

ABSTRACT

Title of Dissertation: Power-Sharing or Power Hoarding? Conflict and Democratic Breakdown in Nigeria and Lebanon

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Power-sharing institutions—organized around the principle of group representation—have re-emerged in recent decades throughout the world. From Iraq to Afghanistan, “power-sharing” has again become a preeminent solution to ethnic and/or electoral conflict. This approach—including the variant of “consociationalism”—has long been critiqued for either strengthening inter-elite ties at the expense of mass-level linkages or working only in societies already committed to inter-group cooperation or conciliation. What these critiques miss—and dangerously so for the countries now undergoing the power-sharing treatment—is that the organization of politics around group representation is inherently unstable.

This dissertation traces the impact of institutionalized group representation in two very different staples of the power-sharing literature: Nigeria and Lebanon. Although these mixed Muslim-Christian countries differ in nearly every respect considered relevant in the institutional design literature (electoral system, de/centralized government, party law regulation, size, colonial power, and region) they experience strikingly similar cycles of conflict and democratic breakdown. The dissertation argues that, rather than being a conflict resolution technique of relatively recent provenance, power-sharing is rooted in the exigencies of imperial rule. In doing so, it examines the emergence of ethnic federalism and confessionalism in colonialism in Nigeria and Lebanon.

The dissertation then models how institutionalized group representation leads to conflict and democratic breakdown. Drawing on sociology, the dissertation draws on Charles Tilly's model of "Democracy." He argues that democracy operates in a self-reinforcing virtuous circle through three interlocking mechanisms: integration of trust networks, reduction in categorical inequalities and removal or autonomous bases of power. This dissertation argues that, *by definition*, power sharing promotes the opposite mechanisms: "opportunity hoarding," "category formation," and "certification." The operation of these three mechanisms leads to vicious cycles of conflict and democratic breakdown. The dissertation traces the operation of these three mechanisms focusing on two nested clusters of "groups" since the early 1990s: North/Middle Belt/Jasawa in Nigeria and Muslim/Shi'a/Alawi in Lebanon. Based on this examination of Nigeria and Lebanon, the dissertation argues that "group representation" regimes will lead to cycles of conflict and democratic breakdown and should not be viewed as a conflict panacea.

POWER SHARING OR POWER-HOARDING?
CONFLICT AND DEMOCRATIC BREAKDOWN IN NIGERIA AND LEBANON

by

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*For my mother
who first taught me to love books
and the ideas contained within.*

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One of the joys—and sometimes sadnesses—of the itinerate intellectual lifestyle is that social and intellectual circles expand, contract, and shift over time. I have been so blessed.

During my time in Nigeria, I was fortunate enough to be on a Fulbright Fellowship based at Mambayya House, the Center for Democratic Research and Documentation of the Bayero University of Kano (BUK). This Research Center was founded in 1999 by Attahiru Jega (former BUK Chancellor and current INEC Chairman) in the former residential compound of Mallam Aminu Kano, the progressive nationalist and founder of the Northern Elements Progressive Union. This tradition of rigorous intellectual engagement in support of progressive principles was followed by the center. I am grateful to Haruna Wakili, Director, Ismaila Zango, Deputy Director, Ibrahim Bichi the Center's librarian. Yet, Mambayya House was not just a Research Institute—or even just a house—but was a home. I am therefore extremely appreciative of the way that the staff of Mambayya Guest House made me feel like I had family all around.

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Mang. Finally, I deeply appreciate the willingness of the people of Jos to open up to me about their experiences in the conflict.

In addition to my interlocutors who made time in their lives to answer my endless questions, there were a number of associates, interlocutors, and senior colleagues who helped me tremendously along the way. Among these individuals are Mustafa Ibrahim (who helped me unravel the inner workings of Nigerian politics), Dr. Jalingo (whose knowledge of the history of the North was matched only by his love of intellectual inquiry), M.D. Yusefu (who introduced me around to the PDP kingmakers to help me get to the bottom of the “Gentleman’s Agreement,” and Barrister Ahmed Garba (whose introduction around Jos helped me work within the Jasawa community).

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Rebecca and I forged a bond from opposite ends of Nigeria—her in the Delta, me in the North. Apart from her work in the creeks, Rebecca worked for Doctors without Borders around the world. Although our visits with one another were as rare as they were rejuvenating, we grew as women and as scholars on our regular calls in Nigeria. Alissa and I developed a cross-regional friendship as well—she doing election observation in the

Southeast and me in the North. We were brought back together again for the 2007 elections and solidified our bond. If men forge unshakable friendships during war, I imagine the same can be said for women in election observation. When you help each other get through the rough spots, you're there for life—even when the distance is as far as Ohio and Southern Sudan. Alissa has an ability to shine sun on any situation—and her soul is so bright that it often radiates half-way around the globe.

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At the University of Maryland, I have been extremely fortunate to have worked with top-notch scholars who are also accomplished human beings. My Chair Mark Lichbach has managed to preserve my love of inquiry while holding me accountable for every word. His commitment to mentorship is nothing short of heroic. While most students can only count on their advisors (maybe) reading one or two drafts at most, Mark read multiple iterations. Most remarkably, he read the 400 pages of the penultimate draft in three days, generating two pages of detailed comments and page-editing. Throughout the process, he accommodated my “risk acceptance” and gave me just enough rope to hang myself in an ambitious dissertation...and then made sure I wove a sturdy argument out of it instead. Moreover, his willingness to work with me from a methodological approach which he has

challenged for the last decade speaks to his intellectual integrity and unwavering commitment to his students.

