

Stance of the Movement “Citizens within a State”

Towards the Legislative Electoral System in Lebanon

Current Situation of the Electoral System and Elections

The Parliamentary elections have been postponed twice. The first time was under the excuse of implementing a modern and fair electoral law, which was not discussed for that matter, and the second was a security-related excuse, which did not hinder the implementation of the municipal elections nor the sectional parliamentary elections in Jezzine district. The results of the 2009 elections were already set in Doha, and the price we paid for a 14 March majority was the Government of National Unity. Previously, since 1992 under the Syrian tutelage and until 2005 (included), with the quadripartite alliance, the elections were carried after the results were set up; thus, the electoral registers were divided and the lists were established according to the agreed-upon results. Between 1978 and 1992, the Parliament, which had been elected in 1972, kept being continually prorogated, and the designation took place in 1990. Prior to this period, things were not that bad; nevertheless, interference in terms of money and embassies kept occurring daily during Lebanese elections.

Throughout these stages, two steady points appear:

- First, the voters are voting according to the 1932 census, in electoral districts that separate them in accordance with sects and households. This system enables the accurate control of their electoral behavior through the “electoral sources” present in each family or its subsidiary. These electoral sources meticulously monitor any violation among the family, in terms of allegiance to the leader with whom they are associated and whose “electoral mechanism” they are part of. Thus, the immaculate combination of benefit distribution, oppression, and threats bring about the leader’s “ability to adjust the voting process,” whereby he strives to determine the size of the electoral register with the aim of strengthening its output, so as to succeed in establishing the so-called “bus”, composed of followers as well as supporters.
- Second, the parliamentary seats are divided according to the sects. However, given that the supposed geographical distribution of the voters according to the sects imposed upon birth is not often clear, especially concerning “minor sects” and in cities, it is hard to adopt the most popular electoral formula in the world: the individual electoral register. Therefore, the issue of the size of multi-seat electoral registers becomes the center of the issue, alongside all the endeavors of the political powers to enlarge the output of their “ability to adjust the voting process”, and complaints from the weaker parties fearing to lose their ability to influence.

These two pillars constitute the cornerstone of the authoritarian regime, due to their direct link with the control mechanisms adopted by those holding power over people and among its members.

In addition, the legislative body appears to be nothing more than the approximate number of fifteen leaders. In fact, these are precisely the people claim their support of a modern and fair electoral law, and call for good intentions in that matter. As if there were already such a thing as a modern

and fair electoral law. Whether in Lebanon or in any other country in the world, electoral systems are nothing but a set of tools in the hands of those holding power designed for them to renew their term and secure their dominance amidst the social, demographic and political changes. Since 2005, tens of proposals for an electoral law in Lebanon have been presented, a committee has been established, experts have been evoked, and lots of money had been spent; nevertheless, we are still left with no electoral law, and no elections for that matter.

What does it mean to claim, then? And besides, who is to claim?

Current Electoral System

While the parties agree to stick to the two pillars of the authoritarian regime, that is to vote according to the 1932 census and to distribute the parliamentary seats according to the sects, choices for an electoral system get considerably constricted.

Electoral processes are not just a simple mechanism whereby voters choose their representatives. In fact, it is a complex process very similar to the process in the market, whereby the government sets a system that determines the size of the markets, location of the stores, profit of the prices, and purchasing power of the customers. Then, the political power submits the offer, and the voters constitute the element of demand. Just like in markets, promotions and fraud occur as well. The tenders anticipate the demand, and design the offer according to their estimates of the offer, the tastes of the voters, their behaviors and emotions; whereas the choices of the voters get constricted or extended, depending on the system imposed by the authority and the political power, and their behaviors are thus adjusted accordingly. So long as the effect is contingent upon a win, or so they hope, the choices appear to get narrowed down, not because they are undesirable but rather because they have zero luck in winning and going to the market then becomes in vain.

Orthodox Law and Proportionality: Explicit Confessional Representation

Several exit plans were discussed, most notably what is known as the Orthodox Law, which is based on the sacrifice of the geographic distribution of voters according to the 1932 census, followed by the “leader’s ability to adjust the voting process.” Thus, “each sect” elects its own deputies within one electoral register, and the proportionality comes as a semi-automatic result of a wider scope of the electoral register.

In this context, a dual problem appears: sanctifying the federal proportionalities, also known as sectarian, and explicitly declaring the hidden contents of the authoritarian control mechanisms on the one hand, and the major disparity in the electoral power of voters between a Maronite, a Sunni or a Shiite electing 34 or 27 candidates, and a voter from small sects voting for one or two candidates. Furthermore, in the framework of a major paradox, the Orthodox Law might be paving the way for the act of representation, in “large sects” specifically, unless a high exclusion threshold is adopted: the deputy representing the Maronite is elected by 3% of the Maronite voters. As for Sunni and Shiites, their respective deputies shall be elected by 4% of Sunni or Shiite voters, whereas Druze and Catholics are elected by 13%, and Alawites by 50%!

Amidst the deteriorating internal situation due to the clash among the regional axes, a number of well-educated politicians holding power recognized the dangers that could result from the domination of a single political party in representing a whole sect, since it threatens to turn the political conflict into a sectarian clash. Therefore, these politicians promoted the idea of

proportionality, albeit at the expense of losing some parliamentary seats. This emerging orientation intensified the general ambiance, already displeased from this improper system of randomly electing a group of candidates of a list because of the presence of one desired politician on that same list. Consequently, a general setting requesting proportionality came to be formed. Thus, the majority of the sectarian political forces expressed their support, although prima facie, of a certain extent of proportionality in any new electoral law, promoting it as being the only solution for a “right and just” representation. Some even said that the Taef Agreement was implemented in favor of the adoption of proportionality.

