

MAURUS REINKOWSKI

Constitutional Patriotism in Lebanon

CONSTITUTIONAL PATRIOTISM IN LEBANON

Maurus Reinkowski*

In this paper I will discuss the options of political identity the Lebanese have at their disposal against the background of the German experience. Germany and Lebanon, states at first glance completely different from each other, show some similarity in their historical experience. In the context of this comparison I will discuss *constitutional patriotism*, a political concept in circulation in Germany over the last fifteen years or so, and its potential application in the Lebanese case. Constitutional patriotism, unlike many other concepts originating in the West, has yet not entered the political vocabulary of the Middle East. The debate on democracy and the civil society is widespread in the whole of the Middle East, including Lebanon. Lebanon's political culture, polity and national identity, however, show some peculiar traits that might justify the introduction of the term constitutional patriotism into the Lebanese political debate.

As democracy and civil society are both closely linked to the concept of constitutional patriotism they will be treated in the first chapter. The second chapter will be devoted to the question of whether and to what extent Lebanon differs from the mainstream of the modern Middle East's political history. I will venture to draw a parallel with the German "*sonderweg*" (deviant, peculiar way). The third section will present briefly the German discussion of constitutional patriotism and its innate link to the *sonderweg*. Section four will then turn completely to the Lebanese case.

I. Democracy and Civil Society in the Arab World: a Common Good or a Common Place?

Whereas most would agree that democracy and civil society have

* Researcher at the Orient-Institut of the Deutsche Morgenländische Gesellschaft branch, Istanbul. This paper was written within the framework of the research group "Nationalisms: Comparative Studies (1995/96)" which is part of the project "Europe in the Middle East: Political Key Concepts in the Dialogue of Cultures". The project is a joint research program of the Van Leer Jerusalem Institute and the Wissenschaftskolleg zu Berlin supported by the Volkswagen Foundation.

their origin in Europe, different opinions will rise immediately on more extensive questions: do these concepts, having emerged in a specific political culture, possess peculiarities which make their adoption in other parts of the world not a matter of course? Are they a potential "common good" of all societies in modernity or have they become "commonplace" in political debate, being even applied to incompatible structures?

Larry Diamond's exhaustive work on democracy in the Third World leaves the Arab world aside as—in his words—the democratic model does not present any attractiveness in this region. Diamond refers here to the Arab world as a region with a peculiar political history. Is the Middle East indeed "exceptional in its resistance to political liberalization, respect for human rights, and formal democratic practice"? (Waterbury, 1994, p. 23).

One theory, however, should be immediately dismissed: that of an *essentialist exceptionalism* rooted in the nature of Islam. A well-known representative of this approach is Samuel Huntington. While the American political scientist still classified in 1993 the Middle East as a "political transition zone" with the imminent possibility of a democratic take-off (Huntington, 1993a, p. 22f), he soon afterwards dramatized his interpretation of different political cultures in the world with the phrase, "clash of civilizations" (Huntington, 1993b).

Besides the *essentialists* one will also find the *rigidists* as I would like to call them. Rigidists are, generally speaking, political scientists who analyze the concept of civil society (or any other) in the context of its specific historical genesis. In his analysis of the ethical basis of civil society, Adam Seligman asserts that civil society can only be understood in the context of ascetic protestantism. The cradle of civil society was in the United States (and to a lesser extent in Great Britain). For example, the reasons for the complete failure of socialist movements in the United States are "to be found not in any set of structural factors or political restraints per se, but in the overriding terms of American ideology, with its inclusive definitions of citizenship and its integration of the working class as members of the national collective" (Seligman 1992, p. 109). Seligman is skeptical whether the concept of civil society which gained such high popularity in Eastern Europe after the breakdown of the Soviet system will strike its roots in this region successfully. Drawing on Edward Shils, Seligman stresses "civility" as an essential element of civil society: "Civility, the mutual recognition of each

individual's innate humane dignity and membership in the political community is [...] at the heart of civil society and [...] at the bottom of the collective consciousness of civil society" (Seligman 1992, p. 172; based on E. Shils 1991, p. 11ff). Because in Eastern Europe the universal notions of human dignity and moral individualism are almost completely absent, "to call for the establishment of civil society without taking into consideration the fundamental terms of trust in society is but an empty rhetorical exercise" (Seligman, 1992, p. 182). Seligman, if he had turned his attention to the Middle East, would have probably come to similar negative conclusions and would have probably shared the opinion of the late Ernest Gellner. Gellner developed an elaborate theory that popular Islam (one of the features being for example the worship of saints) was in the 20th century superseded by a high Islam, "by a reformed individualist unitarian theology, which leaves the individual believer to relate himself, singly, to one God and one large, anonymous, mediation-free community—all of which is virtually the paradigm of the nationalist requirement" (Gellner 1983, p. 79). This high form of culture also prevents civil society from taking hold in the Muslim world: "The direct transition from communal priests to universalistic unitarian enthusiasts, as it occurred in Islam [...] does not favor the emergence of civil society" (Gellner 1991, p. 510).

