

Teim



TEIM Election Watch Analysis

ELECTORAL REPORT:

LEBANON/Parliamentary elections

7 June 2009

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Election Watch

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Background to the elections:

After a parliamentary term characterised by misgovernment and continuous political-institutional deadlock, the 7 June 2009 parliamentary elections aroused great expectation.

Since the status quo changed in 2005 as a consequence of the assassination of Rafik Hariri and the departure of the Syrian troops, the Lebanese political spectrum has been structured around two large blocs or multi-confessional political groups in continuous confrontation, the March 14 Alliance (M14) and the March 8 Alliance (M8). Theoretically, this division is organised around the relationship that each of these blocs maintains with the international community. The M14 calls itself western and close to 'moderate' Arab countries, while the M8 has positioned itself within the so-called Syria-Iran axis. In practice, behind this division, lie concealed all the elements directly related to the distribution of political, community and regional power within the country. In this context, the parliamentary elections of 2005 produced a parliamentary term that was characterised by institutional deadlock and constant confrontations. Over the last four years, the parliament and government have been ineffective for months and the country spent more than six months without a president (from November 2007 to May 2008). Furthermore, the Lebanese people had to suffer an invasion by Israel in 2006, the war between the Lebanese army and the *Fatah al-Islam* Palestinian Islamists in 2007, a mini-civil war in May 2008 and, of course, occasional, but repeated political terrorist attacks and outbreaks of violence.

Naturally, the elections were also presented as a fight between the two blocs representative of two different concepts of government in the country. The M14, led by the Sunni Saad Hariri, included leaders like Samir Geagea and his Lebanese Forces and the Druze leader Walid Jumblatt, in addition to a broad group of political, denominational and regional leaders. Facing them was the M8, with Hezbollah, Amal and Michel Aoun, who leads the Change and Reform Bloc, formed by his party and a number of small regional leaders and parties. Furthermore, both groups included numerous independent leaders in their ranks who were dignitaries with a low political profile, but with wide clientelist networks that assured a solid handful of votes. The election campaign was tough, marked by verbal violence and in many cases physical violence as well. Election day, however, took place in an atmosphere of relative calm, although in areas like Zahle, Ain el Remmaneh and Tripoli, violent altercations took place.

Quantitative indices of democracy:

Lebanon was classified in the following democratic performance rankings just before these elections:

| Measurement | Name and year of report or database | Institution | Index | Points, ranking and classification |
|--|---|---|--|--|
| Political rights and freedom | Freedom House Report 2008 | Freedom House | PR: political rights CL: civil liberties | PR: 5, CL: 4 (Scale of 1, free to 7, not free) Classification: Partly free |
| Degree of democracy in earlier elections | Polyarchy 2.0 2004 (referring to the 2000 elections) | Peace Research Institute of Oslo and Tatu Vanhanen | ID: Synthetic democracy index, Part: participation, Comp: competition | ID: 25.92, max. 49 Part: 37.03, max. 70 Comp: 70, max. 70 (Democracy minimum: ID: 5, Part: 10, Comp: 30) Classification: democratic |
| Consolidation of authoritarian and democratic institutions | Polity IV 2007 | Center for International Development and Conflict Management, Univ. of Maryland | Democracy: consolidation of democratic institutions Autocracy: authoritarian consolidation Polity: synthesis of both | Democracy: 8 Autocracy: 1 Polity: 7 (Scale of +10, very democratic to -10, very authoritarian) Classification: democratic |
| Perception of corruption | Transparency International Corruption Perception Index 2008 | Transparency International (TI) | TICPI: corruption perceptions index | TCPI: 3 points out of 10 , (Scale of 1, very corrupt to 10, not at all corrupt) Rank: 102 out of 163 countries |
| Management of political and economic change | Bertelsmann Transformation Index (BTI) 2008 | Bertelsmann Foundation | MI: Management Index, quality of transformation management | MI: 4.57 points out of 10, Rank: 83 out of 125 countries Classification: Transformation management with little success |
| Democracy, including press status and corruption | World Democracy Audit 2008 | World Audit | World Democracy Rank: political freedom (FH) + press and corruption (TI) | World Democracy Ranking: 89 out of 150 countries, division 4 out of 4 |