Nevertheless, these forces held on to both the sectarian distribution and the uptight geographic distribution, changing the notion of proportionality and altering its contents. The propositions thus adopted a diversified, majoritarian and proportional system, strived to reduce the size of the electoral registers, and unanimously agreed to adopt preferential votes. Therefore, talks regarding a sectarian stipulation crossed the threshold of the discussion arena, bringing about all proposed projects to be based upon sanctifying the basic rules of the sectarian regime and detaching the proportionality notion from its significance.

An overthrow of leftist and secular forces: insolent sectarians wearing the cloak of secularism

In parallel, the leftist and secular forces held on to the three-title inveterate request: Lebanon as one single district, with proportional elections, and outside the sectarian restraints.

Amidst the interactive nature of the electoral process, it is quite evident that the adoption of such a request will cause the sectarian forces to carry the banner of non-sectarianism, and to establish detail-oriented lists, based on the concentrated voting of the electors of each sect, in favor of the “non-sectarian” sect list. The latter results in the intensification of the sectarian mobilization, given that the sectarian division is no longer chained. It is true that in the event of a decline in the exclusion threshold, many breaches will occur in the political ensemble, at the expense of wiping away the political act from the civil state, thus enabling insolent sectarians to wear the cloak of secularism. The latter is so, because claiming non-sectarianism, which the fiercest sectarian forces do not refrain from advertising nowadays, if deemed necessary, is now stipulated in texts and available for use without any deterrent, and without any repercussions in terms of the actual relationship of the citizen, as a candidate and as a voter, with the state. In this regard, it is noteworthy to mention that following the US invasion of Iraq in 2003, the applicable electoral laws in Iraq, according to the advice of the UNDP working as a consultant in Lebanon, were based on proportionality, outside the sectarian restraint, and had been previously based on closed lists, noting that Iraq is considered as a single electoral district.

Political Problematics: Ineffective Authority

Pillars of the Authoritarian Regime in Today's Lebanon

Since the end of the civil war and within an international and regional order, the confessional political entities rushed to establish a system based on the recruitment of political and financial resources from overseas, and based on the framing of the society and the economy on the basis of distributing resources in return for purchasing political allegiances and gains. This system is the product of the accumulation of political and financial requirements, and of constant change in the

economy and the community structure by means of two heavy migrations, in and out of the country, and the increase in the cost of living and in the cost of purchasing allegiances.

This financial accumulation brought about the need to allocate an increased rate of financial flow from abroad as well as from domestic production in order to upkeep the accumulated requirements. As for the societal transformation, it generated a need to meet the increasing needs vis-à-vis the increasing indebtedness of households, institutions and the state, and a need to confront the security-related risks, heightened by the waves of migrations and the regional situation overall.

Foreign countries expressed their interest, for particular reasons, in neutralizing the security situation in Lebanon from the tragedies of its entourage, which have succeeded to date although for a highly internal cost. However, its lack of interest and the excessive inability to reinstate the financial situation have pushed “Banque Du Liban” to put in place controversial, exceptional and rigid procedures so as to defer the unstable financial crisis for a couple of months, for a high domestic price.

The decline in terms of the effectiveness of the authority does not necessarily result from the situation of the surrounding setting. However, it resides in the inability of the local environment to deal with its surroundings. The decline in the authority’s effectiveness derives from the erosion of its personal, financial and human components. It is a very apparent decline in the face of imminent financial-economic risks on the one hand, and imminent social-security threats on the other hand.

The decline of the authority’s effectiveness cannot be detached from the loss of its legitimacy. In fact, the authority’s legitimacy is measured by its ability to mobilize human and financial resources in a less expensive cost, which is based on a coherence between the authority’s practice with the system of its formal rules and of its institutional speech, whereby the citizens are convinced that they possess definite and protected rights in the face of the authority, i.e. that they are citizens within a state.

An Authority without a State

Currently, the Lebanese authority is working outside the system of bases and rules, which exist under the name of the state. Therefore, the authority is portrayed as a hideous, barricaded authority, with a trait of fanaticism, occults, lineages and money, destroying the society’s vital forces appearing in its path. The state is essential in conferring legitimacy to the authority, all the while guaranteeing, even partially, the rights in the face of the authority.

The only issue, which is raised in the transitional phase that Lebanon and the whole region are witnessing in a brutal way, is the reformulation of the bases of the authority, following their collapse as a result of the outbreak of regional wars. In this context, we stand between two situations: On the one hand, a coalition between the current de facto authorities, based on fanaticism, occults, lineages and money, is established. Thus, the mutual veto rights of the latter are organized in between these authorities, which brings about quasi-states that will remain incapable of performing the simplest of their tasks, in defending their societies and the dignity of their citizens. On the other hand, we succeed in breaking the false privilege of the exclusive and absolute representation of the de facto authority. This way, we would proceed with building an actual state, that is capable, just, civil and democratic, which has long been a necessary functional need to defend the society.

This challenge requires surpassing abstract approaches that claim authenticity of the representation. It also requires confronting the problematic of the triangular relationship between the individual, the state and the society. Emanating from this point of view, it is proper to consider the historical experiences around us, which helps us to realize that it falls within two forms: On the one side, appear the regimes that ruled over the different countries of the region, focusing on the state's interaction with its individuals as an authority, mostly through oppression, and leaving the community structure aside, or adopting its programs when necessary. On the other side, appears the Lebanese regime, based on a continuous interaction between the individual and the real structures of the authority in society, ranging from financial to confessional structures, leaving the state along with its functions aside, and controlling them when possible.

Therefore, the Lebanese state becomes a political act at a regional level, as it folds away the outcomes of the civil war in Lebanon. It thus draws a new formula of the individual's relationship with the society and the state, to the countries of the region struggling with war; a formula that is different from the one brought about under the Lebanese experience, paving the way for the state to benefit from its problems and surpass them.