Overall, I have been extraordinarily lucky with the supportive—and demanding—nature of my committee. Shibley Telhami has been no exception. He supported my work in both research and policy. Despite his demanding research and policy schedule, Shibley consistently makes himself available for students and has dizzying multitasking skills—managing to churn out letters of recommendation on flights to Doha. Under his guidance I have matured as a scholar, policy analyst, and teacher. John Paden has played a similar role, but from the perspective of my work on Nigeria. Although at George Mason rather than University of Maryland, Dr. Paden helped me shape the early work, secure a Fulbright fellowship, and refine the work along the way. I am grateful for Dr. Paden’s generosity with willingness to share his knowledge, experience and time. My dissertation benefitted tremendously from his multiple close readings of the material.

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mere flourish of speech. I am not one for administrative details; if I were required to complete paperwork to breathe, I would surely die of asphyxiation. Ann Marie made sure I made all the deadlines, all the while giving me invaluable advice and managing to lift the spirits of the dissertating! Cissy has also been a wonderful source of support and guidance, often backstopping for Mark and keeping things moving through her dedication. Like Ann Marie, she is also a joy to work with that lightens the load of the PhD.

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As I sat down to write the acknowledgements, I came to realize something. Although I am deeply grateful to file the dissertation and have my life back—*again deeply grateful*—I do not feel as though this manuscript has taken anything from me. I often read acknowledgements and I am frequently struck by how often people lament what has been taken from them in the process of writing a book. Yet, I feel as though I have gained tremendously, perhaps more than I can ever give back. But this manuscript is all that I can offer...and so that is what I now do.

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**PART ONE:
THEORY AND METHOD**

Chapter One: Introduction

Chapter Two: Methodology

CHAPTER ONE: THEORY

THE POWER-SHARING PHANTASM

Power sharing—the distribution of state positions and resources among designated groups—is being revived as a conflict management model in the last 10 years in Afghanistan, Iraq, Kenya, and elsewhere around the world. However, evidence from Nigeria and Lebanon show that although these arrangements are imposed in order to manage conflict, they actually sow its seeds. Moreover, while instinctively we think of “power-sharing” as inclusive and thus progressive, it actually leads to centralization of authority within the groups represented. Therefore, while it is being promoted as a conflict management mechanism world-wide, yet there is a pronounced need for a detained understanding of how it fuels processes of group formation and institutional change.

Yet, two of the cases most frequently cited as exemplars of power-sharing—Nigeria and Lebanon—face periodic episodes of conflict and democratic breakdown. Even more remarkably, contending camps in the debate both claim Nigeria and Lebanon as exemplars of their own approach, offering dramatic different explanations. For Lijphart, both Lebanon and Nigeria are one of four “Third World” cases of Consociationalism, a model of inter-elite cooperation among groups. For Horowitz, improvements over time are explained by political structures of politics and their transformations that deepen mass linkages between groups. Indeed, as one prominent scholar of institutional design writes:

In contrast to this orthodoxy (here, Lijphart’s consociationalism), centripitalists argue that the best way to mitigate the destructive effects of ethnicity in divided societies is not to simply replicate existing ethnic divisions in the legislature, but rather to utilize electoral systems which encourage cooperation and accommodation between rival groups, and therefore work to break down the salience of

ethnicity rather than foster its representation in parliament. The theoretical basis for this approach owes much to arguments put forth by Donald Horowitz in *Ethnic Groups in Conflict* (1985) and *A Democratic South Africa? Constitutional Engineering in a Divided Society* (1991a), which cite numerous cases of electoral engineering. Some electoral systems, such as that used for presidential elections in Nigeria, require the winning candidate to gain support from different regions, thus helping to break down the claims of narrow parochialism or regionalism. Others, such as Lebanon's, attempt to defuse the importance of ethnicity by pre-assigning ethnic proportions in parliament and in each constituency, thus requiring parties to present ethnically mixed slates of candidates for election and making voters chose between them on issues other than ethnicity.¹

If only it were so. Instead, we observe the resilience of ethnic categories in *both Nigeria and Lebanon*. Despite the soundness of the theoretical argument put forth by both camps, inter-group alliances at multiple levels have not dissolved ethnic divisions in Nigeria and Lebanon. Likewise—conflict and democratic breakdown—have erupted in fairly regular intervals in both countries. Something else must be going on.

THE POWER-SHARING PROBLEM

While the particular configurations of institutions vary between Nigeria and Lebanon, the fundamental organizing principle of politics remains the same: *a power-sharing regime organized around the idea of identity-based group representation*. This dissertation argues that the configuration of representative institutions into contending group categories unleashes a cycle of conflict and democratic breakdown. This holds true under a federal or unitary government, proportional or majoritarian electoral systems, bureaucracies that foster inter-elite ties or bureaucracies that are designed to foster ties among the masses. The most

¹ Benjamin Reilly, "Electoral Systems for Divided Societies" *Journal of Democracy* 13.2. (April 2002): 21

significant factor is whether the polity is organized around “groups.” Thus, power-sharing—or the distribution of positions among putative groups—is the cause, not the cure.

Yet, power-sharing remains the conflict resolution go-to in large part because it is a program containing an amalgam of different institutional fixes. “Power-sharing” is thus an umbrella concept which includes a variety of permutations, formulas, and indeed even definitions. One recent volume gives the following definition: “the planned structures are designed with a view to ensuring that political power will be shared equitably among the groups in conflict.”² Here—we see the two fundamental components of power-sharing shared by all definitions: institutions and groups. The disagreement in the field emerges in the identification of the relevant institutions and groups.