Quantitative analysis of electoral democracy:

The elections analysed in this profile produced the following electoral democracy quantitative results:

| | | | |
|--|---|--|---|
| Degree of democracy in these elections | Measurement of democracy in these elections according to the Polyarchy 2.0 index, calculated by TEIM Election Watch | ID: 18.32, max. 49 Part: 41.15, ¹ max. 70 Comp: 44.53, ² max. 70 (Democracy minimum: ID: 5, Part: 10, Comp: 30) | Classification of the elections: democratic |
|--|---|--|---|

¹ The data used to calculate the degree of democracy are a total population in June 2009 of 4,017,095 according to the CIA World Factbook (although we repeat that Lebanon has not published an official population census since 1932). The number of voters who went to the polls was 1,653,254 according to data from the Interior Ministry. Participation was calculated from these data.

² Competition was obtained by adding up the percentage of seats won by the opposition. The M8 Alliance won 57 seats of the 128 that form the chamber.

Definition of the political system and parties:

According to the constitution, Lebanon uses a direct parliamentary election system. However, the imprecision in the constitution regarding everything relating to the electoral system lets the government in power determine the legal framework within which the elections will be carried out. These elections were held within the framework of Law 25 of September 2008. This electoral law is principally characterised by a new distribution of electoral districts, which were smaller than those in earlier elections, and by the introduction of some clauses designed to guarantee greater transparency in the election process.

Lebanon has a multi-party system and the electoral process applies the block vote system,³ a majority formula in which the voter elects as many candidates as his/her constituency has, irrespective of their confessional group. Therefore, it is the candidates who are elected and not the parties.

Impact of the electoral process and size of the constituency on the elections:

The size of the constituencies is a central theme in the Lebanese electoral system and one of the key issues in the national political debate. In Lebanon, each constituency is assigned a specific number of seats which are distributed proportionally among the most numerous religious communities in that electoral district. The size of a constituency can determine the election result. Each region in Lebanon has a set distribution of communities. The Maronites, and Christians in general, tend to be concentrated in limited spaces while the Muslim population, in addition to being more numerous, is more dispersed. Therefore, small constituencies increase the representation of the Christian electorate and decrease proportionality. As a consequence, the generalisation of small constituencies, or *cazas*, has been a recurring demand from the elites, especially the Maronites. During the Doha agreement process (May 2008), the precursor to the September 2008 electoral law, the main political leaders in the country agreed to apply the distribution of electoral districts established in the 1960 electoral law in which the constituencies correspond to the *cazas*.⁴

Statistically speaking, concerning district magnitude, the mode and median size are 3 and 4.5, respectively. Therefore, in a majority system like Lebanon's, the level of disproportionality increases with such small constituencies.⁵ In the Lebanese case, one of the most visible consequences of the decrease in the size of the electoral districts is that it accentuates the religious differences inside the country.

³ The names of the electoral systems are those used by IDEA, International Institute for Democracy and Electoral Assistance. See specifically the Electoral System Design at their website: <http://www.idea.int/esd/world.cfm>.

⁴ Administratively, Lebanon is divided into 6 large *muhafazat*: Beirut, South Lebanon, Nabatiya, Biqaa, North Lebanon, and Mount Lebanon. The *cazas* are territorial subdivisions into which the *muhafazat* are divided and have a more homogenous population distribution.