Constitutional Problematics: An Authority without Legitimacy

A continuous decline in the sturdiness of the general regularity rules of the state, and a devotion of sectarianism with claims of cancelling it

Whoever follows the different stages of drafting the basic constitutional and legal texts, along with its overpowering interpretations, notices a continuous decline in the sturdiness of the state's general regularity rules and its cohesion.

The word "sectarian" was not once mentioned in the Constitution, up until the latter's amendment in 1989. In one particular section in the interim provisions (Article 95 of the 1926 Constitution), the following text stipulated: "As a transitory measure and for the sake of even justice and concord, the communities shall be equally represented in public posts and in ministerial composition, without damage to State interest resulting therefrom". The 1926 Constitution failed to mention sectarianism except by describing it as an optional social behavior and an atypical circumstantial situation which requires observance in public appointments. "The 1943 Pact", which was simply an agreement between two political figures in a particular circumstance, organized the distribution of the main positions of the state among the sects. Following the Taef amendments, the words "sectarian" and "sectarianism" were mentioned seven times, and the word "sect" an eighth time (in Paragraph F of the preamble: "Abolishing political sectarianism is a fundamental national objective. To achieve it, it is required that efforts be made in accordance with a phased plan", as well as in articles 22, 24 and 95). However, these terms were always mentioned in a context of claiming to surpass "political sectarianism" and abolishing it. It really is a strange Constitution, one that considers "the representation of sects as an interim and circumstantial need" for sixty-three years, and one that converts "political sectarianism", upon amendment, into a main pillar of the political regime, as well as assigns a large extent of its texts for such term, only to determine the mechanisms of its abolishment. For twenty-seven years, this same Constitution did not take any executive measure to launch any of these mechanisms. This is a Constitution that assigns a "consensual" sectarianism at an administrative level, in turn leading to the assignment of administrations, determining fiefs for particular sects, in practice if not in text. Furthermore, many recent expressions that have nothing to do with the general regularity appear in the text;

expressions such as “spiritual families”, which in turn transforms the actual regime into a federal of lineages and brazens, healing itself over the “dialogue table”, claiming to abolish political sectarianism.

As a result of this struggling path, two main issues of high-importance emerged:

1. According to the Constitution, the Lebanese state is a civil state. Therefore, the sectarian rules are nothing but a circumstantial exception justified by necessity. However, exception has turned into a rule, and has overthrown the basic rights of the citizens.
2. The abolishment of political sectarianism is a fundamental objective, stated in the Constitution. However, the actual practice went in the direction of considering it as a permanent situation, in a manner that blocked the proposed transitional period.

The civil, sectarian State is an exception. However, the exception was consecrated as a rule under the pretext of a necessity, which the authority refuses to measure.

The project of the legislative electoral system for the “Citizens within a State” movement stems from the basis that constitutionally, the Lebanese state is a civil state.

By virtue of the first section of Article 9 of the Constitution, “there shall be absolute freedom of conscience.” The following sections of the same article state that “the state shall guarantee the free exercise of all religious rites, and shall also guarantee that the personal status and religious interests of the population, to whatever religious sect they belong, shall be respected.” Therefore, the cornerstone of the Constitution is that the freedom of belief is absolute, and that the free exercise of all religious rites and the compliance with the personal status and religious interests are an affiliate of this “freedom of belief.” Additionally, the same article stipulates the necessity of such matter to “not to disturb the public order.” The freedom of belief is also considered “absolute” by virtue of the Universal Declaration of Human Rights and the International Covenant for Civil and Political Rights, and as per the Preamble of the Constitution, of which they both constitute an integral part therein. Consequently, the affiliation or non-affiliation to a certain sect, whether religious or not, along with all its subsequent effects provided by the law, is not accepted, unless issued by an adult’s conscious and mature decision. This was emphasized by the legislative decision L/60, issued on March 13, 1936, which solely specified an “acknowledgment of the system of religious sects.” Referring to articles 10 and 11 of this decision, it is evidently shown that sectarian affiliation is an optional process, upon one’s legal age, and is not a mandatory and judgmental matter forcibly carried out at birth. Thus, the automatic distribution of citizens, all citizens, according to their father’s religious affiliation upon birth is a major breach of the Constitution and of the abovementioned fundamental law, not to mention an assault on the basics of the state’s legitimacy.

On what basis do those in power claim to impose electoral systems that consider the sectarian affiliation as a compulsory affiliation of the candidates and voters according to specific sects, without leaving any room for those who do not belong to such sects or those who do not wish to express their national and political opinions through them? How does that enter in line with Article 7 of the Constitution, which stipulates that “all Lebanese are equal before the law and equally enjoy political and civil rights”?

How is the constitutional principle so simply overthrown? If such an overthrow is not an absolute violation, then the only justification implies that it comes as an exception to the rule. However, the

exception should usually be restricted to the necessities justifying it, or else it becomes a violation of the rights that the rule can only establish.

It is well agreed upon that the Lebanese Constitution considers the sectarian system a temporary situation, required by the necessity of sectarian division. In the framework of a sectarian division, there are concerns that the elections will bring about a permanent sectarian majority and a permanent sectarian minority, threatening small sects, which in turns impends democracy. Emanating from the latter, the sectarian system comes in accordance with the original Constitution's vision of 1926, to ensure tranquility to all citizens, regardless of the size of the sect to which they belong. The constitutional amendment, which was implemented following the Taef Agreement in 1991, went in the same direction, since it considered the sectarian regime as being a temporary. In fact, the sectarian regime leads to a restriction of basic rights, such as limiting nomination in a particular area and to individuals belonging to a certain sect. Based upon the latter, its implementation is required when deemed necessary, without overriding it. This is what the constitutional principles devote in the context of restricting rights and freedoms, and subjecting them to the principles of necessity and proportionality. Based on the following, the enforced and proposed electoral laws appear to be considering the sectarian regime as 100% necessary, by virtue of a distribution of the seats according to the sectarian registry, without containing any proof of such necessity and to such extent.

