

# **An Appeal for Dialogue on the Renewal of the Social Contract that Binds the Lebanese People and on the Establishment of a Civil State**

*Petition by Various Scholars, Activists and Politicians*

2006

*(Translated from Arabic)*

-I-

March 14, 2005 is a seminal date in the history of our country. Those who took part in the movement did so for various reasons, including sectarian, partisan and personal convictions, or as a reaction to the behavior of the political forces that for so long maintained Syria's presence in Lebanon. The March 14 Movement includes all these diverse viewpoints, which is precisely what protects it from attempts at monopolization.

No one is able to claim the March 14 Movement as his/her own, because it cannot be reduced to any one of its components, whether it is political, sectarian or civil. The movement acquired from the very beginning autonomy and an identity that helped it raise the standards of political behavior of all political, sectarian and civil actions and positions.

The March 14 Movement is not a political front made up of parties or politicians from the opposition. It owes its emergence to all those who, each in his own way, over the years contributed to closing the chapter on Israeli intervention in Lebanon. It also owes its emergence to all those who strove patiently and under difficult circumstances to end the conflicts that remained from the civil war and to all those who wanted to overcome the obstacles set up by the Syrians and create ties of solidarity among opposing political forces. It owes its emergence to the young people who, during the many black years of repression, had the courage to assert the right of the Lebanese people to exist in a free and sovereign country.

However, above all, the March 14 Movement owes its birth to Rafik Hariri, whose death in 2005 was the catalyst for reconciliation among all Lebanese. The main reason for the phenomenal reconciliations was not political but moral. The rapprochements reconnected the people of a society that had been torn apart by the "hot" war of 1975-1990 and then the "cold" war that followed, leaving behind parties made up of individuals unable to take action and unite.

-II-

March 14, 2005 represents a moment in history when Lebanese overcame a past marred by wars, suffering, humiliation and despair to take their nation's destiny into their own hands. The movement's power and extraordinary ability to attract both, those who took a direct part in it and those who supported it from afar, lies in the fact that it suddenly and unexpectedly revealed the will and desire of Lebanese to again co-exist and "live together" within the framework of a clearly defined national border, inside of which only they hold power over themselves and their decisions. The movement's power is also a result of the fact that the majority of those who took part in it did so on an individual basis. They did not come to ratify a choice made by others, but

each considered him/herself a party on their own in the struggle for independence. The political parties were undoubtedly present, but their participation in this demonstration, which gathered one third of the Lebanese population, was minor. The difference between the struggles for independence in 1943 and the one carried out today is that the former had been the work of the elite, "father's of independence," while the latter is the outcome of every Lebanese.

The emergence of a public opinion for the first time in Lebanon's history on March 14 is a fact that is extremely important to the country's future because it introduces a completely new dimension to the political life of a country that has up until that moment been limited to the play of alliances, conflict between communities, regional powers and party leaders. March 14 took everyone by surprise, challenging the country's politics and suddenly removing the sectarianism that was established over the decades and that caused hesitation, tension, fear and attempts at backtracking.

Political disputes, partisan interests and the desire for hegemony all surfaced, opening the path for those defeated by the March 14 Movement to threaten the positive outcome of the movement. The price has certainly been heavy. Samir Kassir, George Hawi and Gebran Tueni were assassinated, again raising the question that has long troubled the international community, namely whether or not the Lebanese are capable of managing their future.

It took the February 14, 2006 demonstration to bring life back to the March 14 Movement.

**-III-**

March 14, 2005 represents the Lebanese's will and desire to "live together" in a sovereign state capable of ensuring the development of their society. This state must base its legitimacy on a social contract that binds the Lebanese people.

However, the nature of this contract had not yet been clearly defined. For the longest time, Lebanese thought that the contract was a product of an agreement between the country's different sects that generated "co-existence," but preserved each sect's identity within its own community. The state resulting from the social contract could only be sectarian in nature and be based on power sharing, which resulted in conflicts on two levels: an intra-sectarian level – in relation to the selection of leaders from within each community to represent it at the national level – and on an inter-communal level – to determine the share of each community in the state's power structure.

The conflicts blocked the society's ability to further develop, creating a "cold war" atmosphere that weakened the ability of Lebanese to confront regional upheavals and setting the stage for the "hot" war of 1975.

Proposed solutions to solve the sectarian problems, which resulted in major crises, did not yield desired results. Community compromises are by definition temporary as they are founded on ever-changing balances of forces on the local and regional levels.

#### -IV-

A social contract based on a full agreement between the different communities in Lebanon is unfounded. No such agreement has ever existed. It is a myth, the consequences of which proved to be catastrophic. The Pact of 1943, which is often referred to to justify the existence of an inter-communal agreement, does not provide the foundations of a social contract between the Lebanese but solely reaffirmed the need for “living together” at a time when “co-existence” was threatened as Lebanon was in its transitional stage into independence. Some wanted to maintain the French mandate, while others wanted to unite with Syria.