⁵ Agustí Bosch explains it thus: "It is considered that systems with uninominal constituencies produce an index of disproportionality that is almost double that of small [proportional] constituencies (with 2-6 seats), and that these in turn produce an index of disproportionality that are is almost double that of medium-sized constituencies (6-10 seats). As for systems with larger still constituencies, these do not substantially increase proportionality. (A. Bosch, *Guía del sistema electora [Guide to electoral systems]*, Servicio de Publicaciones de la Universidad Autónoma de Barcelona, Barcelona, 2004, p. 21

Moreover, Lebanon functions with the block vote formula, but with the peculiarity that it is organised according to a system of confessional quotas and regional distribution. However, these quotas do not reflect the current political-demographic reality in the country. The last official population census dates back to 1932. The quotas were established in 1943 and although they were modified in 1989, after the Taif agreements, they still do not correspond to the current demographic reality. Therefore, the electoral formula in force distorts the relationship between the political will of the citizenry and the election results.

Results:

Participation: according to the data from the Interior Ministry, the Lebanese electoral census is 3,257,230 people, 7% more than in 2007. Of these people, 1,653,254 went to the polls, i.e., 54% of registered voters.

Results of the 2009 parliamentary elections

| Election results by party | No. seat |
|--|------------|
| March 14 Alliance | 71 |
| Future Movement | 24 |
| Lebanese Forces | 5 |
| Kateeb Party | 5 |
| Progressive Socialist Party | 4 |
| Democratic Left Movement | 1 |
| Hentchag | 1 |
| Islamic Group | 1 |
| Independents | 30 |
| 8 March Alliance and Change and Reform Bloc | 57 |
| Amal Movement | 12 |
| Hezbollah | 10 |
| Free Patriotic Movement | 10 |
| Tashnaq | 2 |
| Syrian Social Nationalist Party | 2 |
| Ba'ath Party | 2 |
| Marada Movement | 1 |
| Islamic Action Front | 1 |
| Lebanese Democratic Party | 1 |
| Independents | 16 |
| Total | 128 |

Source: Author's own compilation from Interior Ministry and IFES data

Evaluative analysis of the elections:

Participation:

According to data from the Interior Ministry, participation was 54% of registered voters. This means an increase of 10% with respect to the 2005 parliamentary elections, when participation was 44%. However, participation by constituency was very unequal. It varied between 67% in Kesrouan and 37% in Bcharre. However, it is important to note that the Interior Ministry has not published the number of voters or the number of spoilt and blank votes in the constituencies of Zahle, Nabatiyeh and Saida. It has only provided figures for the participation rates. As it happens, these three constituencies had especially surprising election results.

Finally, the Lebanese in the diaspora are still unable to vote in their places of residence.⁶

Competition:

In theory, the degree of competition in the elections was high. No candidate or party was prohibited from running. Similarly, the procedures to be followed for registering candidates followed internationally accepted standards. At first, more than 700 candidates were in the running. After the official date for the voluntary withdrawal of candidacies, however, the number of candidates decreased to 587.⁷ Nevertheless, Emile Nawfal and Mahmoud Awad, independent candidates for the Jbeil district, announced their withdrawal only 2 days before the elections.

It must be noted, however, that the bipolarisation and negotiations that took place around the formation of the electoral lists in the months before the elections, neutralised the possibilities of the many candidates who did not partake in the M14-M8 division.

Transparency:

Generally speaking, it can be said that the electoral process was more transparent than in earlier elections. Firstly, and for the first time, the government accepted the presence of national and international election observers.⁸ Furthermore, some advances were introduced in the voting procedure: the elections were held on one day only, when they used to be held on four consecutive Sundays, and the voter registration card was replaced by a national identity document or passport. The new electoral law also limited the role of the media in the campaign as well as campaign financing.

However, according to the Lebanese Association for Democratic Elections (LADE), which had more than 2,000 observers working throughout the country during the campaign and on election day, more than 900 irregularities occurred during the entire process. The TEIM Election Watch, with its modest means and without the permits needed to observe the election inside the polling stations, detected more than 20 irregularities. Only three of the most flagrant violations of the electoral law are described here. Firstly, Article 68 of the electoral law, which prohibits verbal violence and the explicit support of any candidate in the media – whether public or private – was violated repeatedly by all of the media.⁹ Secondly, the clause regulating campaign financing was broken scandalously.

