), 1–12.
 - 7 Andreas Mehler, “Peace and Power Sharing in Africa: A Not So Obvious Relationship,” *African Affairs* 432 (2009), 455.
 - 8 Donald L. Horowitz, *Ethnic Groups in Conflict* (Berkeley: University of California Press, 1985), XVII.
 - 9 Benjamin Reilly, “Centripetalism. Cooperation, accommodation and integration,” in *Conflict Management in Divided Societies: Theories and Practice*, ed. Stefan Wolff and Christalla Yakinthou (New York: Routledge Chapman & Hall, 2012), 57.
 - 10 For a comprehensive comparison of integrationism and consociationalism see Matthias Basedau, “Managing Ethnic Conflict: The Menu of Institutional Engineering,” *GIGA Working Papers* 171 (2011); and Bogaards et al., “Ethnic Party Bans.”
 - 11 Schneckener, *Auswege aus dem Bürgerkrieg*.
 - 12 Sisk, *Power Sharing*.

- 13 Donald L. Horowitz, "Ethnic Power Sharing: Three Big Problems," *Journal of Democracy* 25 (2014), 12.
- 14 Hanf, *Coexistence in Wartime Lebanon*; Kamal Salibi, *A House of Many Mansions: The History of Lebanon Reconsidered* (Berkeley, Los Angeles, London: University of California Press, 1988).
- 15 Michael C. Hudson, *The Precarious Republic. Political Modernization in Lebanon* (New York: Random House, 1968).
- 16 See e.g. Eric A. Nordlinger, *Conflict Regulation in Divided Societies*, Harvard Center for International Affairs, Occasional Papers 29, 1972; Arend Lijphart, "Consociational Democracy," *World Politics* 21 (1969), 207-225; Lijphart, *Democracy in Plural Societies*.
- 17 Christian immigrants from the territory of the Ottoman Empire, for instance, Armenians and Syrian-Catholics, obtained Lebanese citizenship easily, while Muslim migrants like the Kurds remained without. Tens of thousands of (Muslim) inhabitants of the "Seven Villages" in the Palestine border region and of Wadi Khaled in the north were not counted. Additionally, the inclusion of emigrated Christians led to their disproportionate overrepresentation in the census of 1932, which turned a Muslim majority into a supposed Christian majority; see Rania Maktabi, "The Lebanese census of 1932 revisited. Who are the Lebanese?" *British Journal of Middle Eastern Studies* 26 (1999), 219-241.
- 18 Mark Farha, "Demographic Dilemmas," in *Lebanon: Liberation, Conflict, and Crisis*, ed. Barry Rubin (New York: Palgrave, 2009), 83-97.
- 19 Halim I. Barakat, *Lebanon in Strife, Students Preludes to the Civil War*, Modern Middle East Series (Austin, Texas; London: University of Texas Press, 1977); Salim Nasr, "Alienation and Political Participation in Lebanon," *International Journal of Middle East Studies* 10 (1977), 493-516.
- 20 Salim Nasr, "Roots of the Shi'`i Movement," *Middle East Report* 133 (1985), 10-16; Elizabeth Picard, *Lebanon: A Shattered Country; Myths and Realities of the War in Lebanon* (New York: Holmes & Meier, 1996).
- 21 Hanf, *Coexistence in Wartime Lebanon*, 323-360.
- 22 Lijphart, *Democracy in Plural Societies*, 100.
- 23 Author's interview with Talal al-Husseini; Beirut, 1 November 2013.
- 24 Michael Kerr, *Imposing Power-Sharing: Conflict and Coexistence in Northern Ireland and Lebanon* (Dublin; Portland, OR: Irish Academic Press, 2006), 154f.
- 25 For this study, I rely on the Arabic version as presented by the Lebanese Parliament, "Wathiqat al-Wifaq al-Watani - Ittifaq al- Ta'if" [The Document of National Understanding - The Ta'if Accord (Arabic)], see website <http://www.lp.gov.lb/CustomPage.aspx?id=27&masterId=1> (accessed 14 February 2014). The Arabic text is also reprinted in Ziadeh, *Sectarianism*, 302-9. An English