Yet, this rigidist stance ignores the political repercussions that the widespread discussion of civil society can create, and probably also the simple reality of events. Following the rigid definition of the "classical" civil society Daniel Bell says that "the United States has been the complete civil society (to use a Hegelian term), perhaps the only one in political history", but then he goes on to say:

But a modern civil society—one that is heterogeneous and often multi-racial—has to establish different rules: the principle of toleration and the need for plural communities to agree on rules governing procedure within the frame of constitutionalism (Bell 1989, pp. 48, 56).

If one leaves aside certain classical criteria, such as individualism, pluralism or private property, and defines civil society as the space between family and the state, one has at one's disposal a generally applicable concept.¹

1 For this distinction see Krämer (1992, p. 123).

The inherent danger in this is that such a general definition degenerates into a rather *eclecticist* approach. Such a danger is present in the case of a recently published two-volume-collection on the civil society in the Middle East. Its editor, Augustus R. Norton, asserts that civil society exists wherever the concept of it emerges in the political arena:

Categorical rejection of the idea of civil society in the Middle East is unwarranted, not least because the idea of civil society is fast becoming part of the indigenous intellectual and policy dialogues.

Thus for Norton it is fair to assume that the "lineage of the concept should be largely irrelevant" (Norton 1995, pp. 10, 11).

Most contributors to the collective volume are confident about what civil society can achieve in the Middle East, but their confidence also owes something to the haziness of the concept. Muhammad Muslih in his contribution on Palestinian civil society conceives all informal institutions of group solidarity as organs of civil society. Muslih's inaccurate conception of civil society comes out clearly when he says that "Arafat will have important weapons in his hands: vibrant civil society organs; a position of national leadership [...]"²

Aziz al-Azmeh has stated that the concept of democracy in the Arab world serves as a tool in the political power struggle and that it has been pocketed by anti-liberal and anti-democratic forces, that democracy has thus "become an ideological motif as ubiquitous today as Arab unity or Arab socialism once were in an Arab past" and is in "much of current Arab political discourse generally endowed with a virtually talismanic quality, as a protean force" (al-Azmeh 1995, pp. 112, 114). This verdict is extended to the concept of civil society. Arab intellectuals tend to interpret civil society as "a sort of protoplasm out of which political equity and democracy can emerge naturally" (al-Azmeh 1995, p. 122). Is civil society in the Middle East, therefore, a political slogan of different movements and parties and a term craved for because

2 Muslih (1995, p. 263, similar phrasings on pp. 266, 268). Two other examples of this kind from Lebanon: at the eighth congress of Popular First Aid a certain Sa'deddin Khalid attributes to the humanitarian organizations (as part of civil society) the role of a kind of reserve force for the state in the reconstruction of Lebanon and the umma (*an-Nahar*, May 17, Beirut 1993, p. 7); In'am Ra'd, chief of the Syrian Nationalist Socialist Party, in a rally before students in the north, calls for the strengthening of the defense (*sumud*) of civil society (*mujtama' ahli*) as a second defense line against the Jewish war against "our umma" (*an-Nahar*, September 13, 1994, p. 5).

democracy has been tainted and discredited, as Seligman has proposed for East Europe? (Seligman 1992, pp. 201, 204). Will the intellectuals in the Arab world turn to new slogans when the appeal of civil society has gone like that of a faded beauty?

But at least one Arab state has got a clear record as a state with a parliamentary, and even democratic system—Lebanon,³ a state that is also supposed to have survived the “fire and embers” of its civil war thanks to the existence of a civil society (Ibrahim, 1995, p. 43). In the light of this interpretation the Lebanese case might be seen as a kind of Lebanese exceptionalism in an exceptionalist Arab world.

II. Lebanese Exceptionalism and German *Sonderweg*

One possible starting point of Lebanese exceptionalism might be the collapse of the Ottoman empire. All the Arab successor states of the Ottoman empire were artificial creations. Lebanon, however, was different from the rest in the respect that the Maronites, the dominant community at that time in Mount Lebanon, urged the French authorities to proclaim the state of Greater Lebanon and then welcomed its foundation in 1920 enthusiastically. In the following decades the Maronite political elite became more closely linked to the Western world, with particularly negative results during the civil war. Inside and outside of Lebanon, Muslim Arabs continued to view Lebanon as an entity created as a result of imperialistic schemes and in cooperation with the Maronites and thus denied its legitimacy. In the other Arab successor states rejection in principle did not prevent acceptance in practice: “By refusing to accept the national validity of their given countries as a matter of Arab nationalist principle, the other Arabs, paradoxically, did manage in time to secure an accepted legitimacy for these countries as states” (Salibi 1988, p. 32). Even the positive record of a democratic political culture has been linked to the particular circumstances of Lebanon’s foundation. Ghassan Salamé in treating the paradox of a “democracy without democrats” in the Arab world has explained the installation of democracy in Lebanon as a “power-sharing formula within the framework of new frontiers”, as a “*quid pro quo* of state survival, a protective stratagem on the part of the ruling seg-

3 Huntington has an answer for this also: “Once Muslims became a majority in Lebanon and began to assert themselves, Lebanese democracy collapsed” (Huntington 1993a, p. 19).

ment to ensure the state survival" (Salamé 1994, p. 97). Lebanon on the other hand came to possess a positive record as it was economically the most successful state of the Middle East and had obviously installed its particular system of power participation with success. Has this Lebanese exceptionalism come to an end with the beginning of the civil war, with the destruction of Lebanon's superior economic position in the Arab world, with the end of Maronite political predominance and with the final turn to the Arab world exemplified in the close link to Syria in "Arab brotherhood"?