There currently is not a legislative mechanism in Lebanon that allows measuring the necessity of a sectarian regime, despite the fact that such measurement is deemed as a constitutional need, according to the above statements. Thus, how can we measure the severity of the sectarian division in a particular timeframe? How can we distinguish the percentage according to which the sectarian regime should comply with? Is it 50%, 60%, 80% or a 100%? Surely, this percentage is subject to an increase or decrease, according to developments in surrounding state of affairs. How can we ensure that this percentage is the definite percentage, that is, the percentage that complies with the social orientations at the present time of the elections, or during the implementation of the seat distribution according to the sectarian regime? Based on the latter, there is a constitutional need to include, within the context of the electoral law, specific mechanisms to measure the extent of that necessity.

All the rights for individual citizens within a capable and just State

The sects formed political entities either as shelter from the oppressive authority of the state, or as monopolies using the resources of an impotent state. Either way, there lies a fundamental contradiction with the logic of a just and capable state.

The often cited statements on the acquired rights of the sects within the Lebanese political system lack constitutionality; they are unconstitutional, illegal, and political crimes. There are no rights to any sect; rather, there are rights – and duties - to citizens, as individuals, regardless of any sectarian affiliation. The history of the Lebanese State, the history of our ancestors, has witnessed enough tears and bloodshed to begin building a state that restores the rights to its people, beginning with a legislative electoral law that places everyone before their responsibilities.

To say that the Lebanese legislator has not enacted laws governing personal status of citizens not belonging to one of the sects, although there is no room for not belonging to a denomination, is itself recognition of a prolonged crime and not a justification. One cannot use negligence and failure as an excuse for further negligence and failure in implementing the legitimate, constitutional

rights of the citizens. It is the responsibility of law to organize rights and duties. The failure to regulate rights does not abolish the rights, but, rather, places a greater responsibility upon the courts, if the need arises.

The cancellation of the sectarian political system is a main goal in the Constitution but it has become a large lie in the absence of any realistic transition mechanisms

Not only does the Constitution regard the extraordinary sectarian arrangements as bound by necessity, but also stresses the need to overcome them. However, its applications, particularly in the electoral systems, prejudice both standards - the exceptional nature of sectarian arrangements (so-called political sectarianism) through omission should of a statement of necessity, but also through bypassing and cancelling it.

The issue of overcoming sectarianism is contained in articles 22 and 24, within the discussion of "the authorities" and the separation of "legislating authority," and in Article 95 in "final judgments and temporary."

Article 22 paints a final position:: "With the election of the first Parliament on a national rather than sectarian basis, a Senate is introduced where all spiritual families and their powers are limited to crucial issues." There are numerous ambiguities in that statement, including phrases like "spiritual families: and" crucial issues."

Article 24, described the current situation in this manner: "until the Parliament passes an electoral law outside of the confessional registry, parliamentary seats are allotted according to the following rules: 1) equality between Christians and Muslims; (2) proportional representation between the communities of both groups; and 3) proportional representation between regions. "

From these starting points, it is clear that these temporary measures are ongoing until a final status solution is reached, by adopting the term until" in the opening lines. Thus, the question becomes: How is the transition from position to another possible if not through them? Here comes the "temporary" 95 article: "the House of Representatives, elected on the basis of parity between Muslims and Christians, to take appropriate action to achieve the abolition of political sectarianism in accordance with the phased plan and the formation of a national commission headed by President of the Republic, comprising the President of the House of Representatives and the President of the Council of Ministers and the political, social and intellectual figures. The responsibility of the Commission is to study and to propose ways of abolishing sectarianism, and to submit those proposals to the House of Representatives and ministers, and to follow up the implementation of the phased plan." Thus, it is through it that one speaks out again for 'phased plan,' or for this pathway through the transition.

Either these texts mean nothing and are just verbal justifications for a situation where the oligarchy is ashamed of its weakening legitimacy, or they await a miracle or a disaster similar to the one that hit Iraq when it was invaded by the US and the subsequent decisions issued by Paul Bremer and other tragic consequences - and Miracles and disasters do not need permission from constitutional texts to happen. Or they consider sectarianism a mere authoritarian scheme imposed on society, one that would cease to exist when the current oligarchy loses power, and it is this same oligarchy that these texts want to abolish and that would never happen (63 years have passed since the constitution was approved in 1926, and nothing of the like happened, and then the constitution was amended 28 years ago in Taef and nothing changed too, instead the contrary happened), or

finally these constitutional texts mean something and were introduced by members of parliament worried about the country to put an end to 14 years of civil war and this is what we want to believe because we want to protect our country.

The people are the source of power according to Paragraph (D) of the constitution introduction. Sectarianism is a social reality and not just an imposed political and authoritarian framework; otherwise those in power now would be usurpers of power. We say this because we want to protect our country first and foremost, but also because we do not consider people currently in power to be neither, saints and patriots who became victims of a sectarian people neglecting his patriotic duties, nor demons who created sectarianism to abuse a naïve people.

What can we do in this case? Getting rid of sectarianism and establishing a genuine state can be achieved when society willingly decides to reject sectarianism with time; otherwise they could never be achieved. Is it unconstitutional to say that? Never, this is only true aim of the constitution.

