

# The Role of International Monitors and Observers in the Lebanese Elections

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## Brief Analysis

President George W. Bush recently stated, “The elections in Lebanon must be fully and carefully monitored by international observers.” Already, Lebanese prime minister Omar Karami has issued a de facto invitation to former president Jimmy Carter to fulfill that role. Some skepticism is warranted, particularly with regard to the notion that international monitors can prevent behind-the-scenes electoral intimidation by Syrian intelligence. At the same time, monitors can play several important roles in promoting freer elections.

## Parliamentary Elections since Taif

When the 1989 Taif Accord ended Lebanon’s civil war, the country had not held parliamentary elections since 1972. The accord included an imperfect compromise designed to balance democracy with sectarian peace—a compromise that has since been ignored. To be sure, portions of the accord mandating sectarian power distribution have been enforced. According to the agreement, “Until the Chamber of Deputies passes an election law free of sectarian restriction, the parliamentary seats shall be divided according to the following bases: (a) equally between Christians and Muslims; (b) proportionately between the denominations of each sect.” Candidates for parliament generally run as members of a list for their district, and each list must follow a predetermined sectarian distribution for the given locality. For example, in Beirut’s first district, the list must have two Sunni candidates, one Maronite, one Greek Orthodox, one Greek Catholic, and one Evangelical. Nationwide, the sectarian lists collectively ensure the election of 64 Muslims (27 Sunni, 27 Shiite, 8 Druze, and 2 Alawite) and 64 Christians (34 Maronite, 14 Greek Orthodox, 8 Greek Catholic, 5 Armenian Orthodox, 1 Armenian Catholic, 1 Evangelical, and 1 candidate representing various “minorities,” including Jews). These numbers bear little relation to the current population distribution—Lebanon’s first and only census took place in 1932.

Moreover, one key element of the compromise has not been applied: Provision II.A.4 of the Taif Accord, which states, “The electoral district shall be the Muhafazat (governorate).” When the accord was drafted, Lebanon had six governorates; it now has eight. Such large electoral districts would require candidates to appeal to a broad cross-section of religious communities in order to win office. Instead, the districts have been manipulated to produce the results Syria has wanted. In 1992 and 1996, such gerrymandering was confined to certain parts of the country. For example, Syria divided the Mount Lebanon governorate into four districts to benefit Druze leader Walid Jumblat (who, incidentally, has now turned against them). For the 2000 election, however, the Taif provisions were entirely ignored, and the country was divided into fourteen electoral districts. Beirut was divided into three districts, while northern Lebanon was divided into two districts, one of which was not geographically contiguous. Such moves helped ensure the election of Omar Karami, Suleiman Franjeh, and other Syrian allies. As the 2004 election approached, voting was postponed eight months, a delay that many attributed to Syrian pressure.

### Useful Roles for Monitors

Past Lebanese elections have not had international monitors (who begin their duties well before elections) or observers (who operate only on election day), although some local elements were active in these roles. Outside monitors and observers can fulfill many important roles, as long as they are well versed in the complicated local scene and arrive well in advance. Monitors would be particularly crucial in Lebanon, since most electoral abuses there have occurred in the early stages of campaigns. Such monitors would need to issue frequent reports before the elections regarding their concerns about the process. On election day itself, observers would be tasked with carefully documenting any fraud they witness. Specific challenges for monitors and observers include the following, ranging from easiest to hardest:

- Election day: requiring secret balloting. In practice, Lebanon does not have mandatory secret ballots; indeed, government officials sometimes claim that the law does not require them. In practice, during elections, security forces and representatives of the candidates themselves—who are legally permitted inside polling stations—watch voters cast their ballots. This system facilitates the rampant vote-buying that is carried out by opposition and government figures alike. In theory, voters have the option to cast their ballot behind a curtain, though this is seldom done. The system must be changed to make secret voting mandatory. In addition, provisions must be made to ensure that all election facilities have backup lighting; blackouts (most likely intentional) have been used to confuse voters and manipulate ballots.
- The day after: respecting the election outcome. In a hotly contested 2002 by-election for a Greek Orthodox seat, Gabriel Murr overcame blatant Syrian and government interference to pull out a narrow victory. The Lebanese interior ministry refused at first to certify the results, however. Even after the ministry relented, the election was eventually annulled by the Constitutional Council, which is empowered by the Taif Accord “to settle disputes and contests emanating from presidential and parliamentary elections.” The council (which is now headed by President Emile Lahoud’s undistinguished brother-in-law Nasri Lahoud) declared Ghassan Mekkaybar the winner—a candidate who received a mere 1,700 votes. Outside monitors could help ensure that there is no repeat of this disgrace.
- During the campaign: preventing inappropriate restrictions. The draft 2005 election law included several restrictions that, while appropriate in the abstract (e.g., limits on campaign spending), would be impossible to monitor in the Lebanese context. If passed into law, these restrictions would give the government new tools with which to harass the opposition, while doing nothing to prevent massive Syrian and Iranian financing of progovernment candidates. This technique has already been used: in the 2002 by-election, Murr’s victory was overturned on charges that he violated the ban on media advertising and refused to disclose his assets.

- Before the campaign: preventing additional gerrymandering. The draft 2005 election law, proposed earlier this year by Karami, calls for increasing the number of electoral districts from the fourteen used in 2000 to twenty-six. In many cases, the election district is an administrative district (qaeda), but some are multiple administrative districts and some are partial administrative districts. The gerrymandering is exactly what would be expected, that is, it greatly benefits the pro-Syrian camp at the expense of the opposition.

This is by no means an exhaustive list of what monitors could do. For instance, it excludes the issue of voter registration; many have complained that Syrian nationals have been permitted to register for Lebanese elections, in addition to the 300,000 foreigners (mostly Syrians) who were granted Lebanese nationality in 1994. Another area of concern is list formation; Syria has often pressured popular candidates to accept pro-Syrian candidates on their lists.

### U.S. Policy Concerns

The United States should do all it can to facilitate the arrival of monitors in ample time to observe the full Lebanese electoral process. Simultaneously, Washington should speak out on how the process is organized, with a particular focus on Lebanese election law. The pro-Syrian camp insists that elections cannot be held until there is a new election law, and that no such law can be established without a national unity government. Yet, any new law would inevitably include poison pills designed to weaken the opposition's chances, albeit sweetened with a few commendable provisions (e.g., the draft law proposed lowering the voting age from twenty-one to eighteen, and several proposals called for increasing the representation of women). Therefore, although the 2000 election law was profoundly flawed, replacing it under the current circumstances would not be an improvement. The United States should clearly articulate that the best way the upcoming elections can be free is if they are conducted under the 2000 law, even though the text of the law specified that it was only valid for that year's election. Alternatively, the 1960 election law, which did not specify a time limit on its application, could be used as it was in 1960, 1964, 1968, and 1972. If the 2000 law is used, the enforcement of campaign restrictions should be strictly monitored by international observers to ensure that there is no disparity in treatment of candidates.

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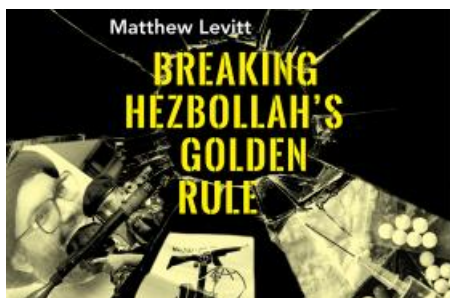
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