Lebanon before the war was often compared to Switzerland, because of its relative prosperity and because both states were run by the power-sharing system of proportional democracy. Yet, it has certainly never entered the mind of any serious political scientist to compare Germany and Lebanon—a venture that will be undertaken here nevertheless.

Lebanon and Germany differ from each other in nearly every regard. It is true that both states have until now seen two republics, both separated by a war, but the periodization and the specific circumstances are completely different:

—The short-lived Weimar Republic, named after the town where its constitution was officially adopted, was born in 1919 and came to an end in 1933. Weimar was to a great extent not accepted by its own elites and showed only limited economic success. The First Lebanese Republic was founded in the heyday of the German Nazi furore in 1941 and gained a positive record as a fairly liberal and prospering state in the following 34 years up to 1975.

—Lebanon has always been, on the international level, a non-aggressive state (we will not discuss here the *nolens* or *volens*). Germany, however, was before and after the Weimar Republic a stronghold of ethnic nationalism and militarism. Germany carried the Second World War and its ideology of extermination to every corner of Europe.

—Germany has still to face the collective responsibility for its genocidal crimes, whereas the civil war in Lebanon never affected regions outside Lebanon and was even stirred up and protracted by external powers.

—Whereas Auschwitz "unifies" the Germans in a common historical responsibility, the atrocities of the Lebanese civil war were experienced as the sufferings of a specific community. Yet, during the civil

war large parts of the Lebanese population tried to contribute to the peace effort. This was certainly not the case in Germany.

—Since the foundation of the Second Republic in 1949 Germany has achieved a record of economic success and democratic political culture. The Second Lebanese republic found its beginning with the Taif agreement in 1989 and the constitutionalization of this agreement in August and September 1990. The balance sheets of the Taif republic give so far the impression of an ailing enterprise.

—Whereas in Lebanon seventeen confessional communities are officially accepted as part of the Lebanese nation, the Federal Republic of Germany still clings to the ideal of an ethnically defined German nation and applies the *jus sanguinis*.

—The United States of America has been since the foundation of the Federal Republic of Germany its patron saint. Syria has taken a comparable role in Lebanon. It is doubtful, however, if this represents a similarity. In both cases, control and extension of the realm of power is a matter of fact, but the United States also offered the sweet ideology of Western liberalism combined with economic wealth. The Lebanese have had to be content with the bread-and-water appeal of Arab brotherhood.

How, facing this list of oppositions, which could be extended even further, can the thesis of a similarity between Germany and Lebanon be justified? I would say that three important similarities can be detected.

Firstly, Germany had to face and still has to face the traumatization produced by the war. In the 1960's the German psychoanalyst Alexander Mitscherlich mentioned the Germans' "inability to mourn" (*die Unfähigkeit zu trauern*). Samir Khalaf, however, experienced in the Lebanon after the war "a pervasive mood of lethargy, indifference, weariness which borders, at times, on collective amnesia".⁴

Secondly, both states lost in the wake of the war their national mythos and have had to find a new one. Yet, did both states ever have a convincing mythos? The German Reich has been described as a foundation of the nineteenth century that did not appeal, as did France and England, to the imagination of the people, to their expectations in the future, and their belief in mankind (Wendt 1992, p. 132). The

4 Khalaf (1993, p. 42); see also Taqiaddin (1995, p. 13): "What Lebanon basically needs and has not done successfully until now is an intellectual settlement with its past."

Federal Republic hoped to have found a new myth in the ideology of an economically successful state integrated into the Western world as a close ally of the United States. Yet, the well-known and important debate of German historians since the middle of the 1980's on how to interpret and how to integrate the holocaust into the whole of German history shows that Germany is still seeking a convincing image of itself.

The Lebanese civil war has finally exposed the myths, mostly conceived by Christians, of the First Republic: "The consociative *raison d'être* at the heart of Taif must find another claim to legitimacy for the entity which has survived the attrition of its founding clan" (Salamé 1994, p. 105). But did Lebanon ever have a myth common to all Lebanese? Did not the Lebanese sense of belonging fall apart into the different nationalisms of the respective communities (we make it very schematic here): the "Phoenicianism" of the Maronites, the Druze "secularism", the Sunni "Arabism", the Shii "Islamism", the Greek-Orthodox "Pansyrianism"? Even Michel Chiha's idea of a "merchant republic", that propagated a syncretistic and convivialistic Lebanese nationalism (Hanf 1993, p. 70), probably appealed only to the economically successful.

