

The shortfalls of Lebanon's electoral system

Country has yet to adopt an election law that adequately represents its diverse populations

By Abdo Saad

January 18, 2007

Each time parliamentary elections draw near in Lebanon, the question of reconsidering the electoral law is raised and a new campaign is launched with the aim of creating a new electoral law to replace the previous law, which typically favored one party or group of parties while curtailing another.

By international standards there are two recognized electoral systems: majority and proportional, with their ramifications. In all civilized countries majority electoral system relies on one vote. However, Lebanon adopts a majority electoral system along with multiple seat districts and collective votes, whereby the voter has the right to vote for a number of candidates equal to the number of seats in the same electoral district. Very few countries apply this system and they exist only in the Third World.

Since the creation of the Lebanese Republic in 1943 and with the issuance of the first electoral law under independence and up to now the Lebanese have experienced all sorts of electoral districts, starting with the large districts and reaching the small ones such as the single-member constituency, the two-member constituency and the three-member constituency of 1957. Yet this did not result in fair popular representation; it rather produced civil disturbance that culminated in the 1958 crisis.

The Lebanese also tried the qada as an electoral district between 1960 and 1972, but this formula failed to produce fair representation. Instead it led to a fierce Civil War in 1975. After 1992 we tried the large and the middle-sized districts, which gave rise to a corrupt political class. The net result of all these experiments has been the consolidation of backwardness in the political performance of both voters and politicians.

It is worth mentioning that Lebanon is the only democratic country that adopts such a bizarre and objectionable electoral system. In our era this system is applied in only six countries in the world, including Lebanon and Syria, out of the 211 countries that hold elections.

There is no exaggeration in our consideration that the majority-vote system, based on small electoral districts or the qada, has contributed to continuous political instability in Lebanon and plunged the country into two civil wars, either by excluding political forces from parliamentary representation or by failing to enable them to achieve such representation.

The defects inherent in the majority system

After 1992 one of the major reasons for political and social instability and for the repeated financial and economic crises Lebanon has witnessed is the mummification of the electoral system, and restricting the change to the size of the electoral districts without changing the basis of the electoral system itself at least once. The flaw inherent in the Lebanese electoral system is not related to the size of the electoral districts; but rather arises from the voting system now in operation in Lebanon. This system is based on multiple-seat districts that entitle the voter to vote collectively, i.e. each voter has the right to vote for a number of candidates whose number equals that of the seats in the district. The main problem lies here and not in the size of the district

In addition this system has not been modernized in order to adapt it to the social constituents of Lebanon and to the aspirations of the Lebanese people. Therefore the main problem with the electoral law does not lie in the size of the districts; it rather lies in the voting system, as mentioned above. Indeed the majority electoral system is bad even if it is applied in the smallest districts. As the districts get smaller nonpolitical factors such as tribalism, confessionalism and sectarianism, gain more importance. This system reaches the utmost evil when it is adopted in middle-sized and large-sized districts, because as the district expands the political and social rights of minorities are compromised.

In general, the majority electoral system is unfair despite its simplicity. In sum it is unethical. In fact, in the last elections and specifically in Mount Lebanon's third district, one list got 53 percent of the votes and won all the seats accordingly, while the opposing list did not get any seat although it got 47 percent of the votes. In the second district of the North one list got 57.5 percent of the votes and won all the seats while the opposing list that got 42.5 percent of the votes did not win any seat. In the 2000 elections and specifically in the second district of the North one of the lists got 43 percent of the votes and won 89 percent of the seats. In the 1996 elections 70 percent of winner candidates won their seats with less than 50 percent of the votes. In the district of Beirut, (late Prime Minister Rafik) Hariri's list won 36 percent of the votes and gained 79 percent of the seats. In the district of Bekaa the list of ruling authorities won 38 percent of the votes and gained 91 percent of the seats. In the district of Metn the list headed by then-Interior Minister Michel Murr won less than 45 percent of the votes and gained 88 percent of the seats. Furthermore in the district of the north 18 candidates won the elections with the number of votes ranging between 22 percent and 31 percent of the total number of voters. In Bekaa district 14 candidates won the elections with the number of votes ranging between 22 percent and 35 percent of the total number of voters.

In the 2005 election the allocation of the 128 seats of the Lebanese Parliament were distributed as follows:

Proportional representation contribution to democracy

If parliamentary elections are considered the right gateway to democracy, it is not enough for a state to claim to be a democracy in order to deserve this nomination, while it neutralizes and falsifies the will of its people, or it consolidates an electoral system that guarantees the constant domination of the ruling party over the government apparatus and powers. This constitutes a marginalization of the logic of democracy whose main pillar is rotation. In the event that the representatives of a certain party constantly occupy the same governmental positions the democratic credibility of the system are called into question. In addition it is impossible to achieve any political or social development without democracy, and the latter cannot be fulfilled without a civil society including national political parties as a main pillar. Those parties are expected to compete on the basis of the best platforms for managing the affairs of the country, a fact that is missing in our national political life. The transition from a communal society to a civil society is the main bond in building democracy. Lebanon could well be the readiest of all Third World countries to build a genuine democracy due to the existence of liberal political traditions, such as a wide space for freedom and an embryonic civil society that has the ability to achieve democracy. Therefore the adoption of proportional representation seems to be a necessity associated with the creation of national political parties.

It is a clear and undeniable fact, as mentioned above, that the application of the majority electoral system that is prevalent at present will compromise fair representation. In order to guarantee fair representation we should adopt an electoral system that contributes to the development of political life and that allows the different constituents of the Lebanese people to participate in parliamentary life, each according to their social and political weight. This objective is only fulfilled under an electoral system based on proportional representation.