Although some of the popular uses of the term apply it to political groups (in the sense of coalition government), most of the power-sharing literature focuses on identity-based groups. The luminaries of the field—Lijphart and Horowitz—are explicit in their focus on ethno-religious groups and this approach has gelled within the field. One recent work defines power-sharing as “formal institutions that distribute decision making rights within the state and define decision making procedures” and “specifically” “power-sharing institutions in ethnically pluralistic societies consist of rules that seek to guarantee what we will label inclusive decision-making, partitioned decision making, predetermined decision making or some combination of these.”³ Similarly, the fundamental principle of power-sharing has also been referred within the context of “non-territorial autonomy” or the non-

² Sid Noel, *From Power Sharing to Democracy: Post-conflict Institutions in Ethnically Divided Societies*, (Quebec: McGill-Queen’s University Press, 2005)

³ Donald Rothchild and Philip G. Roeder, ed., *Sustainable Peace: Power and Democracy after Civil Wars*, (Ithaca: Cornell University Press, 2005), 30

territorial “devolution of political and administrative responsibility from the central state to minority ethnic groups.”⁴

Naturally, the institutionalization of group rights is to be distinguished from preferential policies. Power-sharing organizes the polity around the distribution of power among the groups of the state. Preferential policies—such as affirmative action in the US or economic programs in South Africa—are temporary measures targeting populations that have historically been under-represented in particular sectors (business, education, etc). Moreover, rather than institutionalized at the center, these are short-term policies administered by government and are thus to be distinguished from political structures where rights inhere in groups as the organizing units of the polity.

However, while the consensus on power-sharing focuses on the institutionalized distribution of positions and resources among ethno-religious groups, scholars of power-sharing disagree on several points.⁵ Power-sharing could encompass short term political pacts⁶ which is potentially vulnerable to one of the greatest extant criticisms of the “power-

⁴ John Coakley, “Approaches to the Resolution of Ethnic Conflict: The Strategy of Non-Territorial Autonomy,” *International Political Science Review* 15.3 (1994): 297

⁵ Critics of power-sharing also represent a range of views. Criticisms of power-sharing include: a “limit on democracy” through the concentration of power among a handful of elites; the potential for abuse of “institutional weapons” such as mutual veto that lend themselves to escalation through brinkmanship; a “focus on interethnic allocation” through which resource competition is heightened; the “Second Generation Problem” means that elites may often not keep their side of the bargain once they have gained the benefits; “Governmental Inefficiency” duplicates and overstretches the state bureaucracy, undermining its effectiveness; “Governmental Rigidity” results from fixed institutions that are unable to adapt quickly or effectively to changes; and in the absence of an external guarantor, there is often “inadequate enforcement” of the agreements. Although Donald Rothchild and Philip Roeder enumerated this list in their introduction to their co-edited volume, the many of the same criticisms have been voiced by others such as the “limit on democracy” (O’Leary) and the “Governmental Inefficiency” (LeVan, who was Roeder’s student). However, this dissertation argues that power-sharing leads to conflict and democratic breakdown and evidences the process through which this occurs.

⁶ Leonard Wantchekon “Credible Power-Sharing Agreements: Theory with Evidence from South Africa and Lebanon,” *Constitutional Political Economy* 11 (2000), Carl LeVan “Power Sharing and Inclusive Politics in Africa’s Uncertain Democracies,” *Governance: an International Journal of Policy, Administration, and Institutions* 24.1 (2011)

sharing” literature: power-sharing occurs where folks already get along because of an informal understanding.⁷ On the other hand, power-sharing could be a permanent political structure, deeply ingrained in the polity. This is the dominant approach to power-sharing. Yet, there as noted above, there is tremendous disagreement of what constitutes the “optimal” institutional configuration. This dissertation argues that *any* institutional configuration organized around group rights is inherently sub-optimal and leads directly to conflict and democratic breakdown. Before I outline my argument and model, it is useful to first examine major works in the field I am challenging.

The literature on “power-sharing” includes Lijphart’s elite-oriented theory of consociationalism among segmentally organized ethnic groups, but also encompasses what has been called centripetal approaches to the development of mass-level linkages among groups such as those promoted by Horowitz, Reilly, and others. Apart from the targeted social strata, there are significant differences in the mechanics of institutional design. There is a rich literature on whether presidential or parliamentary systems promote conflict or cooperation.⁸ Similarly, proposals vary between non-territorial autonomy (e.g. confessionalism) and territorial autonomy (e.g. federalism). However, it should be noted that not all federalism is based on ethno-religious autonomy. The United States is one such example. Federalism can also be designed to deliberately dissect putative groups into

⁷Brendan O’Leary, “Debating Consociational Politics: Normative and Explanatory Arguments” in Sid Noel, ed., *From Power Sharing to Democracy: Post-Conflict Institutions in Ethnically Divided Societies* (Montreal: McGill-Queen’s University Press, 2005) Ian Spears, “The Limits of Power Sharing”, *Journal of Democracy* 13.3 (2002). Narendra Subramanian, *Ethnicity and Populist Mobilization: Political Parties, Citizens, and Democratization in South India* (Oxford: Oxford University Press, 1999) and Ashutosh Varshney, *Ethnic Conflict and Civic Life*, (New Haven: Yale University Press, 2002) both students of Myron Weiner argue on the basis of ethnography and large-N analysis respectively that social ties also explain conflict and peace rather than federal power-sharing in India.

⁸ See, for example, Lijphart, Arend, ed *Parliamentary Versus Presidential Government* (Oxford: OUP, 1992):

different territories. Post-Apartheid South Africa is an example of this approach to federalism. However, federalism can also be ethno-federal in orientation, when boundaries of the territorial units are congruent with religious, linguistic, and ethnic boundaries. Canada's asymmetrical federalism—or confederation—is one example. So too is India, post-war Bosnia, and the USSR. As is Nigeria, as discussed in Chapter Three.

The advent of the so-called “Third Wave” of democratization with the rise of elections globally has led to increased debate about the optimal electoral system for “power-sharing.” From a technocratic perspective, the Institute for Democracy and Election Assistance (IDEA) has published two different editions of the “Elections Systems Handbook” for practitioners. Rather than explicitly recommending one system over others, it outlines the advantages and disadvantages of each system, including their effect on conflict. On the one hand, Lijphart and others contend that proportional systems can promote inclusive government and cooperative practices. Proportional systems have been proposed in Lebanon and adopted in Iraq based on these arguments. On the other hand, Horowitz and Reilly argue that some preferential systems are overlooked simply because they are classified as “majoritarian” in the standard binary: majoritarian vs. proportional. They argue that majoritarian electoral systems such as Alternative Vote (AV) promote the Condorcet winner and thus promote inter-group conflict.