A third similarity between Germany and Lebanon is the discussion about an exceptionalism within the respective regional environment. German historians trace the German *sonderweg* back to the unification of the German Reich under Bismarck in 1871. Until 1945 the idea of being individual and of belonging neither to the "Eastern autocracy" nor to the liberal enlightened tradition of the West was part of the national pride in conservative German circles. After 1945, however, the word *sonderweg* was reinterpreted as a purely negative term by liberal historians, such as Karl Dieter Bracher, Hans-Ulrich Wehler, August Winkler and Jürgen Kocka, or sociologists, such as Ralf Dahrendorf and Jürgen Habermas. The term encapsulated the question why among the highly industrialized states of that time only in Germany could a radical fascism in this dimension take hold (Wendt 1992, p. 112). The final disaster of the German *sonderweg* in 1945 was not only conceived as a reason to repudiate this past but also to take the chance of being integrated anew as a democratic state into the community of civilized states. According to this understanding "a thorough and critical reflection about the specific handicaps to liberal democracy in Germany seems not only to be one of the pillars of our

democratic culture in the Federal Republic, but also an effective tool in immunizing it against the destructive forces of a right or left extremism" (Wendt 1992, p. 115).

Opposition against the idea of a negative German *sonderweg* has become particularly strong since the middle of the 1980's. Firstly, methodological objections have been made that the idea of a "*sonderweg*" inevitably implies the very dubious construct of an ideal type of a "normal way" (usually Great Britain). Furthermore, much of what has been interpreted as the German *sonderweg* seems to be common to many modern societies. Hans-Ulrich Thamer's recapitulation of the German *sonderweg* seems to be valid for most modern societies and is thus not very convincing:

The belated nation saw a rapid break-through of industrial forms of living, without a stable liberal-democratic political culture and constitutional order being able to respond to the multiple demands for emancipation by rising social groups. This led to an overlapping of highly modern and anachronistic structures and attitudes. The simultaneity of the problems engendered a dissimultaneity of politics and society which was reinforced by the dynamics of the development (Thamer 1986, p. 43).

Objections of a second kind were raised by conservative historians such as Andreas Hillgruber, Klaus Hildebrand and Ernst Nolte. We will turn now to this objection in the third chapter which will be devoted exclusively to the German case. The discussion of a future Lebanese *sonderweg* will be postponed to the conclusion.

III. Constitutional Patriotism

The concept of *constitutional patriotism* (German: "*Verfassungspatriotismus*") has been formulated in order to protect German society from the pernicious influence of a strong ethnic nationalism while at the same time proposing a compensatory mythos that appeals to the loyalty of the Germans. The intellectual origins of constitutional patriotism are probably to be found in the United States. Different ethnic groups find their common point of reference and their common haven in the constitution, a constitution which, in return, aims primarily at the defence of the individual, not of a minority. This idea has been advocated by various German intellectuals, historians and sociol-

ogists, but the person most closely associated with this concept is the well-known liberal and left-wing German philosopher and sociologist Jürgen Habermas. Yet, thinkers of a more conservative leaning, such as the late Dolf Sternberger, a political scientist, also supported the idea of *Verfassungspatriotismus*. In 1982 Sternberger said that West-German patriotism—as it was no longer possible to refer to Germany as a whole, being now broken apart—should refer to the “free and democratic-constitutional order” (*freiheitlich-demokratische Grundordnung*) of its polity (Sternberger 1982, p. 11).

Habermas' concept of constitutional patriotism is more complex as it forms a part of his general philosophical system of a radically democratic society in which the “*Öffentlichkeit*” (the public) plays a tremendously important role. He had already started to analyze the function of the public in his book *Strukturwandel der Öffentlichkeit* (structural change of the public), written at the beginning of the 1960s. Habermas defines the “public” as a network by which contents and opinions are communicated. The public thereby reproduces itself by the way of communicative action (Habermas 1992, p. 436). The public, thus defined by Habermas, is a very close ally of civil society. The institutional kernel of civil society is—according to Habermas—those voluntary non-state and non-economic amalgamations and associations which anchor the communicative structures of the public in the society (Habermas 1992, p. 443). Whereas the political individual is realized on the level of daily politics through participation in communicative action, it is crystallized on the constitutional level in the form of the citizen. As a citizen, everybody can expect to be treated by everybody else as a free and equal person and will establish a three-fold recognition: as an irreplaceable individual, as a member of an ethnic or cultural group and as a member of a political community (Habermas 1992, p. 638).