translation is provided by the United Nations, “The Taif Agreement,” see website [http://www.un.int/wcm/webdav/site/lebanon/shared/documents/Constitution/The %20Taif%20Agreement%20%28English%20Version%29%20.pdf](http://www.un.int/wcm/webdav/site/lebanon/shared/documents/Constitution/The%20Taif%20Agreement%20%28English%20Version%29%20.pdf), (accessed 10 April 2014). As the English translation differs slightly from the original Arabic version, I am providing my own translation. However, for reasons of clarity, the numbering of the subchapters follows the English version; e.g. “Ta’if I.C” instead of I.j, which indicates the third subchapter of chapter I. of the “First Part” of the Ta’if Accord. This “First Part” of the Ta’if Accord represents its main corpus and contains all the topics covered in this research about the reform of state structures. Unless otherwise mentioned, all citations in this study are from this first section. The Second Part, the Third Part, and the Fourth Part deal with “spreading the sovereignty of the State of Lebanon over all Lebanese territories,” “liberating Lebanon from the Israeli occupation,” and “Lebanese–Syrian Relations.”

- 26 The Arabic text of the constitution amended in 1990 is accessible on the website of the Republic of Lebanon – Ministry of Information, <http://www.ministryinfo.gov.lb/sub/Lebanon/LebaneseConstitution.aspx>, (accessed 8 January 2014). An English translation is also available on the website of the Republic of Lebanon – Ministry of Information; see “The Lebanese Constitution (English),” <http://www.ministryinfo.gov.lb/en/sub/Lebanon/LebaneseConstitution.aspx> (accessed 10 February 2014). For an English version of the Lebanese Constitution with all its amendments since 1926, see “The Lebanese Constitution,” *Arab Law Quarterly* 12, 1997, 224-261. Articles of the constitution will be abbreviated as follows: “Const. Art. 95, 1990” indicates Article 95 as revised in 1990.
- 27 Author’s interview with Talal al-Husseini, Beirut, 1 November 2013.
- 28 Maila, *Document of National Understanding*, 80ff. See Ta’if Part Two, D, and Part Four. This annex, which fixed a “special relationship” between both countries, was met with strong disapproval from Lebanese politicians, and it was misused by the Syrian regime to legitimize its continued occupation of Lebanon; Rola El-Husseini, *Pax Syriana: Elite Politics in Postwar Lebanon* (Syracuse, NY: Syracuse University Press, 2012); Kerr, *Imposing Power-Sharing*.
- 29 El-Husseini, *Pax Syriana*.
- 30 For the strengthened position of the prime minister, see Ta’if II.C and Const. Art. 64, 1990. The parliament and its president are enhanced by Ta’if II.A as well as Const. Art.18 and 44, 1990.
- 31 Richard Hrair Dekmejian, “Consociational Democracy in Crisis: The Case of Lebanon,” in *Comparative Politics* 10 (1978), 251-265.

- 32 The pre-1990 version of Art. 95 reads, "As a provisional measure and for the sake of justice and amity, the sects shall be equitably represented in public employment and in the composition of the Ministry, provided such measures will not harm the general welfare of the state." See "The Lebanese Constitution," *Arab Law Quarterly*, 260.
- 33 Ta'if II.A.7 states, "With the election of the first chamber of deputies on a national, non-sectarian basis, a Senate (Majlis li-l-Shuyukh) shall be formed and all the spiritual families shall be represented in it. The Senate powers shall be confined to crucial issues."
- 34 Imad Salamey, "Failing Consociationalism in Lebanon and Integrative Options," *International Journal of Peace Studies* 14 (Autumn/Winter 2009), 83-105.
- 35 "Law No. 250 of 14/7/1993 on the Establishment of the Constitutional Council and its amendments (Unofficial Translation)," 14 July 1993; see website <http://www.elections.gov.lb/Legal-Framework/conseil-constitutionnel/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86.aspx?lang=en-us> (accessed 10 March 2014).
- 36 Stefan Wolff, "Consociationalism: power sharing and self-government," in *Conflict Management in Divided Societies*, ed. Wolff and Yakinthou, 1-20.
- 37 Judith P. Harik, *The Public and Social Services of the Lebanese Militias*, ed. Centre for Lebanese Studies, Papers on Lebanon 14 (Oxford, 1994).
- 38 Melani Cammett and Sukriti Issar, "Bricks and Mortar Clientelism: Sectarianism and the Logics of Welfare Allocation in Lebanon," *World Politics* 62 (16 June 2010), 381-421.
- 39 Gareth Stansfield and Raider Visser (ed.) elaborate on this approach for Iraq in their book *An Iraq of Its Regions: Cornerstones of a Federal Democracy?* (New York: Columbia University Press, 2007).
- 40 Donald L. Horowitz, "Conciliatory institutions and constitutional processes in post-conflict states," *William and Mary Law Review* 49 (2008), 1218.
- 41 *Ibid.*, 1219.
- 42 The English translation dropped the important words "among the regions" of the Arabic text.
- 43 Reilly, "Centripetalism."
- 44 "The Lebanese Constitution," *Arab Law Quarterly*, 260.
- 45 Ta'if II.G; Const. Art. 95, 1990.
- 46 See Ta'if I.c and Const. Preamble 3, 1990, which provide for "equality in rights and duties among all citizens, without distinction or privileging;" as well as Ta'if I.h and Const. Preamble 9: "There shall be no segregation of the people on the basis of any type of belonging."
- 47 Gregor P. Nazarian, *A Common Vision: Contesting History and Education in Postwar Lebanon* (Washington D.C., 2013), see website https://repository.library.georgetown.edu/bitstream/handle/10822/558224/Nazarian_g