However, this dissertation argues that specific institutional configurations are irrelevant. The central organizing principle of all the institutional configurations a pre-determined arrangement (formal or informal) regarding the political rights and roles of identity-based groups. However, rather than resolving conflict, institutionalized group representation leads to conflict and democratic breakdown. In order to

develop my model of institutionalized group representation, it is necessary to first examine the assumptions regarding groups within the power-sharing literature.

POWER SHARING AND THE TYRANY OF THE GROUP

While not the first, Lijphart's *Democracy in Plural Societies*,⁹ is perhaps the best known works of the power-sharing literature. In this 1977 volume, he argues against a fatalist perspective that views democracy as impossible in the newly independent countries. Instead, Lijphart contends that cooperation among the leaders of different social segments is both possible and desirable. Lijphart argues that "primordial attachments" cannot be eradicated, but their negative effects can be mitigated through the practice of consociationalism which has four components: grand coalition, mutual veto, proportionality, and segmental autonomy. Although based on the experience of Lijphart's native Netherlands, Australia, Belgium and Switzerland, Lijphart extends his argument to Lebanon and Malaysia (with discussions of flaws in Cyprus and Nigeria), asserting that the model had applicability in the larger third-world.

On the other hand, Horowitz challenges this approach on several accounts. First and foremost, in *Ethnic Groups in Conflict*¹⁰ and subsequent publications, Horowitz takes issue with Lijphart's "one-size-fits-all" and instead offers a "tailor-made-approach," based around five mechanisms: dispersing conflict from the center, redirecting conflict to intra-ethnic rather than inter-ethnic dimensions, promotion of interest-based alignments, and incentives for inter-ethnic cooperation, and reduction in group disparities. These provisions may call

⁹ Arend Lijphart, *Democracy in Plural Societies: A Comparative Exploration*, (New Haven: Yale University Press, 1977)

¹⁰ Daniel L. Horowitz, *Ethnic Groups in Conflict* (Berkeley: University of California Press, 1985)

for different institutional configurations in each case depending on the context. Horowitz likewise criticizes the elite orientation of Lijphart's work, suggesting instead that greater attention should be given to mass linkages and incentives for inter-ethnic cooperation in parties and/or elections. This approach has been referred to as "integrationist" (as opposed to "consociationalist") and its emphasis on the grassroots is a welcome contribution to the literature.

Horowitz also argues that there is limited applicability in of European models to the Third World. In his view, ascriptive differences in the Third World are even "more rigid." He summarizes, "(t)he European conflicts are thus less ascriptive in character, less severe in intensity, less exclusive in their command of the loyalty of participants, and less preemptive of other forms of conflict."¹¹ Apart from this particular excerpt, *Ethnic Groups in Conflict* is largely organized around incentives for accommodating *group* behavior. Moreover, the group—often characterized as unchanging, although subject to leadership fragmentation—is the primary organizing unit in the problem of "*ordering group relations.*"

Yet, Constructivists criticize these assumptions regarding the fixity of groups which smacks of primordialism.¹² In the words of one key Constructivist, Rogers Brubaker, "Horowitz's magisterial volume" *Ethnic Groups in Conflict* rests on primordial notions of static

¹¹ Horowitz, 572

¹² For a brilliant and gripping critique of groupism—or externally defined categories—from a literary perspective see Zadie Smith's analysis of Kafka's "Metamorphosis" as a critique of the sudden imposition of "Jewishness" in inter-war Europe to all Jews, whether they were religious, secular, self-identified as Jews or saw themselves in another identity configuration. http://www.nybooks.com/articles/21610?utm_medium=email&utm_source=newsletter&utm_content=193007113&utm_campaign=July+17+issue&utm_term=Zadie+Smith%3a+The+Real+Kafka In her telling, one can imagine the objection an individual might have in awaking to a new institutional category and finding that he or she has sprung Jewish, Muslim, Northern, Shi'i, Alawi, or Jasawa wings and legs in the middle of the night. For an autobiographical literary account of the personal constraints imposed by primordialist perspectives, see Amin Maalouf's *In the Name of Identity: Violence and the Need to Belong*, (New York: Arcade Publishing, 2001), (especially Part One).

groups. Indeed, in a challenge to what he calls the “groupism” of social science—including some strains of Constructivism—Rogers Brubaker takes on the “tendency to take, discrete, bounded groups as the basic constituents of social life.”¹³ He argues that the academic tendency to adopt these as the unit of analysis unduly reinforces the reification of these categories by ethnic actors. In this sense, Brubaker builds on his earlier work, *Nationalism Reframed*¹⁴ in which he contends that scholars should not conflate “categories of practice” with “categories of analysis.”¹⁵ Indeed, some early constructivist work has propped the origins of these categories of analysis and linked them to the emergence of categories of practice.