⁶ When the diaspora is included in the discussion, the numbers bandied about are around 12 million people, but there are no official figures. However, this figure would include all Lebanese emigrants and their descendents since the end of the 19th century. Therefore, it is difficult to determine to what extent many of these people are really Lebanese and, of course, it is impossible to grant the right to vote to all of these people. What is being considered is the possibility that Lebanese born in Lebanon who live abroad can vote from their place of residence. Currently, these people must go to their place of birth to exercise their right to vote.

⁷ The Interior Ministry established 25 April as the deadline for withdrawing candidacies.

⁸ It should be noted that the TEIM Election Watch was not officially accredited by the Lebanese Interior Ministry to carry out observations on the ground. We were told that no independent observation was accepted, while they publically stated that all types of observers would be accepted.

⁹ These violations were even reported by the Supervisory Commission on the Electoral Campaign. According to the Doha agreements, the government had to approve the creation of an independent electoral commission. Finally, the decision was made to create a council that was dependent on the Interior Ministry and was entrusted with monitoring the campaign in the media and supervising the candidates' spending during the campaign.

The electoral law limits spending for each candidate to 150 million Lebanese pounds (\$100,000), with the possibility of moderately increasing this figure according to the number of citizens included in the census in the district being contested. Furthermore, this money must be deposited in a Lebanese bank account which is not subject to the banking secrets in force in the country. In practice, it is impossible to know how much money the parties and leaders invested in the campaign. It is even more difficult to know how much of this money came from countries like Saudi Arabia and Iran. However, the figures are shocking, according to associations like the LADE and the Lebanese branch of Transparency International. In fact, these were probably the most expensive elections in the country's history. Votes were bought, both directly and indirectly. For example, millions of dollars were spent on paying for plane tickets to move thousands of Lebanese citizens who live abroad so that they could vote. Thirdly, numerous forgeries were detected in identity documents, more than 6,000 according to the LADE. In fact, the Interior Ministry had to invalidate more than 600 IDs.

On the fringes of violations of the law, the system still has serious deficiencies. For example, the ballots have not been standardised, i.e., ballots are not printed homogeneously or officially. This makes it easy for candidates to control the voters, especially in rural areas. The candidate hands out ballots with identifying marks house-by-house and family-by-family. Then, when it comes time to count the votes, the candidate can know whether or not a certain family has voted for him/her.

Party representation and debate during the campaign:

The Lebanese electoral system dilutes the representation of citizens as such. The system of quotas, applied according to outdated demographic criteria and the majority vote system, mean that the social reality and the election results are very different. According to indirect sources such as the electoral roll, it is thought that, at this time, the Shiite community must be around 35-40% of the total population in the country and the Muslims as a whole almost 60-65%. However, the Maronites, with 20-25% of the population, have 34 seats in their power, while the Sunnis and Shiites have 27 respectively. In this respect, one wonders to what extent the victory for M14 really represents the will of the Lebanese majority.

On the other hand, no limits were placed on the electoral debate by any institutions during the campaign. The candidates had a steady presence in the media.¹⁰ Several debates also took place, although always between second-tier candidates. The principal leaders in the country did not face off publicly. The tone of the campaign, on the other hand, was extremely alarmist; an attempt was made to frighten the public. Candidates tried to make it clear that the very unity and identity of the country were at stake in these elections. Therefore, it was a tough campaign, characterised by demagoguery, insults and the demonisation of opponents, and in which realistic proposals for the future and political debate strictly speaking were most notable for their absence.

Openness:

¹⁰ In Lebanon, every national leader has control over some specific media outlet, which at times turned the campaign into a media war.

The degree of openness in these elections was minimal. The electoral system itself, the pre-election agreements for forming lists and the polarisation that has developed in the political system over the last few years have eliminated competition in many places and made it impossible for new or independent people to enter parliament. The M14-M8 clash even tempered the importance that the community factor and regional rationales have traditionally had. This time, the Lebanese voted on a national basis. They chose between the M14 and M8, leaving individual leaders marginalised, at least to a certain extent.