Constitutional patriotism can thus only rise when political culture and state politics have started to differentiate to a greater extent than is the case in the nation-state of the classical type. The identification with particular traditions and life patterns is superseded by a more abstract patriotism which does not refer any longer simply to the whole of a nation, but to abstract principles and procedures (Habermas 1987, p. 173). Whereas on the one hand Habermas tries to substantiate the concept of *Verfassungspatriotismus* on a philosophical level, he postulates at the same time a moral necessity. Auschwitz (the

emblem of the German holocaust committed against the Jews and others) has created an "obligatory melancholy" (Habermas 1987, p. 174). Auschwitz laid upon the Germans the moral obligation not to return to the old patterns of an ethnic nationalism. *Verfassungspatriotism* is thus for the German citizen the only possible way of being a patriot and a democrat at the same time:

For us in the Federal Republic of Germany *Verfassungspatriotismus* means amongst other things the pride in our success in overcoming fascism on a permanent basis, establishing a constitutional order and anchoring these in a fairly liberal political culture (Habermas 1987, p. 152).

Habermas laid particular emphasis on the concept of *Verfassungspatriotismus* in the well-known "*Historikerstreit*" (historians' debate). Historians like Hillgruber and Nolte, supported amongst others by the influential German newspaper *Frankfurter Allgemeine Zeitung*, tried to revise the dominant interpretation of German Nazi history, driven by the belief that German history as a whole had been unjustly delegitimized. But, consciously or unconsciously, they tended thereby to undermine the *raison d'état* of the Federal Republic, which is based—at least partially—on the condemnation of Nazi terror and the break with a militant-nationalist past. In reaction to this, Habermas and others stressed *Verfassungspatriotismus* as a pledge to the West and therefore as a guarantee of the inner stability of the German democratic polity.

IV. Constitutional Patriotism and Confessional Patriotism in Lebanon

The civil war has left deep scars on the tissue of Lebanese society. The Lebanese political scientist Hilal Khashan carried out in 1988/89 an empirical enquiry into the political attitudes of Lebanese university students. Khashan summarized the results of his study in the statement that "the level of political mobilization is alarmingly low, the degree of their democratic orientation is insufficient to permit modern political practices, and their high propensity for particularism dismisses the concept of a civic society" (Khashan 1992, p. 167). The Lebanese intellectual Samir Frangié stated that the forms of social binding had been destroyed and that even the militia had lost their basis: "The con-

fessional or clan solidarity which served as their binding force has disappeared" (Frangié 1991, p. 96).

But these sobering observations are not the whole truth. A common Lebanese identity seems to have come into existence through a complex process—the common experience of a state, the simultaneous experience of a war and the failure of the competing ideologies and nationalisms. Ahmed Beydoun, analyzing the bulk of contemporary Lebanese historiography, has detected a slowly growing acceptance of Lebanon as the common state, a tendency towards a certain "libanité" (Beydoun 1984, pp. 11, 63, 248, 320, 578, 584). Eminent writers on Lebanon stress that today all Lebanese share the same national identity that supersedes secondary group affiliations and loyalties (Salibi 1988, pp. 3, 222; Hanf 1993, p. 540). Perthes states that Lebanon has preserved, even during the war, its paradigmatic role in the Arab world as a state with a parliamentary tradition, institutions of civil society, a social, scientific and intellectual plurality. Lebanon could thus be potentially a model of an open, pluralist society in the Middle East (Perthes 1994, pp. 8, 145-148). A new positive national mythos might be founded on a civil and constitutional patriotism. The vitality of civil society has been proved in its local cultural institutions and a part of the media have made an enormous contribution toward initiating and keeping alive a Lebanese public debate (Perthes 1995, p. 11).

One example of such a public debate was the intense discussion concerning the reconstruction of the destroyed center of Beirut. Downtown Beirut before the civil war represented the only place in the Lebanon where the different communities possessed a common locus. Explicitly for this reason, as a symbol of intercommunitarian existence, Beirut was attacked by the different militia during the war. The war for Beirut was also a war for the center of Lebanon and therefore the fighting concentrated mainly on the region of Greater Beirut. The return to the center, i.e. downtown Beirut, would thus signify also the return to politics as a forum of public debate and mediation (Beyhum 1991, Maila 1991, p. 368). From this angle it can be understood why public debate in Lebanon devoted so much attention to the schemes to reconstruct the destroyed downtown of Beirut. The functional authoritarianism of Hariri's government and the acting company *Solidère* was opposed by a broad public. The dangers hanging over the reconstruction are obvious: either one might fall into the trap of the continuation

and solidification of Lebanon's communitarian structure or into the trap of an excessive privatization and laissez faire economics. One condition for a successful reconstruction of Beirut will be openness of space and access for the whole population (Beyhum 1991, pp. 22, 54), or to put it simply, "maximalization of integrative factors and minimalization of segregative factors" (Beydoun 1994, p. 40).

This is vital for Lebanon as "the war has not only destroyed common spaces, it has conversely, because of concomitant decentralization, abetted the formation of separate, exclusive and self-sufficient spaces", carved out by a "geography of fear", in which "territorial and confessional identities, more so perhaps than at any other time, are beginning to converge" (Khalaf 1993, p. 32). Thus, the central task of the reconstruction process is to ensure that the disengaged, indifferent and hostile groups can be made to mix and to come into contact with each other, a process which would correspond to the transformation from a cantonized to a plural society (Khalaf 1993, p. 57). The intense debate showed the high degree of activity in the public arena and its fight for a space where the public can find regeneration.