One of the early examples is more surprising—perhaps less for the argument than for the proponent. Although more well known for his later rationalist oriented work, in his 1985 *Hegemony and Culture*,¹⁶ Laitin argues that the colonial antipathy to Muslim-Christian religious identification in Nigeria lead to an institutional and organizational emphasis on ancestral city, especially within the multi-religious Yoruba context in which he worked.¹⁷ In

¹³ Rogers Brubaker, *Ethnicity Without Groups* (Cambridge: Harvard University Press, 2004)

¹⁴ Rogers Brubaker, *Nationalism Reframed: Nationhood and the National Question in Europe* (Cambridge: Cambridge University Press, 1996)

¹⁵ A similar sort of phenomenon appears to operate within religious studies as well as ethnic studies. Writing on the origins of religious studies (and its relation with the practice of religion), Jonathan Smith writes, “Allow me to introduce a revision of the question by taking a bit of a detour, a set of reflections first stimulated by a project undertaken by Walter Capps at UCSB at least a decade ago. He convened a conference to study the ‘undeniable fact that religious studies may have created a phenomenon against which it has judiciously been trying to distinguish itself. Religious studies, in effect, has stimulated religion.’ But, what a religion! For it has been, more often than not, one short of most if not all communal and consensual sanctions...I take it we can agree that the term ‘religion’ is not an empirical category. It is a second-order abstraction...Ways of meaningful speaking of first order phenomena have become impossibly cojoined to a second order abstraction resulting, at the very least, in misplaced concreteness. What meaning, then, can the word ‘religion’ have in such a situation?” Jonathan Smith, “Religion and Religious Studies: No Difference at All” *Soundings* 71 (1988): 231-244. I am grateful to Brent Nongbri for this suggestion.

¹⁶ David D. Laitin, *Hegemony and Culture: Politics and Religious Change Among the Yoruba* (Chicago: The University of Chicago Press, 1986)

¹⁷ However, much like the body of Laitin’s work more generally, scholarship on Nigeria has moved increasingly toward historically decontextualized rational institutionalist approaches to institutions and ethnic conflict and

his 1990 *The Construction of Communalism in Colonial North India*,¹⁸ Gyanendra Pandey argues that Hindu-Muslim communalism was the direct result of colonial narratives (generated by compliant colonial academics) that justified colonial intervention. The idea of “communalism” then became a mobilizing centerpiece in politics and subsequently adopted by political actors, especially nationalists. More recently, Usman Makdisi’s work *The Culture of Sectarianism*¹⁹ examines the impact of colonial intervention on the development of sectarianism in Lebanon. Makdisi contends that in the early 19th century there was less differentiation between Christians and Druze in Mt. Lebanon and that these confessional identities emerged as a direct result of European intervention in the establishment first of partition in 1841 and then the Mutasarafiyya of Mt. Lebanon which created a confessionally appointed Administrative Council in 1861.

However, despite the importance of the contribution and critique, Constructivism has not fully been incorporated into studies of institutions and identity. As noted by Chandra in a foundational essay in the APSA Comparative Politics newsletter, constructivist insights have not fully been incorporated into contemporary work. “(T)he constructivist approach to ethnic groups has generated among the most important cumulative findings in the study of ethnic politics. However, in a puzzling step backward, these findings are being conspicuously and comprehensively ignored in the new research linking ethnic groups to

away from these early insights derived from a historically grounded examination of their construction and role in constructing identity.

¹⁸ Gyanendra Pandey, *The Construction of Communalism in Colonial North India* (Oxford: Oxford University Press, 2006)

¹⁹ Ussama Makdisi, *The Culture of Sectarianism: Community, History, and Violence in Nineteenth-Century Ottoman Lebanon* (Berkeley: University of California Press, 2000), 7

political and economic outcomes.”²⁰ Indeed, nearly a decade after Chandra’s insightful critique, research still continues to be dominated by debates about optimal institutions and appropriateness of fit rather than probing the origin of these fundamental organizing principles of politics.

Yet, while Post-Colonial Constructivist literature is an counterpoint to the view of groups as enduring primordial attachments characteristic of the Third World, it remains focused on a single point in time. However, if the colonial state can construct identities, the post-colonial state can as well. Post colonial constructivist works—or scholars who use this work²¹—must view the process of identity construction as a *continuous* process. While all identities change over time—such as the emergence of national identities in artificial states such as Jordan—the logic of institutionalized group representation propels forth a process of rapid and multi-directional group identity change.

Therefore, there must be a systematic causal explanation for change over time. Furthermore, if Constructivists are right that groups are not static or fixed, then presumably institutions aren’t either. We therefore not only need to trace and provide a causal explanation to the processes of group emergence but also the emergence of particular institutional configurations. In this sense, perhaps what is going on in the “Third World” is not that the putative groups are inherently somehow more rigidly bounded as Horowitz suggests or that group creation is a one-time colonial enterprise,²² but instead colonial

²⁰ Kanchan Chandra, "Cumulative Findings in the Study of Ethnic Politics," Newsletter of the Organized Section in Comparative Politics of the American Political Science Association 12.1 (2001)

²¹ Such as Posner. Although the book begins with a gorgeous description of the colonial construction of identities in Zambia, it then takes these categories as fixed units between which rational actors instrumentally switch.

²² As discussed in the conclusion, this is one of the pitfalls of the neo-instrumentalist work. For example, while Daniel L. Posner in *Institutions and Ethnic Politics in Africa* (Cambridge: Cambridge University Press, 2005)

polities are organized around groups. Moreover, this institutionalized group representation generates a process in which new groups and institutions are continually formed in vicious cycles of conflict and democratic breakdown. It is to these origins of institutionalized group representation that I now turn.

COLONIAL WINE IN CONFLICT RESOLUTION BOTTLES

Institutions do not emerge out of thin air. Power-sharing is no exception. Yet, despite this obvious fact, there has been almost no systematic comparative examination of the origins of the various power-sharing arrangements.²³ The literature is either underpinned by a rationalist assumption that pareto-optimal outcomes will be achieved in negotiations or an ahistorical bent that assumes that negotiators and constitution writers work in a vacuum unfettered by institutional inheritance. Lijphart states, “In the last couple of decades, these kind of constraining influences on constitutional engineers appear to have weakened to some extent, and the full array of available models now appears to be discussed more

examines the colonial construction of identities in Zambia, he freezes the range after independence. He then treats the categories as fixed elements between which actors choose strategically depending on institutional configuration.