The social contract between the Lebanese is founded on the desire and conviction to “co-exist.” It is not the product of an agreement between Lebanon’s different communities but the consequence of their inability to survive on their own within the Lebanese framework created in 1920. The need for “co-existence” was born when Lebanese became aware that it is impossible to live separately in one country. This awareness came as a result of having tried, during the long war that tore the country apart, to do so.

Thus Lebanon is not identified by any of its communal or sectarian components. Each community has its own attributes, but Lebanon is not reduced to any of them or even all of them added up. Sectarian communities lost their lifestyles with the formation of the state. And it is this mode of life, based on the impossibility of the communities to be maintained within their self-imposed limits, that best expresses the need for co-existence within a viable state. The presence of these different communities in one country is what makes up Lebanon and its uniqueness in a region where nationalism lies at the foundation of every state.

The Lebanese *modus vivendi* did not come about as a result of one particular sect, but resulted from the complex nature of coexistence, which defines Lebanon’s identity. This unique style of coexistence allowed pre-war Lebanon to contribute genuinely to the world as it searched for a better way of life for all. Lebanese co-existence offered the concept of compromise that ties all societies together, a new dimension that had been rarely seen. It implied a heightened level of tolerance that stood apart from the integrative process that had been forced on the rest of the region.

This form of co-existence deals with a person’s relationship with others, who are different than he/she, because it is an essential element of the development of social beings. The richness of the interrelationship between individuals of diverse backgrounds can only result from two complementary factors: the freedom that renders the relationship legitimate and the diversity that nourishes it.

The Lebanese experience of co-existence has proved that the autonomy of individuals, which is the root of modernity, cannot be enhanced at the expense of diminishing ties with others. The experience can only be based on the pursuit of harmony between the individual and the collective, and between the affirmation of individual autonomy and the maintenance of social bonds.

#### -V-

The 1989 Taif Accord is the first actual social contract based on Lebanese “co-existence.”

The Taif Accord is a result of two observations:

- The need to form a state, in which its people can live together, following the divisions created by the civil war.
- To avoid reverting back to communities living alongside each other, while remaining ensconced within their

self-imposed boundaries. History has shown that such a system, despite some partisan's beliefs, has never been successful.

The Taif Accord, based on these two observations, transforms the concept of "living together" into "wanting and willing to live together."

1. The Taif Accord links the state's legitimacy to its ability to preserve co-existence, which is the social contract's core. This concept is no longer an agreement between communities that was concluded at a certain point in history, but rather an ongoing process that remains vital and subject to reflection. As such, it is constantly questioned in light of its precise objective: Co-existence in the sense of the capacity and possibility of the Lebanese to "live together."

2. The Taif Accord puts an end to the logic founded on the notion of a contract between the different sects by eliminating the demographic calculations, which had been at the root of inter-communal conflict. It creates a balance of power between the different sects at the representational level regardless of their demographic weight. The different communities no longer "share" power, but are assured equal representation in the government. This would eventually allow the elimination of sectarian monopolization, which has prevented the state from properly functioning and has been an obstacle in establishing proper co-existence. The second phase would be the creation of an autonomous senate in which the various communities would be represented. As such, the demographic weight of each community, or the external alliances they may forge to compensate for their demographic deficit, can no longer affect changes in the sharing of power. The state now benefits the larger community, and not a specific sectarian group. Projects no longer enrich a part of society, but all of it as a whole.

3. By eliminating demographic calculations, the Taif Accord ends the minority status inherent to each community and allows for their interaction. Each community became an integral part of a pluralistic majority made up of complex identities: a majority that cannot be reduced to any of its components. The Lebanese no longer form a collection of members in different communities but a whole. This entity is not based, as in the past, on a rejection of diversity or a forced integration, but rather on a recognized, accepted and cherished diversity.

4. By eliminating the notion of minorities, the Taif Accord liberates the Lebanese from their "fear of the other" that has motivated and shaped sectarian politics. The "other" no longer exists as a rival that one must constantly confront, because now the "other" has become a needed complementary factor to the very existence of each of us. From this perspective, the obsession with demographics of the Christians and the Druze, the Shia's feelings of persecution, the frustration of the Sunnis – who are a majority everywhere else in the Arab world, but a minority in Lebanon – are no longer the driving force behind the country's history. The communities can no longer justify costly power struggles as a means to guarantee their survival.