A similar example of a public debate seems to be the discussions regarding constitutional issues. The debate on the Taif-agreement of 1989 and the changed constitution of 1990 delves very often into the intricate analysis of this or that article. The heated discussions on the role of the "troika" of State President, Prime Minister and President of the Parliament give the foreign observer the impression of being confronted with a society that regards the constitution as a vital element of its political identity. But whereas the debate concerning a pluralistic and accessible downtown Beirut was supported by the forces of civil society, the record of constitutional debate in Lebanon is uneven. Samir Frangié has rightly remarked that under the surface of constitutional debate the old power game between the communities finds its concealed continuation. Outspoken demands for one's own confessional community, considered as being somehow unsavory, are veiled behind constitutional deliberations (Frangié 1991, p. 93; also Maïla 1989, p. 25).

Confessionalism and Lebanonism

The debate on confessionalism seems, like the debate on constitutional issues, to be determined broadly by tactical political calculations. In the First Republic the defenders of the confessionalist system

were to be found mainly on the Maronite side, whereas on the Muslim side, and particularly amongst the Druze, there was a vehement demand for the abolition of the confessionalist system. After Taif the picture has somewhat changed as now Muslims have also come to know the taste of privilege that a dominant position in the confessionalist system confers.

It might be fruitful to distinguish between the terms "confessionalist system" and "confessionalism". The first term is to be understood as the access to and distribution of political power along the criteria of confessional identity. Confessionalist societies with a democratic-parliamentarian political order have been termed as a "proportional" or "consociationalist" democracies. The term "proportional democracy" was introduced to describe historically grown mechanisms of accommodating political conflicts, as, for example, in Switzerland. Arend Lijphart adopted this theory and named it—borrowing from Johannes Althusius' *consociatio* (community of common destiny, cooperative)—*consociationalism*, applying it to societies which are "divided by segmental cleavages and which follow concern lines of objective social differentiation" (Lijphart 1977, p. 3). In the two recent decades the consociationalist system in Lebanon was severely criticized as having failed the test of applicability. The opponents of the consociationalist model maintain that it fostered stiffness of the political system and did not neutralize chauvinistic elements. But the main danger is that the consociationalist model confessionalizes even conflicts that are originally not confessional at all (Hudson 1988, p. 233; Kabbara 1991, *passim*; Perthes 1994, pp. 132). The confessionalist system of consociationalism has, according to this interpretation, degenerated into pure "confessionalism"—a petrified system of power conservation. It has led to the erosion of basic human and legal rights, and the fostering of corruption, and has created an instinctive desire to tear the political adversary apart.

The confessionalist system and mentality is deeply rooted in the Lebanese political system and many have argued therefore that Taif is no more than the repeat of the pact of 1943, taking into account the changed demographic and power balance. The representatives of the old political system were, according to this interpretation, only able to reconfirm the old political system. The new constitution has continued the ambiguous and twisted mentality of the Lebanese political system by reconfirming the confessionalist system (particularly articles 19, 22,

24) while at the same time confirming the strong commitment to its abolition (article 95).⁵

The deeply-rooted character of confessional politics shows itself in the winding roads that the discussion on deconfessionalization can take. Staunch anti-confessionalist positions, propagated for example by the Druze⁶ and the PLO,⁷ are always suspected of seeking a greater share of power in a deconfessionalized system.

On the other hand, those who point at the insurmountable difficulties of deconfessionalization are no less suspect in their commitment to the common cause. The priest Antoine Dauw argues that a new, democratic, Arab and secular Lebanon can only come into being if the whole of the Arab world adopts such a political system (i.e. it will be never realized?).⁸ George Sa'adeh of the Maronite Kataib argues very ambiguously that political deconfessionalization is not possible without changing the whole structure of confessionalism in a very long process (i.e. it is not possible at all?) (*An-Nahar*, November 19, 1993, p. 5). Or as Jean Hawat, general secretary of the National Bloc (which is at last Emile Eddé's party), puts it: "The project for abolishing confessionalism is confessionalist" (*An-Nahar*, March 6, 1995, p. 7). Nabih Berri, Speaker of Parliament and leader of the Shiite Amal, confirmed his practice of appointing Shiites to positions within his jurisdiction as long as the confessionalist system had a firm hold on Lebanon and as long as Maronites, Sunnites etc. comply with the system. Berri justified his practice by the hypocritical argument that he wanted to illustrate by his confessionalist policy the dangers of confessionalism (*An-Nahar*, February 28, 1995, p. 3).

But besides these more or less tactical calls for deconfessionalization one can also find sincere deconfessionalizers. A convincing anti-confessionalist position is taken by Salim Hoss, former Prime Minister and now leader of a parliamentarian group.⁹ The *taifiya*, i.e. the con-

5 Najah Wakim (Ta'qib 3, pp. 45-49); see for similar evaluations Joseph Mughayzal (p. 31), Hussein Quwwatli (p. 52f), Issam Halifa (p. 57), Hussein Kanaan (p. 82), all in Center for Arab Unity Studies 1991; see also Kabbara (1991, p. 360).