Getting rid of sectarianism is achieved gradually and should be done by society itself, otherwise it cannot be achieved. Such transition cannot be achieved unless the logical and religious statement, “who can achieve more, can achieve less”, is implemented. Therefore, Article 22 of the constitution allows and even implicitly stipulates the need to get rid of sectarian distribution of power entirely and expressly in part and gradually.

The parliament and the “national commission” bear the responsibility of guiding and following up on this endeavor and identifying the results needed for it to progress, until a senate is formed as the end result of the series of efforts made to gradually get rid of sectarianism. This thinking is logical provided that the prerogatives of this senate are limited to dealing with the most vital issues. The Lebanese society would have supposedly reached a higher state of unity and cohesion by then.

[Our position regarding the elections serving a political project: Building a real state, potent, fair, civil, and democratic](#)

The “Citizens within a state movement” is not interested in adding yet another proposal to the pile of proposals already presented. We are only interested in determining our position regarding the electoral law, and having, considering the current situation of the state in Lebanon, a political position regarding the relationship of citizens with the people in power, a position according to which different political groups are gathered to have discussions.

The “Citizens within a state movement” considers it its duty to take on this challenge and present its own vision of the electoral law: a vision that does not ignore the very real social facts and politicians’ behavior in Lebanon, and one that sets the foundations of the political future of the Lebanese State, in order to consolidate the status of its citizens and their right to live in dignity in their state. Therefore, this vision proposes to the Lebanese people, to the Levantine Arab region and to the world a roadmap to get rid of the crisis of confused identities and thus conflicting, and of discrepancy between texts and spirits, to have a horizon of personal, aware and responsible choices that are receptive of positive accumulation of efforts.

We as a movement aspire and strive to build a potent, fair, civil and democratic state.

- Because we want it to be a potent state, we cannot accept that it keeps giving the right to object to the de facto ruling sectarian leadership.

- Because we want it to be a fair state, it should treat its citizens as individuals with equal rights, without intermediary groups providing the citizens needs after buying their allegiance.
- Because we want it to be a civil state, we consider that the relationship between citizens as individuals and the state cannot be established if groups like sects remain the intermediaries.
- And because we want it to be a democratic state, citizens should be able to decide on the choices that affect their lives and should not remain prisoners of fanaticism that always ready to hijack their ability to make decisions on their own.

A realistic proposition: Keeping sectarianism intermediary with the state as an exception of the rule.

This doesn't allow us to ignore the sectarian ideas and emotions of fear and ambition historically rooted in society and thus controlling the voters' behavior. Ignoring them would put democracy at risk, promote these concepts and increase emotional tensions. For this reason we accept to keep sectarian intermediaries only for those who voluntarily choose to keep it, as they are adults by law, provided that they keep it while respecting certain limits, balances and guarantees to control sectarian rebelliousness, thus this choice becomes the exception to the general rule.

No constitutional and founding texts of any politically dominant authority are free of ambiguity and different interpretations. In the Lebanese context, the level of such ambiguity and interpretations has exceeded all limits. Texts include express and fatal contradictions and rely on the justification of one thing and its opposite if not completely ignored to impose the de facto dominating logic, until you start wondering why these texts are maintained.

The main argument of the vision we are going to present is the urgent need of state actively protecting society from immediate dangers to security, population, and economy, threatening its survival. However, that does not motivate us to take a position of indifference towards texts because we uphold institutional values.

The Proposition Core: Referendum and Elections

The "Citizens within a state" movement proposes an electoral voting system where candidates then voters select the path they want to adopt for parliamentary representatives and two options are available:

- The national option in which sectarian considerations are excluded (thereafter "direct representation")
- The sectarian proportional system based on the current distribution of seats among sects (thereafter "sectarian representation").

The candidates select the option under which they wish to run for the elections, and their declared choices shall bear all relevant legal consequences, particularly regarding the personal status law to which they are subject. And, on the day of the elections, the voters too should choose either one of the options and vote accordingly.

When the electoral process is done, the proportion of votes casted in all of Lebanon according to both options are calculated based on the total number of voters and the total number of seats at the parliament is distributed among national and sectarian members based on the proportions of votes of each of the two options. Therefore, “sectarian” seats would be distributed among sects as usually distributed. Thus, the proportion of seats given to each sect according to the total number of sectarian seats and to the seats of all other sects is protected. From this distribution, the expression of “equal shares” emerged when describing the total number of seats of “Christian” sects and the total number of seats of “Muslim” sects.

Election winners are determined in each of the two options depending on the adopted system as we explained in the next paragraph.

In addition to the aforementioned:

- Residents may vote in any voting center they choose, provided that it is located within the electoral area in which they are registered, by using their ID cards which include sufficient information about their carriers, including their finger prints. All voting centers shall be linked to centralized computers to prevent multiple voting. This way, the influence of voting centers through kinship and sects over the voters’ election freedoms can be cut short.
- Granting expatriates the right to vote: It becomes possible in the same way in embassies, consulates, and additional voting centers established for the same purpose. Their votes would be counted within the electoral area in which they are registered. This procedure would become very easy in the event that Lebanon is considered as one electoral area, regardless of the adopted electoral law.
- Implementing procedures related to election monitoring, electoral spending and campaigning determined by the current law in full and in a serious way, (this law should be also amended and clauses should be added to it, for instance, a law organizing political parties finance) others should be removed, (for example bank secrecy law issued in 1956), in order to activate the role of the elections monitoring commission and control electoral spending.
- Requiring all election slates to have at least 30% of women among their members.

The electoral law we propose is mainly composed of two processes: a referendum process, through which voters choose the proportions of direct representation and sectarian representation; and an electoral process, through which they choose the names of their representatives. Of course, the referendum process requires including the whole nation, but what about the electoral areas and electoral law?