5. It is by adhering to that social contract founded on co-existence that the Lebanese will change their status from members of a certain community to that of citizens of the state. Their adherence, whether sectarian, regional or cultural; their openness to other contexts, be they Arab, Muslim or western; or their historical references, are contributing factors of co-existence. They constitute the unique contribution of each individual to the greater benefit of all.

6. By basing the social contract on co-existence, the Taif Accord reinstated the law, which has become an expression of the public's will, allowing the establishment of a rule of law. The main obstacle facing the

establishment of such a state was due to the ambiguities that existed regarding the nature of the social contract:

- The law could only be seen as a compromise founded on a social contract that resulted from an agreement between communities – identified as the “common” law that was necessary to manage the realities of different groups living alongside each other. Obeying “common” law was considered a concession, which people could stop making at any point, since the law was based on an inter-communal compromise that was by definition tenuous and precarious and the “real” law being the purview of each community. This concept of law served to legitimize the communal clientelism that pervades Lebanon, “communal rights” taking precedence over citizen rights and preventing the proper functioning of institutions and allowing corruption in all its forms. The concepts of “balanced development,” “battle against corruption,” “social justice” and “institutional reform” were all emptied of meaning and only served to justify communal power grabbing.
- The Taif Accord ends this duality: there is only one law that expresses the public’s will. Consensual democracy, to which the Taif Accord refers, does not consist of reaching compromises between the “real” law of each community and the “common” law– as community “representatives” believed – but rather in preserving and reinforcing the social contract that lies at the foundation of co-existence, which cannot be reduced to any of its components or even all them summed up.

#### **-VI-**

In light of the Taif Accord, it is time to put an end to the misunderstanding that has long governed the establishment of the state. Lebanon was not based on a social contract that embodies co-existence, but on a fictitious contract between the different communities. Lebanese have lived in a “state of communities” that has proved incapable of running the country instead of establishing a “state of co-existence.”

A state based on co-existence can only be a civil state if:

- A non-sectarian state that gives rights only to its citizens on the basis of equality and justice, without which diversity becomes a source of conflict that results in violence, which in turn eliminates diversity.
- A non-secular state – secularism used in the sense of eliminating sectarian identity - which is not at war with its constituent communities and whose decisions must not threaten the existence of those communities or affect their will to live together.

Only a democratic system that guarantees both equality of individual rights and respect for different identities will be able to eliminate the sectarian monopolization of political-decision making that weighs on our national future and the establishment of a state equipped to uphold its sovereignty and preserve its independence by putting an end to foreign intervention, which constantly results in communal conflict. Also, a sovereign state, under one law, would free certain communities from their “state within a state” status but reinstate their cultural dimension and grant them a major role, ensuring the opening up of our society to the different worlds.

The role of the Shia community would no longer be to mobilize itself to try and maintain the status quo and to prevent change, but rather to seek the means of avoiding a “civil war” on an Arab scale and to take part in the pursuit of new horizons for an Arab and Muslim world committed to change.

Similarly, the role of Lebanese Christians would no longer be to wait for a “savior” who will protect them from other sects, but to ensure an active presence in the region – which has a majority of Muslims – the diversity necessary for the Arab world’s development. Such a commitment would prove a “clash of civilizations” is not fate. As for Sunnis in Lebanon, their role would not be to unite in order to confront other sects, but rather it would be in their best interests to provide “Lebanese openness” in the predominantly-Sunni-Arab world and to

strive to oppose the extremist currents that are disrupting the regions development in the name of religion. Only a sovereign state can launch and further develop the unique factors of the Lebanese lifestyle. Factors such as tertiary education, multilingualism – that facilitates communication with the rest of the world – free press and publishing, literature and music, advertising and marketing and the extraordinary network of production by the Lebanese diaspora around the world. In short, all necessary components that would promote a stronger “economy of knowledge,” which could further develop the economy. Such potential, if realized, would make it possible for Lebanese to be part of globalization and to play a more important role in the development of the Arab world, as they did in the 19<sup>th</sup> and early 20<sup>th</sup> century when they spearheaded the Arab Renaissance, or *Al-Nahda al-Arabiya*.

#### **-VII-**

It is necessary to eliminate another myth, that of “Greater Syria” – which included Lebanon but was dismantled by colonial powers by the Sykes-Picot agreements of 1916 – in order to establish a productive and strong relationship between Lebanon and Syria. It is imperative for Syria to set aside the ideology encouraged by the “one people in two states” slogan, and which lies at the root of Syria’s vision of the world.

Only then can Syria again take its natural place in history and reconcile with itself and the rest of the world. It would pave the way for a “historical compromise” that would help to close the chapter on the past and normalize relations with Lebanon. Such a development would enable the two states, along with other countries in the region, notably the Palestinian Authority, to formulate a regional project that could launch a new dialogue in the Arab world. Only then can Syria find a new “raison d’être” in a world in the throes of restructure.