One of the advantages of proportional representation in large electoral districts is that it ensures national cohesion, since the larger the district the greater the opportunities for interaction. Proportional representation also helps to bring about the representation of people's aspirations and hopes; in fact voting occurs with a futuristic vision and it is a departure from a faulty situation and an attempt to correct it. Moreover, this system ensures fair representation by permitting the representation of all political trends, social forces and syndicates, each according to their weight and effectiveness. The proportional representation system also helps in modifying the behavior of both voter and candidate when the large district is adopted; the candidate who must now appeal to a diverse range of constituents is compelled to give up a parochial and sectarian discourse in favor of a national discourse. This in turn is positively reflected on the voter who will be interested in selecting the candidate along such lines, thus bringing about a departure from the darkness of

confessionalism and localism and entering the vast realm of citizenship and nationalism.

Finally, the proportional representation system helps to reduce the negative impact of vote purchase which is a common practice in Lebanon elections.

Under the current system, vote buying drastically affects the outcome of elections, especially in multiple-seat districts where a few thousand votes can swing an election results. In the absence of a winner takes-all system, such as in proportional representation system, the most to be gained by vote purchasing is the acquisition of a limited number of seats. The proportional representation system also limits vote rigging for the aforementioned reason. Add to this a large number of benefits such as the promotion of parliamentary blocs, the exclusion of extremists by measure of electoral score as well as the creation of an efficient civil society.

Most importantly, proportional representation would diminish political confessionalism by indirectly contributing to the elimination of the spoils sharing. This would be achieved by weakening the pillars of this system namely the traditional sectarian leaders.

Unlike the current electoral system which has helped cultivate and perpetuate this zuaama class, a PR system would end the political monopolies these leaders exercise over their communities.

Conclusion

In conclusion, Lebanon represents a unique case in the world due to its heterogeneous social and sectarian make-up, which necessitates an electoral system that respects this reality, hence the above presentation on the ability of the proportional electoral system to guarantee a fair share in power to the participants in the political game. Proportional representation has been adopted by most European countries and in the European Parliament for the fairness of representation it ensures. It was also applied in the recent elections held in Iraq whose social and sectarian make-up resembles ours. Even in Britain which has adopted the majority electoral system since the 17th century and which does not have a heterogeneous society along the Lebanese and Iraqi models, a campaign has been launched by major political parties requesting proportional representation. The main argument raised is the quest for a fair share in power and the rejection of being ruled by a party that won only 36 percent of the votes.

The proportional system: mechanism and application

The proposed mechanism for proportional representation notes the peculiarity of Lebanon's pluralism, which is based on both sectarianism and regionalism. This mechanism paves the way for a civil society that produces national political blocs competing within a democratic framework whereby the competition does not result in aversion.

According to the proportional electoral system, each of the competing lists wins a percentage of seats that is equal to the percentage of votes it obtains in each electoral district, with a rounding off of high fractions.

1 - Candidacy

Candidacy occurs on the basis of a large electoral district, or the mohafazat, and nomination is conducted on the basis of a closed and designated list belonging to a party or a coalition of political forces.

The list could be complete or incomplete, and is marked by a specific color to enable the illiterate to vote and so to facilitate the vote count.

2 - The ballot

A voter casts a ballot for a closed and designated list, choosing his or her preferred candidate of any sect from among competing candidates on the list by putting an X next to the desired candidate's name in order to move him or her forward to an advanced position on the list of candidates at the end of the electoral process. The voter does not have the right to add a name that is not mentioned on the list.

3 - The vote count process

The vote count refers to counting all of the votes each list receives, and also to counting the number of preferential votes each candidate receives in each list.

The preferential votes permit the ranking of candidates on the same list, in accordance with the number of votes each candidate received.

Every list must be discarded if it fails to receive a specific number of votes equal to the sum of two electoral scores in the electoral district.

This qualifying amount of votes is called the threshold.

Consequently, no list qualifies for

representation unless it receives a total number of votes equal to or exceeding the threshold.

4 - Determining the number of seats per list

The number of seats won by each list is determined by dividing the number of votes obtained by a list in a voting district over the average number of votes for each seat (i.e. the electoral scores) in that district, and by rounding up any high fractions. The electoral score is calculated by dividing the total number of voters in a district by the number of seats in the district. For example, the number of voters in Beirut is 141,900 and the number of seats is 19. Therefore, the electoral score would be: $141,900 / 19 = 7,468$.

Let us assume three competing lists received the following number of votes:

List A received 58,050 votes

List B received 49,800 votes

List C received 34,050 votes

In this case, the share of seats for each list would be:

List A: $58,050 / 7,468 = 7.8$ (i.e. 8 seats)

List B: $49,800 / 7,468 = 6.7$ (i.e. 7 seats)

List C: $34,050 / 7,468 = 4.5$ (i.e. 4 seats)

5 - Allocating seats to the winning lists

The names of candidates belonging to different lists are ranked on one list according to the number of votes each candidate has obtained. The process of seat allocation begins at the top of the list, including all the candidates taken from the qualified lists, in such a way that the first seat is allocated to the candidate who obtained the highest number of preferential votes. The second seat is allocated to the candidate receiving the second highest total number of votes, regardless of the list to which he/she belongs. The remaining seats in the district are to be allocated in the same fashion, taking into consideration the following conditions:

1 - The seat is still vacant in accordance with the seat allocation along sectarian and regional lines, so that after completing each quota, be it sectarian or regional, in an

electoral district, it will no longer be possible to pass a candidate belonging to this sect or region that has received its share of seats.

2 - A list has already obtained its share of seats. If during the allocation we come to a candidate belonging to a list that has already obtained its share of seats, this candidate is to be skipped over and replaced with the next candidate, from another list, with respect to total votes received.

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