Constitutional and Political Outcomes

Internal, Regional, and International Implications

Our project aspires to create a situation where the political mindset dominating the Lebanese political scene in the last century is rejected. On these grounds, the project aims to build the foundations that ensure a decent and dignified life for Lebanese citizens in the future through an efficient state. Therefore, its diagnosis and position is a drastic one; however, since the adopted approach is a peaceful approach aiming to achieve a democratic state, it seeks to achieve drastic

change through a series of progressive and gradual phases while counting on peoples' awareness of their true interests.

We, in Lebanon, have witnessed, before others in the region- though we don't have credit for having witnessed that first – social and economic transformations that destabilized our political structure, and that adds to the responsibilities we should fulfill. We also witnessed the civil war and countries around us are now witnessing civil wars (Syria and Iraq for example). We suffered the toll of sectarian influence and dominion that threatened public safety after civil war before other countries like Iraq and also what Syria might suffer in the future. Therefore, the transition we are going through, particularly its outcomes, can establish either a positive or negative example for other countries in our part of the Arab world, in addition to its direct implications on our lives and on the lives of our children in Lebanon.

We also keep in mind that economically developed societies in Europe and Northern America for instance will also have to address worrying issues of identity as a result of the eminent transitional phases they will witness, each depending on its peculiarities and general situation. The signs indicating that these phases might start soon are clearly seen, especially with the Donald Trump phenomenon in the United States, with the divisions threatening the future of traditional leftwing and rightwing parties in France, and with the relatively rapid rise and even faster demise of what we rushed to call the "new left" in Greece, Spain and other countries of southern Europe.

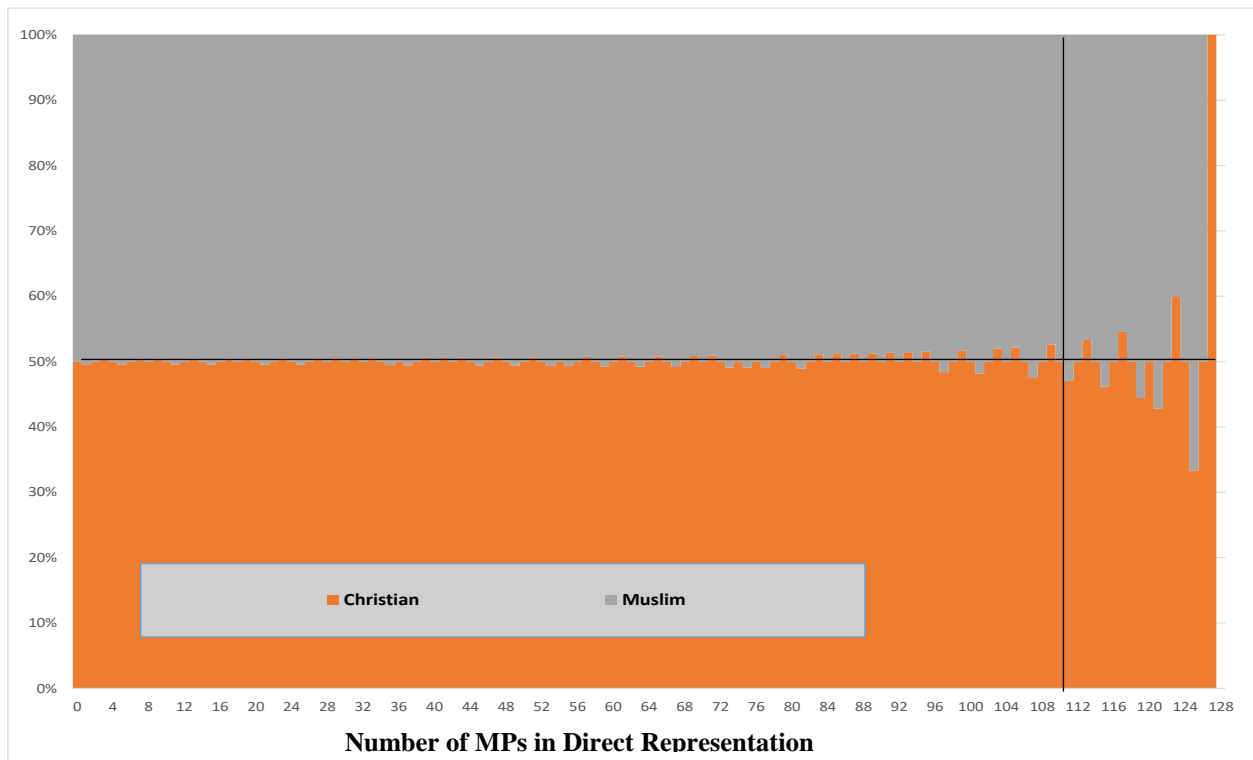
[Our Project: A referendum through which we can determine the extent to which society is ready to build a direct relationship with the state and to debate a problematic process leading to the transitional phase](#)

The difference between our movement's project and other projects is that our project instantly provides people – the source of all power – the right to determine the proportion of candidates and voters ready to build direct link with the state. Therefore determine what sects would lose in the face of a civil, potent, democratic, and fair state. Also, this project makes it difficult, if not impossible to know the result of voting in advance as it is the case in Lebanon today and as hope people behind the other project, thus they would have to address the same problematic related to the process towards the transitional phase and they would have to interact with those aiming to change political discourse and social behavior.