²³ Two partial exceptions are Barkey’s book on the Ottoman Empire in which she credits the millet system with “toleration” as an ideology and value (rather than institution) and Coakley’s discussion of non-territorial autonomy as a conflict resolution model using examples from empires in history. However, while Barkey explains in great detail how the administrative exigencies of empire led to the millet system, Coakley’s historical examination is cursory. In neither case is an historical examination of institutional origins of power-sharing the goal. Within the broader comparative politics literature, there is increasing attention to institutional emergence such as the work of Helen Thelen. Catherine Boone’s *Political Topographies of the African State* (New York: Cambridge University Press, 2003) examines the emergence of different types of states based on socio-economic factors. One of the types is called “power-sharing” but is defined as “devolution of de-facto administrative authority” to rural notables (not ethnically defined) and thus does not fit with either the conventional use of power-sharing, showing the broad range of uses to which the term is applied. Karen Barkey, *Empire of Difference: The Ottomans in Comparative Perspective* (New York: Cambridge University Press, 2008), John Coakley, “Approaches to the Resolution of Ethnic Conflict: The Strategy of Non-Territorial Autonomy,” *International Political Science Review* 15.3 (1994)

seriously, more dispassionately, and with less bias and prejudgment.”²⁴ Horowitz—known to differ with Lijphart on just about everything related to political institutions—also takes a similar approach. He has argued that accommodative institutions often emerge as a result of “idiosyncrasies,” “accident,” colonial or neo-colonial borrowings, and highly unpredictable intra-elite bargaining.²⁵

In many ways, this is not surprising: the constitutional management literature is prospective not retrospective. What matters is not the past, but the future. The emphasis on getting the formula for the “fair” division of state institutions “right” among contending groups is viewed as the solution to the dilemma of divided societies. Among scholars whose assumptions regarding pareto outcomes are more explicitly stated, institutions with veto points among groups emerge spontaneously like lightening bolts from an institutionally-concerned Zeus.²⁶ Yet, these institutions emerge from existing political systems—often those that enshrine domination rather than fairness: colonial institutions. Paradoxically, therefore, the proffered cure may be the underlying disease.

Unsurprisingly, early (well-meaning) proponents of power-sharing conflict mitigation models such as Lewis, Norlinger, and Lijphart took on the “puzzle” of whether democracy was possible in the newly independent divided societies. In large part, this “puzzle” was an outgrowth of colonial claims about the inability of these peoples and regions to govern themselves. Thus, it was not a “puzzle” at all, but a colonial justification. Similarly, it’s *fix*

²⁴ Arend Lijphart, ed., *Parliamentary Versus Presidential Government* (Oxford: OUP, 1992): 25-6

²⁵ Donald L. Horowitz, “Democracy in Divided Societies,” in *Nationalism, Ethnic Conflict and Democracy*, ed. Larry Diamond and Marc D. Plattner (Baltimore: Johns Hopkins University Press, 1994): 35-55

²⁶ Carl LeVan, “Power Sharing and Inclusive Politics in Africa’s Uncertain Democracies”. *Governance: an International Journal of Policy, Administration, and Institutions* 24.1 (2011), Carl LeVan, *Dictators, Democrats, and Government Performance in an African Country* (2007), George Tsebelis, *Veto Players: How Political Institutions Work* (Princeton: Princeton University Press, 2002)

was likewise a colonial *fixture*. Rather than being a solution to a crisis of governability, group-representation based institutional fixes were merely an extension of “decentralized despotism” and thus destined to result in neither democracy nor peace. In his “challenge” to these theories, Lijphart argues:

“The argument that consociational democracy can serve as a normative model challenges the pervasively pessimistic mood of our times and is deliberately unconventional. It is based on the conviction that, after a period of excessive about the prospects of democracy in the 1950’s and early 1960’s, the conventional wisdom of the 1970s is overly pessimistic. Of course, there have been too many democratic failures and too much violence in plural societies in recent years to warrant a sanguine view of the chances for democracy. But it is equally unrealistic to give into complete despair. Pessimists can in good conscience reject or ignore the arguments and recommendations of this book only if they are fully convinced that consociational democracy is not merely improbable but completely impossible in the plural societies of the Third World.”²⁷

Indeed, as noted by Lijphart himself, theorizing about plural societies has gone hand in hand with authoritarian solutions to its “problem,” often beginning and ending with colonial domination.²⁸ Lijphart admirably argues against this perspective, based on evidence from the initial consociational experience of European democracies. At times, Lijphart portrays the ways in which categories of ethnic complexity were intertwined with colonialism. “The colonial rulers were often guilty of presenting an overdrawn picture of extreme ethnic complexity in their dependencies, at least partly as an excuse for the delay in introducing self-government.” However, he goes on to add to argue that modernization has decreased fragmentation and increased aggregation. “By combining small units into larger meaningful ethnic groups, this process provides the building blocks for consociationalism.”²⁹

²⁷ Lijphart, *Democracy in Plural Societies* (New Haven, Yale University Press, 1977): 3

²⁸ *Ibid*: 18-9

²⁹ *Ibid*: 172

Therefore, while a welcome corrective to self-serving colonial pessimism regarding pluralism, it was underpinned by a retention of primordialist assumptions in his near natural treatment of “segmental identities.”

This retention of “groupness” prevents Lijphart from offering a more thorough critique of colonial heritage. When Lijphart explicitly probes the colonial legacy, he misses the mark. Engaging Lewis’s early work *Politics in West Africa*³⁰ Lijphart juxtaposes the Anglo-American of majoritarian democracy³¹ rule with Dutch consociationalism. He disagrees with Lewis’s emphasis on colonial inheritance of the Westminster model and notes that the British instituted forms of “consociationalism” in Northern Ireland, Cyprus and Malaysia and the French instituted consociationalism in Lebanon.³² He then identifies six former Dutch and Belgian colonies who inherited consociationalism: Congo, Burundi, Rwanda, Indonesia, South Africa, and the Netherlands Antilles. All but the small island nation of the Netherland Antilles is virtually synonymous with conflict.