6 Rashid al-Qadi (a Druze official), in Centre for Arab Unity Studies 1991, p. 69ff.

7 Muhammad Swaid, in Centre for Arab Unity Studies 1991, p. 72.

8 A. Dauw, in Centre for Arab Unity Studies 1991, p. 76.

9 On Hoss see Scarlett Haddad (*L'Orient-Express*, Beirut, April 1996, p. 7); on his parliamentary Bloc of Salvation and Change (*kutlat al-inqadh wa-t-taghyir*) and the members, such as Bishara Marhaj, Joseph Mughayzil, Issam Naaman, Muhammad Qabbani see *an-Nahar* (February 28, 1995, p. 3).

fessionalist system, has become, according to Hoss, a strangling noose and an illness which rages in the souls of the Lebanese. One of the most important tasks of the state would be to help the Lebanese to liberate themselves from this evil by putting every effort into developing the country. Because "what else is the *taifiya* but the symbol of ignorance and backwardness amongst the people?" The *taifiya* must therefore be (and can only be) overwhelmed in a continuous and steady process. According to Hoss, the *taifiya* will have to be fought against on three fronts: general information, educative measures, which aim at the creation of citizens, and obligatory military service for all Lebanese in the assimilating institution of a national army (*An-Nahar*, February 2, 1995, p. 5). Hoss's stance seems very compatible with the concept of constitutional patriotism. He has explicitly referred to the example of the United States and their citizens' loyalty to the constitution as the cohesive force of their polity (*An-Nahar*, April 9, 1994).

While Hoss proposes a break with the *taifiya*-system, others, with equal seriousness, have made up their minds in a different way. In their opinion the dissolution of the confessional structure in Lebanon is neither possible nor necessary. What has to be striven for is a balance between confessional affiliation and public spirit as a citizen.¹⁰ This stance is propagated by the multi-confessional "Permanent Council for Lebanese Dialogue" (*al-mu'tamar ad-da'im li-l-hiwar al-lubnani*) and its journal, Dialogue Papers (*awraq al-hiwar*). In a joint declaration in 1995 the council said that both democracy and patriotism (*wataniya*) are based on the pluri-confessional structure of Lebanon and that neither can replace it. What is needed is simply the "Lebanonization" of the *taifas*, i.e. the confessional groups. Lebanon's history is the history of the coexistence of the different communities and the Lebanese differ from other societies by their long experience of coexistence (Permanent Council 1995). Samir Frangié, an eminent member of the council, argues in the same vein. The first condition for a national balance (*tawazun watani*) is a confessional one (*tawazun ta'ifi*) (Frangié 1996).

It is for the common good in Lebanese political discussion to affirm Lebanon's specific historical and spiritual heritage of Muslim-Christian relations and to accept the peculiarity of each community's

10 For example Salam (1994, p. 146ff).

culture, each of which flows into a common Lebanese culture.¹¹ Yet, in the arguments put forward by the Permanent Council, this multi-confessional historical heritage becomes, as recalled by the Lebanese, the main abode of common polity. The Lebanese national commonwealth materializes through the attachment to common history and life, engagement in the formula of reciprocity and partnership, and the willingness to protect these ideas from internal and external dangers. According to this myth, Lebanon is the only state in the world based on heterogeneity, but that has nevertheless created national loyalty and a unified state (Permanent Council 1995; al-Mawla 1995; Sham-saddin 1995). Consociationalism is based on a "syncretistic nationalism" seeking to institutionalize Lebanese communities and to organize their coexistence (Hanf 1993, p. 29, fn. 50; also Kabbara 1991, p. 345).

Contrary to the great classical democracies where freedom of the individual forms the basis of political action, in Lebanon it is the *taifa* on which political life is centered (Frangié 1991, p. 91; Beydoun 1984, p. 350; Salamé 1994, p. 99; Salam 1994, p. 146). The chastened confessionalist system, as proposed by the Permanent Council, might be conceivable in a *non-rigidistic* conception as a "confessional-constitutional patriotism".

V. Conclusion

Both options discussed in the last chapter, democratic deconfessionalization and a patriotic-confessionalist system, resemble the attempt to draw oneself out of a swamp by pulling one's own hair. The difficulty of the task explains why Lebanese intellectuals, in describing either of these two aims, fall so often victim to a tautological argument.

The deconfessionalization of Lebanese society, as proposed by Selim Hoss or Ghassan Tuani, is convincing insofar as it is combined with the call for a critical revision of the internal policies that caused the civil war. It does not surrender in face of the seemingly overwhelming persistence of confessionalism. Deconfessionalization will go hand in hand with democratization and an increasingly open society. The sincere desire for deconfessionalization does not negate the existence of the different communities, but it urges the idea of one society,

11 See for example the discussion between Ghassan Tuani, editor of the liberal Beirut newspaper *an-Nahar* and a devoted anti-confessionalist, and the Bishop Ra'y, where both can agree on this point (*an-Nahar*, February 6, 1995, p. 4).

in which Muslims and Christians live together. But how can such a process be set in motion? This seems to be an endless dilemma as the venture to deconfessionalize seems to presuppose one last agreement on a confessional basis—the willingness to meld the confessions into a national society.