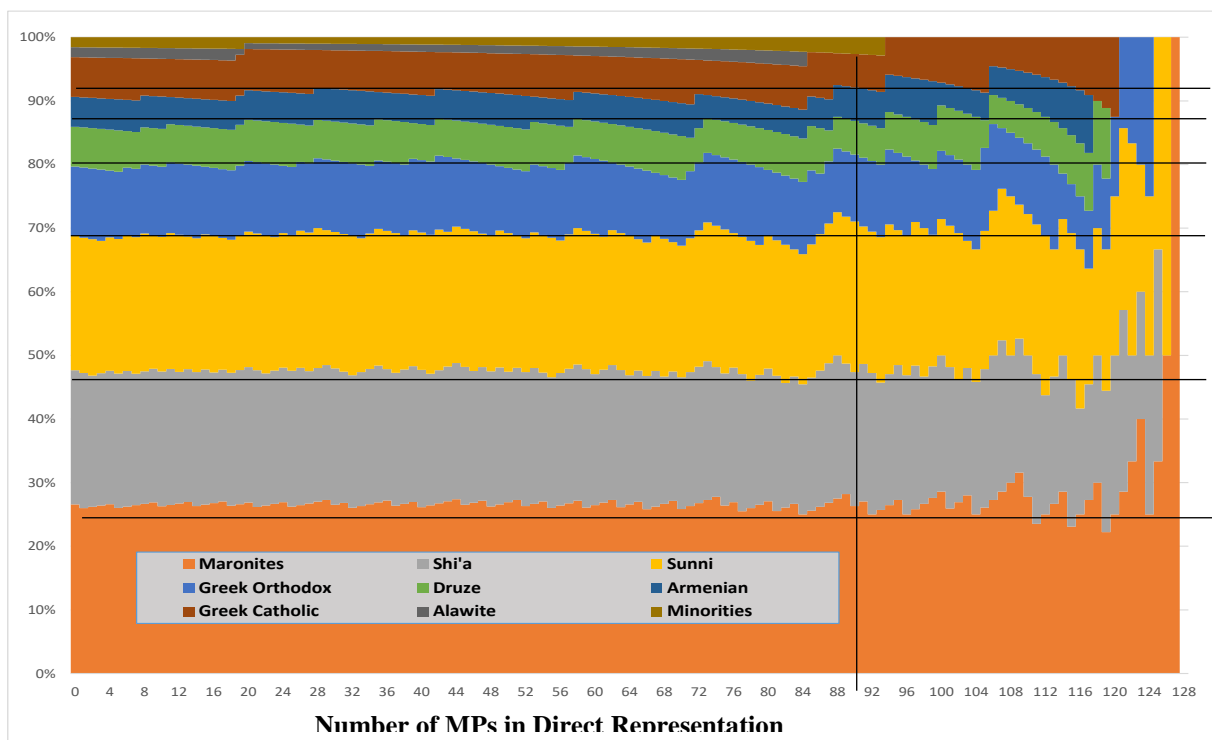
[Electoral Areas and Electoral Law](#)

The proposition we are advancing as a movement makes it possible to accurately and truly respect Article 24 of the constitution and thus constitute a true implementation of the transitional logic stipulated in the constitution to shift from sectarian representation to genuine direct representation based on the will of the voters.

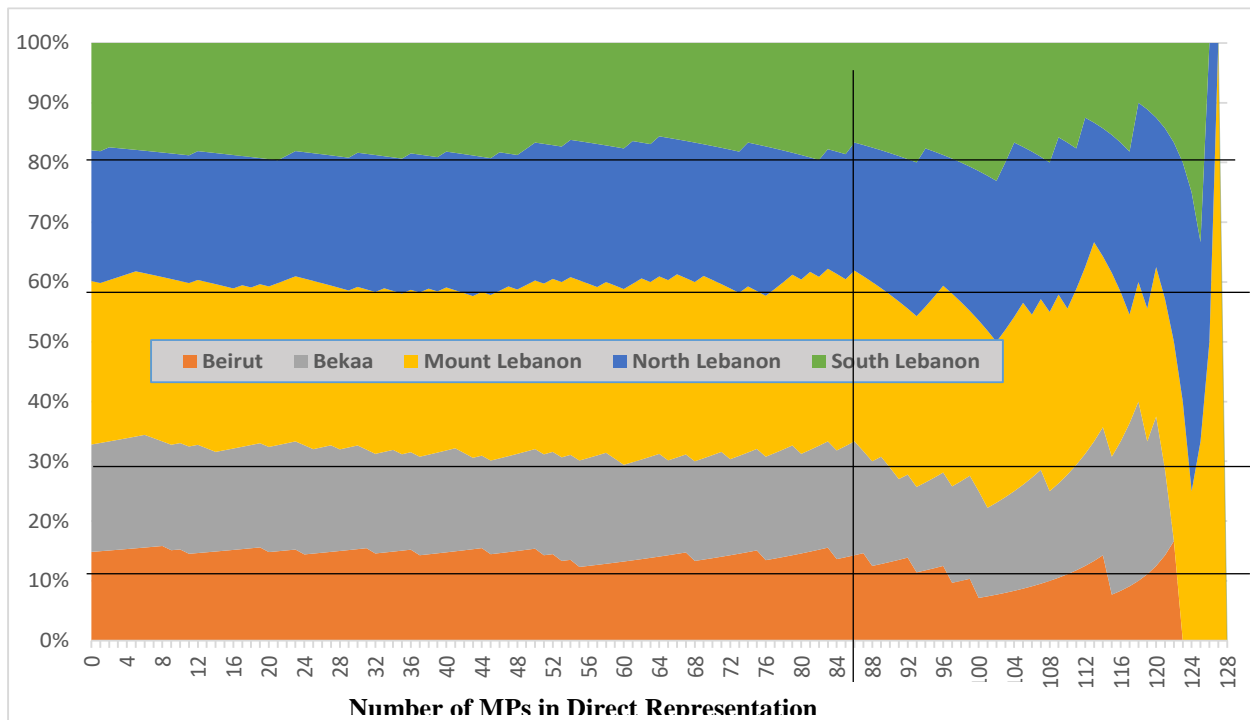
Our project also makes it possible to maintain the exact shares of representation given to each sect in all of Lebanon, until the percentage of direct non-sectarian representation reaches 80%, and to maintain the shares of seats in all five governorates including sectarian distribution accurately until the percentage of direct non-sectarian voting reaches 75%.