However, rather than probe the reasons that these disparate colonial rulers with widely divergent political systems instituted the same fundamental form of governance for their colonies,³³ he then goes on to explain why consociationalism failed in all but two of the colonies. The first example he provides is South Africa, which was then under apartheid rule and facing a rising insurgency that became a protracted civil war. The sole exception

³⁰ Arthur W. Lewis, *Politics in West Africa* (New York: Oxford University Press, 1965)

³¹ It should be noted that Lewis is not the only analyst to advance this perspective. First Past the Post, a majoritarian electoral system, is an electoral system unique to the UK and its former colonies. While some colonies have changed their electoral system (e.g Ireland which moved to SNP, Canada with PR), many have retained it: US, Malaysia, Nigeria, India. Lewis and Lijphart both tend to conflate electoral system with overall political system, which is a significant analytical distinction.

³² Lijphart, 1977: 179

³³ Lijphart only explains on page 185 the “imperfect transmission” of the consociational model by the Dutch and Belgian rulers. He does not examine why the same model was adopted by disparate colonial powers.

that proves his theory is then none other than the backwater of the Netherlands Antilles. For him, the colonial legacy is form of government rather than system of rule. The question thus remains unanswered: why did colonial powers with disparate political systems converge on the same system of governance for their colonies? In addition, why has this form of rule led to conflict in all cases but the Netherland Antilles? To answer this, we must look at the universal administrative exigencies of empire.

POWER-SHARING AND EMPIRE

Although popular accounts distinguish between British “indirect rule” in which local rulers were tapped to subjugate their people in service of the crown and French “direct rule” in which societies were incorporated in a brutal “civilizing mission,” recent scholarship has evidenced the shared administrative heritage of both forms of colonial rule. Based on an examination of sub-Saharan Africa in *Citizen and Subject* Mahmood Mamdani³⁴ has convincingly argued against the distinction between British “indirect rule” and French “direct rule.” Mamdani contends that the imperatives of colonialism inevitably converged into a pattern of “decentralized despotism.”

In this framework, political identities in Africa emerged out of a particular “legal/institutional complex” with the of race and ethnicity categories organized around the matrix of non-native/native. Non-natives were governed by civil law and natives were organized into various ethnicities, each governed by a colonially codified “customary law.” “While civil law spoke the language of rights, customary law spoke the language of tradition,

³⁴ Mahmood Mamdani, *Citizen and Subject: Contemporary Africa and Legacy of Late Colonialism* (Princeton: Princeton University Press,1996), Mahmood Mamdani, “When Victims Become Killers”, *Princeton University Press* (2001)

authenticity. These were languages with different effects, even opposite effects. The language of rights bounded law. It claimed to set limits to power. For civic power was to be exercised within the rule of law, and had to observe the sanctity of the domain of rights. The language of custom, in contrast, did not circumscribe power, for custom was *enforced*. The language of custom *enabled* power instead of checking it by drawing boundaries around it. In such an arrangement, no rule of law was possible.³⁵

Yet, it was not the merely the enforcement of customary law, but also the codification and the centralization it entailed: each “ethnicity” was to have its own customary law and colonial authorities identified, indeed “constructed” what this would be. Mamdani writes, “Colonial Africa did not have a single customary authority, but several. There were thus age groups, clans, women’s groups, chiefs, religious groups and so on. It is worth noting that only one of these—chiefs—was sanctified as a native authority under indirect-rule colonialism, and only its version of custom was declared ‘genuine.’ The rest were officially silenced. *In sanctifying the authoritarian version of custom as ‘genuine,’ colonial power sought to construct native custom as unchanging and singular.*” The use of the term “singular” should not mislead—several native authorities operated within colonies—each the representative of a particular group; singular instead refers to the centralizing trend of colonial rule. Indeed, Mamdani adds that “this single native authority was reorganized as despotic” as it was based on the fusion of all functions of authority into one figure rather than balancing among them.³⁶

³⁵ Mamdani, 2001: 654

³⁶ Mamdani, 2001: 655

In the 2001 article, he argues that the post-colonial state has inherited this configuration, keeping the native/non-native categories intact but anti-colonialist nationalism has merely inverted the relationship between native and non-native, leading to the contemporary emphasis on indigeneity in African politics. In some countries, this such as Congo, this operates at the national level whereas others, this operates at the local level. In the case of Nigeria, he contends that the Federal Character Principle that ensures balance within national civil institutions among the states—as represented by “indigenes” of these states. Mamdani contends that as a result every ethnic group seeks a state and an economic and political contradiction emerges as the number of non-indigenes as people seek work in other states. He contends that the current crisis of African politics called “state collapse” is not a crisis of colonial boundaries, but rather a crisis of internal colonial institution.

The system of group rights creates an incentive for the emergence of ethnicities which then make claims for administrative units at all levels, such as the demand for states of existing “ethnicities” noted by Mamdani. However, the crisis of internal colonial institutions goes beyond this. Rather than merely creating enduring identities a century ago or simply encouraging existing ethnicities to seek recognition, these systems of group representation provoke a process of mutual constitution of identities and institutions as discussed in greater detail in the following section.

Instead, I argue that his framework has applicability beyond Africa and that it is not merely the native/non-native categorization that endures. A great deal of scholarly ink has been spilled about Lord Lugard and the origins of indirect rule in Northern Nigeria and although the Post-Colonial argument put forth by Mamdani is perhaps more familiar to Naijaphiles, Mamdani cleverly extends it to unfamiliar terrain: French Ruled Senegal and

South Africa. I contend that it can likewise be extended to Lebanon and even beyond. Much like the first social scientists, mediaeval Islamic scholars Ibn Battuta and Ibn Khaldun traveled from Africa throughout the Middle East, Mamdani's "decentralized despotism" should also take an illuminating eastward trip resulting in a rich intellectual bounty.