The second option, a patriotic-confessionalist system, accepts the reality of a deeply rooted confessional structure in Lebanon's society and tries to transform it into a purified and chastened confessionalist system based on strong patriotism and reverence for common Lebanese values. But how can it be guaranteed that such a sublimated confessionalism will ever be safe from the diverse egotism and machinations that exploit the potential of different confessional identities? As the stress lies here on the national unity of the Lebanese and not on a common democratic political system, the democratic commitment of some of these positions is somehow unclear. Also precarious is the unconditional approval of the Syrian presence (Frangié 1995; as-Sammak 1995). A further disadvantage of this confessional-constitutional patriotism is that it tends to get lost in the mud of rhetoric. A journalist of *an-Nahar*, reporting on a similar organization, the Lebanese National Committee for Islamo-Christian Dialogue (*al-lajna al-wataniya al-islamiya al-masihiya li-l-hiwar*), has rightly remarked that the aims of this committee sound like a national anthem in their generality and haziness, all of them stressing the endeavor to unify the Lebanese in a common dialogue (*An-Nahar*, January 6, 1995, p. 6).

Habermas himself has been very cautious in drawing attention to the various parameters which have to be given as a condition for the positive deployment of constitutional patriotism: it presupposes a functioning democratic and institutional infrastructure, a pervasive intellectual culture, the notion of the individual, a favorable political environment (such as the neighboring states being stable and functioning democracies), a social market economy. None of these parameters is present in Lebanon.¹² A rigidist stance would thus from the start disqualify Lebanon as a possible candidate for viable constitutional patriotism.

Lebanon's most pressing need is for a balanced economic and social development and a state that responds to the people's necessities. Confessionalist polarization has always owed a great deal to social and

12 The same is, by the way, valid for the genesis of a civil society, see Habermas (1992, pp. 449f, 630).

economical problems. As long as the present Lebanese state authority ignores the most urgent needs of the people and lags behind in the willingness to lead a dialogue with the society Lebanon will be again prone to polarization. The Hariri government is clinging to a line of a technocratic functionalism for the restoration of Lebanon. The Lebanese, in the meantime, must accordingly abstain from public and political activity, and will gain as a compensation—in the long run—improved living conditions.¹³ Unless these politics change, prospects for the emergence of a constitutional patriotism are extremely slim.

The comparison of Lebanon with Germany shows that two states with different histories and conditions can face the same dilemmas after a self-destructive war (Germany's self-destruction was only a small part of the general destruction caused). Lebanon's old myths (which were not very convincing in the first place) are gone and cannot be revived, but, as in the case of Germany, the destruction of the old myths can pave the way for new opportunities.

But can the positive sides of Lebanon's *sonderweg* (economic success, positive record of a parliamentarian and even democratic system) remain since the "negative" aspects (isolation from the Arab world, unrealistic dependence on the Western states) have gone with the establishment of "privileged relations" (*alaqat mumayyaza*) with Syria? It is rather doubtful. If there is today hegemonic ideology in Lebanon it is the unconditional acknowledgement of Syria's role and tutelage in Lebanon and the presence of around 35.000 Syrian soldiers in Lebanon (besides some estimated 500.000 Syrian guest-workers). The Syrian presence seems to be a real obstacle to further development of the Lebanese state and nation. Syria's more than dubious commitment to a democratic culture in Lebanon showed itself in the wheelings and dealings of the parliamentary elections of 1992 and 1996 and the two-year-prolongation of the term of office of the State President, Elias Hrawi, which would otherwise have ended in December 1995.¹⁴

If one of the two options described above were to gain the upper hand (both of them would need the tacit approval of the Syrians, but

13 See the words of warning in the contributions in *Awraq al-hiwar* in early 1996.

14 For example, Joseph Bahout (1996, p. 31) describes the increasing degeneration of the Lebanese parliament as an "example of the 'convergence' between the Lebanese and Syrian systems."

the concept of a sublimated confessionalism is the option with the better prospects) then Lebanon would continue its *sonderweg* in the Arab world. Due to its complex confessional structure and its higher degree of fragility, Lebanon is obliged to find a fundamental answer to the political dilemmas by which it is vexed. Lebanon has thus at its disposal a higher potential for reform than other Arab states. In both cases, the success of the chosen path (replacement of the taifa-system or deconfessionalization) would be very much dependent on a loyalty which is anchored in a Lebanese patriotism and a common political experience over roughly the last 75 years. The concept of a constitutional patriotism, as we have described it above, seems to be applicable more to the case of successful deconfessionalization than to a patriotic-confessionalist system. The concept of a constitutional patriotism in Lebanon might be helpful as a positive ideal to which all communities in Lebanon can direct their loyalty, but the use of the concept alone, without creating the necessary socio-economic and political conditions, might even be detrimental as it would be just another weapon in the well-practiced arts and crafts of nebulous rhetoric.

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