- eorgetown_0076M_12283.pdf?sequence=1, (accessed 4 April 2014).
- 48 UNDP, *The National Human Development Report. Lebanon 2008-2009. Toward a citizen's state* (Beirut, 2009).
- 49 El-Husseini, *Pax Syriana*; Kerr, *Imposing Power-Sharing*.
- 50 *Doha Agreement on the outcome of the meeting of the Lebanese National Dialogue*, ed. The Security Council of the United Nations, S/2008/392, 2008, <http://www.securitycouncilreport.org/un-documents/document/Lebanon%20S2008392.php>, (accessed 10 March 2014).
- 51 Cammett and Issar, "Bricks and Mortar Clientelism."
- 52 Anna K. Jarstad, "The prevalence of power-sharing: exploring the patterns of post-election peace," *Afrika Spectrum* 44 (2009), 41.
- 53 Dekmejian, "Consociational Democracy," 255.
- 54 Salamey, "Failing Consociationalism in Lebanon."
- 55 DRI (Democracy Reporting International) and LADE (Lebanese Association for Free Elections), *Assessment of the Electoral Framework. The Election Law of 2000 and the Draft Law by the Boutros Commission* (Berlin, Beirut, 2008), http://www.democracy-reporting.org/files/assessment_lebanon.pdf. On the limited participation and representation of women in Lebanese politics see Lamia Osseiran, "The Political Participation of Women in Lebanon," in *The Arab Quota Report: Selected Case Studies. Quota Report Series*, ed. IDEA (The International Institute for Democracy and Electoral Assistance) (Stockholm, 2007), 85-90, website http://www.idea.int/publications/quotas_arab_world/index.cfm.
- 56 Arda Arsenian Ekmekji, *Confessionalism and Electoral Reform in Lebanon*, ed. The Aspen Institute, 2012, website <http://www.lebanonrenaissance.org/assets/Uploads/Paper-Confessionalism-and-Electoral-Reform-in-lebanon-july-2012.pdf> (accessed 13 March 2014).
- 57 Sisk, *Power Sharing*, 116.
- 58 Horowitz, "Ethnic Power Sharing," 12.

Table 1: Stipulations of the Ta'if Accord and the Revised Constitution

58Paradigm	58Regulations
58Consociational power sharing	58Parity between Christians and Muslims, proportional representation between confessional communities in parliament and in grade-one posts of the administration. The power of the "three Presidents," <i>split between the three largest communities (National Pact 1943)</i> , is more balanced, providing each of them with effective (veto) power.

Note: Institutions implicitly adopted from earlier regulations such as the National Pact of 1943 without explicit mention in Ta'if or the constitutional revisions are highlighted in italics.

Electoral system: *Interethnic vote pooling* takes place in large, i.e. multiconfessional, electorates of the provinces (*muhafazhat*).

Decentralization: The culturally, socially, and economically balanced development of all regions is guaranteed.

Bicameralism: A second, community-based Senate allows for the deconfessionalization of parliament.

Centripetal
power sharing

Cultural autonomy: Religious schools and charities as well as personal status law follow the provisions of the religious communities.