Equal shares for “Christians and Muslims” are ensured until the number of elected members of parliament based on direct representation is 110, and until the share of voters based on direct representation reaches 86% of the voters.



“The proportions of each sect in both categories” are maintained until the number of elected members of parliament based on direct representation reaches 90 MPs, and the share of voters based on direct representation reaches 70% of the voters.



“The proportions of each of the five governorates” is maintained until the number of elected members of parliament based on direct representation reaches 86 MPs, and until the share of voters based on direct representation reaches 67% of the voters.

Our objective is provide a model that includes all the Lebanese and not to form and additional sect

Our proposition does not generate additional challenges to the already complex problematic situation controlling electoral laws in Lebanon. Our aim is simply to contribute to a solution to this problematic situation because we want to provide a model that includes all of the Lebanese citizens, a model that clearly and surely contributes to building a real state in Lebanon, and does not lead to the creation of a new sect only concerned by its “followers”. The problem of electoral laws in Lebanon stems from upholding two principles upon which are based all electoral laws implemented in Lebanon and majority of proposed laws now, especially in terms of sectarian distribution of seats. This makes other proposed laws providing a minimum of options and the most basic equality requirements very limited.

The easiest solution would be to adopt a nationwide electoral area for both direct and sectarian representations to maintain similarities of the two electoral models according to both direct and sectarian options. No complications arise at all when it comes to direct representation, whether voting is done using closed slates in a proportional model which is the best because it encourages candidates to develop political projects, or through the “one man one vote” model (or a limited and equal number of votes).

Appendix: Our Analysis of Sectarian Representation

The issue of representation through sects remains. The actual problem is not related to the number of seats allotted to each sect, because balancing the numbers among sects is always guaranteed. The problem is in fact in knowing the sectarian affiliation of voters voting for a particular

parliamentarian from a particular sect. This obvious concern is always covered up in the dominant discourse by weak administrative and geographical justifications to keep using the census of population made in 1932, in order to be able to maintain control. This is why the “Orthodox project”, other statements about reform, and talk of smaller electoral areas is relevant.

It is not difficult to understand why sectarian political actors adopt the positions they adopt. These positions stem from the fears and ambitions of these actors. The main factor is simply that sects are socio-political groups and political actors use this factor to describe parliamentary elections as internal elections which objective is to determine their representatives in the public political area and as elections organized to determine the formation of the country’s leadership and political path. This transformation was the result of the civil war and the settlement made to end it.

Because of the situation above mentioned, there are concerns regarding two issues: 1) that sectarian representative may not be able to participate in power; 2) that sects may not be able to choose their representatives. Our proposition solves the first problem since it maintains for those who consider that their relationship with the state should pass through their sects based on the pre-determined share for each sect representatives. Solving the second issue hasn’t been addressed yet. The second issue can be addressed to the extent our main proposition is accepted in addition to its objectives which aim to generate a transition from an dysfunctional model of public power to a functional one. However, dealing with this issue can only be done within the limits which do not prevent or stop the transition.

As for those who consider that their relationship with the state passes through sects, it is understandable that they refuse that others are trying to influence their relationship with the state through a different sect when choosing their representatives. In return, they should not seek to influence others when choosing the representatives of their sects. But they cannot refuse that others who consider that their relationship with the state should be direct compete against them. In this regard, the “Orthodox proposition” is the proposition that follows the sectarian logic the most, while proportional laws proposed with large and religiously diverse electoral areas, adopting Lebanon as one electoral area, or adopting a majority system with medium and large multi-sect electoral areas seem to be threatening the sectarian representation and/or to the influence on representation in other sects in the eyes of those who consider that their relationship with the state should pass through sects.

If adopting the “orthodox proposition” seems to be disturbing because it reveals the hidden reality, whether it is implemented according to a proportional or majority system (with one vote or more), then other reconciliation propositions are available: Reforms within sects, or raising the number of preferential votes (votes granted to the candidates of the same sect as the voters).

In conclusion, one of the following three models can be adopted:

- The first model, which is the favorite one, considers Lebanon as one electoral area and adopts the proportional system with closed slates if opting for direct voting, or proportional representation with closed slates for each sect (according to the “orthodox proposition”) if opting for sectarian voting. This model is important because it shows both options clearly and reinforces the significance of each option.
- The difference between the second model and the first is that the electoral law would be proportional for both options but with a number of preferential votes (up to three or four).

This way, the fact that sects are considered political entities remains somewhat hidden, but increasing the size of electoral areas may not reassure “small” sects because the number of preferential votes may not be sufficient in their eyes as it may not ensure their decisive role in choosing their MPs.

- The difference between the third model and the second is that it adopts the five historical governorates as electoral areas with preferential votes. This amendment would suffice to reassure small and geographically bound sects in one governorate or the other but it does not solve the problem for extremely small sects or even small and geographically dispersed sects. However, it automatically removes the obstacle of reforming smaller slates and facilitates the influence of financial factors, in addition to making it difficult for expatriates to vote.

As for models based on sectarian reform (or alternatively reform at the level of districts), they require two electoral rounds and might lead to unusual results depending on the size of electoral areas in each of the two rounds.

As for adopting a certain number of votes to each voter, it reinforces making elections revolve about certain political figures and makes it difficult to have political projects. Moreover, it might lead to great discrepancy in the numbers of votes each winner gets, in large or even medium electoral areas subject to sectarian distribution.

According to the adopted model, winners will be determined as per the usual calculations.