Significance:

Despite the high expectations generated by these elections, their significance was actually minimal. Nothing will change with respect to the pre-election period. The election results were surprising because of the conclusiveness of M14's win. However, it was known beforehand that the country would once again have a national unity government, regardless of the result.

The most important result – and only up to a certain point – were the measures introduced in the new electoral law with the aim of guaranteeing greater transparency in the election process.

Consequences and impact on the political system:

The election results had almost no impact on the political system or the electoral reforms introduced last year. All of the innovations introduced with the new electoral law affect formal elements designed to guarantee greater transparency in the election process (and not even these were respected). However, and despite the many recommendations made to the government from different forums, measures to improve representation and the degree of democracy in the system were not taken, such as the introduction of a proportional weighted voting system, the conversion of the country into a single constituency or simply the standardisation of the ballots. These are measures that could alter the balance of power and, therefore, the political class rejects them.

International political reaction:

The international community paid significant attention to the evolution of the elections in Lebanon. The US sent its vice-president, Joe Biden, to Beirut only 15 days before the election. Such a highly-ranked American had not visited the country since 1983. In theory, Biden did not come to support any bloc; his mission was to supervise and support fairness and the normal course of the campaign. However, he warned in his speech that the US would rethink its assistance to Lebanon according to the election results. The European Union, in turn, became involved in the preparations for the elections with a donation of 4 million euros and sent an observation mission. The EU, and most of the countries that form it, have always affirmed that they would accept the results, whatever they were. In fact, it is known that they maintained contacts with Hezbollah, which is of great political and diplomatic importance since it ends a questionable policy of not engaging in dialogue with a movement that runs for elections financed in part by the EU.¹¹ Furthermore – although this is not official – it is

¹¹ Hezbollah has maintained negotiations with the EU and also the IMF, according to *The Financial Times*, (FT 27/05/2009).

known that both Iran and Saudi Arabia were sending large sums of money to finance its candidates. Therefore, the presence of the international community was a constant feature throughout the process.

After the elections, chanceries and governments around the world congratulated each other for the results and the way in which the elections were carried out, avoiding any type of criticism of the numerous irregularities that took place during the election process. Only Syria was somewhat critical, although it accepted the results at the time. Certainly, the maintenance of the *status quo*, guaranteed by the formation of a government of national unity, benefits, or at least reassures, the entire international community. At a time like the present, when the American administration is trying to pacify the situation in the area, and Syria and Saudi Arabia are trying to bring their positions closer together, this is the best situation for everybody.

Conclusions:

The results of these elections were unexpected, but not because of the victory of the M14 Alliance itself. Although many analysts predicted a close victory for the M8, nobody could rule out a triumph for the pro-western sector. However, the margin by which the alliance led by Saad Hariri won the elections was surprising. Even so, the results are not very significant, given that, despite the clear victory for M14, the country will once again have a national unity government. From this point on, the problem will be to determine whether the opposition will or will not have the right to veto in this new government, as the M8 Alliance is demanding. Therefore, to begin with, forming the government may be a long and complicated process. In the mid-term, the agreed-upon solution to prevent an alteration of the *status quo* might plunge the country into another term of institutional instability and paralysis. Each important political decision will have to be negotiated by a government in conflict, not only over political ideas, but over the elements relating to the structure of political power and the very identity of the country.

Reference to two other Internet analyses of the this election:¹²

Carter Center. "Lebanon elections: Statement of Preliminary Findings and Conclusions". 8 June 2009, available at:
<http://cartercenter.org/resources/pdfs/peace/democracy/lebanon-final-060809.pdf>

IFES. "Lebanon's 7 June Elections: The Results" International Foundation for Electoral Systems (IFES) 9 June 2009, available at:
<http://www.ifes.org/newsinbrief.html?title=Results%20of%20the%202009%20Lebanese%20Election>

¹² It should be noted, however, that the most important observation missions have not yet published their final reports. This includes the Carter Foundation, the European Union and the LADE.