What are Lebanon and Syria’s roles from this perspective?

- Their roles would be to indicate the way toward Arab modernity by reevaluating the concept of “Arabism,” which has been smeared by the exploitation of military regimes. Arabism should no longer be an instrument to obtain power and used to justify repression. It should regain its civilized and cultural aspect to again become an expression of nobility that shapes the Arabs’ view of themselves and of the world. This task is necessary and urgent in order to break the cycle of rejection and regression, which the Arab world is trapped in today, and to ensure its harmonious development by reestablishing democratic practices.

- Their roles would be to establish a European partnership so the “Mediterranean,” which has an influence on other regions, could once again become a zone of co-existence.

- Their roles would be to promote Muslim-Christian dialogue, which is necessary in light of the region’s diversity of people. This dialogue is essential today because the clash between developed and developing countries is no longer expressed in political and economic terms, such as capitalism vs. communism but exceedingly in religious terms, such as Christianity vs. Islam.

- Their roles would be to establish a center that would properly convey the message behind Islam and the contribution Islam can provide to the “dialogue of cultures.”

In short, Lebanon and Syria’s roles today are similar to the ones they played during the Arab Renaissance, or *Al-Nahda al-Arabiya*, in the second half of the 19<sup>th</sup> century, when they influenced the course of events of the last century.

## -VIII-

This reflection on a new social contract to create a civil state should have been implemented in 1990 after the war ended. However, it was prevented for two reasons:

- The Syrian seizure of the country resulted in the “high jacking” of the Taif Accord and modified the social into an inter-communal compromise that required the presence of a “tutor” to oversee its implementation and to arbitrate the continuous conflicts between the “representatives” of the various communities.
- The absence of a “historic bloc” capable of undertaking the implementation of the Taif Accord.

The first obstacle was overcome when the Syrian troops withdrew from the country in the spring of 2005.

The second obstacle has been partially overcome. The March 14 Movement could serve as the “historic bloc” that has been missing since 1990, but only if it succeeds in avoiding getting embroiled in political squabbling and if it continues the pursuit of the objectives it had set for itself – namely, the reestablishment of the country on stable and durable foundations, which require a common effort based on reflection and continuous communication on various levels.

- The formulation of new concepts linked to the very nature of our social contract and Lebanon’s role in the regional and international communities. The contribution of intellectuals and researchers is crucial in this field.
- Reforms that should be implemented in the state’s institutions and in society in its various fields. The role of professional associations, syndicates, universities, research centers and the different movements in civil society is crucial in devising concrete plans and supervising their implementation.
- Political initiatives that are needed to establish a rule of law. The participation of political forces and of elected officials is crucial to implement the necessary changes.

This effort requires coordination and interaction between the three complementary points mentioned above. This dynamic cooperation was not present before, and the gap between the political forces and civil society became wider. The situation changed radically on March 14, 2005, when all the barriers were broken down and initiatives were launched from all different sides ensuring the movement’s success.

The signatories of this document address all those who are interested in launching a dynamic collaboration and invite them to an in-depth dialogue to discuss the contents of this document and define the methods to attain the objectives it outlines.

### **Signatories of this document**

**Issam Akil** (civil society), **Hussein Baalbaki** (trade unionist), **Hassan Bzaih** (engineer), **Mohamed Hussein Chamseddine** (researcher), **Ismail Charafeddine** (MD), **Aline Choucair Prince** (lawyer), **Chawki Dagher** (lawyer), **Nazih Darwiche** (journalist), **Fouad Derbas** (teacher), **Béchara Eid** (MD), **Hani Fahs** (ulema), **Samir Frangié** (MP), **Victor Gebara** (MD), **Jad Ghostine** (architect), **Antoine Hachem** (civil society), **Khaled Hachem** (engineer), **Mayad Haidar** (lawyer), **Michel Hajji Georgiu** (journalist), **Jean Badih Harb** (lawyer), **Leila Hussein** (civil society), **Abdo Karam** (teacher), **Bassam Khoury** (bank manager), **Michel Youssef Khoury** (lawyer), **Raymond Maalouf** (engineer), **Saoud Mawla** (teacher), **Hassan Mohsen** (businessman), **Marie-Christine Moujabber Mourani** (school director), **Assaad Raï** (teacher), **Okab Sakr** (journalist), **Bahjat Salamé** (engineer), **Nabil Salhab** (lawyer), **Assaad Saliba** (civil society), **Mosbah Samad** (teacher), **Adel Sassine** (retired officer), **Obad Sokhn** (hospital manager), **Farès Souaid** (MD), **Kamal Tarchihi** (MD), **Toufic Youssef** (teacher)