Indeed, if we expand our gaze even further from Africa and at the edges of Empires other than the Ottoman Empire, there is even greater theoretical justification for a linkage between colonialism/empire and institutionalized group representation. Several scholars have examined the millet system (or protections for Christian and Jewish communities in the Ottoman Empire) as a model of "toleration" and also non-territorial autonomy (power-sharing). However, although these authors aim to promote the concept as a means of managing conflict, they nevertheless reveal its roots in administration of empire.

The millet was based on a special status for people of the book, *ahl al-kitaab*, أهل الكتاب. Yet, the millet was actually organized around ethnicity and formed the basis for subsequent nationalist developments. Karpát writes, "although the Ottoman millets remained theoretically within the legal framework of the dhimmi concept, in practice their status was determined by the prevailing linguistic and ethnic conditions in the Balkans, as well as by other Islamic principles that gave tacit recognition to linguistic and ethnic differences." Indeed, millets were not simply people of the book, but ethnic groups as well.

The first millet was the Orthodox community founded in 1454, followed by the Armenian community in 1461. Here we can already see the tension between religious and ethnic dimensions—the Orthodox community was dominated by Greeks (who sought to impose their language) but included non-Greeks. Armenians were dominated by Orthodox,

but included other sects as well³⁷ and inevitably fragmented into other millets culminating with the Armenian Protestant millet in 1850. Later, the Jewish community became officially recognized as a millet although it had operated informally as such. However, as demands for influence and autonomy grew, these groups fractured with new millets multiplying including: Catholic millet (established in 1831 and beset by internal divisions), Melkites in 1848, Protestants in 1850, Bulgarian Uniates in 1861 and Bulgarian exarchate in 1870,³⁸ a decade after the *tanzimat* reforms began to promote a singular secular identity rather than a composite of millets. As such, “the millet system was the outcome of the Ottoman effort to reconcile the ethnic and linguistic realities of the realm with the commandments of Islam.”³⁹

Karpat’s view is shared by Barkey who argues that the millet system was a result of historically contingent context of the Ottoman Empire. She describes the millet system as “imperial indirect rule”⁴⁰ that “instituted religious boundaries, marking difference, yet allowing for enough space movement and parallel structures to maintain a divided, yet cohesive and tolerant *imperial* society.”⁴¹ In her book-length exploration of the relational structure of the Ottoman Empire, Barkey identifies the role of indirect rule⁴² yet argues that the flexible and relational incorporation of diverse communities explains the success and

³⁷ Indeed, in the early stages, the Greek and Armenian millets appeared to operate as religious spheres of influence as described by a late 19th century Armenian Patriarch, “All orthodox dyphosites, viz, Greeks Bulgarians, Serbians, Albanians, Wallachians, Moldovans, Ruthenians, Croatians, Caramanians, Syrians, Melkites, and Arabs, became associated under their respective chiefs with the jurisdiction of the Greek patriarch while the Orthodox monophysites, comprising the Armenians, Syrians, Chaldeans, Copts, Georgians, and Abyssinians, became subject under their respective chiefs to the jurisdiction of the Armenian Patriarch” As quoted in Kemel H. Karpat, “Millets and Nationality: The Roots of Incongruity of Nation and State in the Post-Ottoman Era” in *Christians and Jews in the Ottoman Empire: The Functioning of Plural Society*, ed. Benjamin Braude and Bernard Lewis (New York: Holmes and Meir, 1982): 146.

³⁸ Benjamin Braude “Millet System” in *Encyclopedia of the Modern Middle East and North Africa*, Second Edition, Volume III, ed. Phillip Mattar (NY: McMillan, 2004): 1544

³⁹ Karpat, 149

⁴⁰ Karen Barkey, “Islam and Toleration: Studying the Ottoman Imperial Model,” *International Journal of Politics, Culture and Society* 19.1-2 (2007):16

⁴¹ Ibid, 15 emphasis added

⁴² Ibid, 18

longevity of the Ottoman Empire. Indeed, if an Empire is to last, it must rule indirectly. Likewise, the millet system as indirect rule affects the development of identities, arguing “it is not only that states make and maintain boundaries but that religious and ethnic communities often acquiesce in the process, strenuously holding on to their distinctiveness.”⁴³

However, despite its imperial context, Barkey argues that Ottoman rule generally and the millet system specifically involved practices of tolerance that evolved in a historically contingent and relationally structured state-society context. She states “this ad hoc system of religious and ethnic community management...emerged within the historical context of state society relations and the necessity for the rule of diverse populations.”⁴⁴ Indeed, she later argues, “Interethnic peace and order were predicated on Ottomans’ abilities to provide segmented minority elites with incentives to maintain boundaries.”⁴⁵ Thus both Karpas and Barkey identify the origins of the millet system in the exigencies of Empire, but promote it as a model of “toleration.” While many scholars point to additional taxation and diminished citizenship and question whether separate can indeed be equal (or tolerant), the question of “toleration” is not the concern of this dissertation. Instead, it is clear that this early form of “power-sharing” was also rooted in imperial administration.

Similarly, in his article, “Approaches to the Resolution of Ethnic Conflict: The Strategy of Non-Territorial Autonomy,”⁴⁶ John Coakley examines historical cases of non-territorial autonomy for their applicability as a contemporary conflict management device.

⁴³ Karen Barkey, *Empire of Difference: The Ottomans in Comparative Perspective* (New York: Cambridge University Press, 2008):147

⁴⁴ Barkey, 2007: 17

⁴⁵ Barkey, 2008: 194

⁴⁶ John Coakley, “Approaches to the Resolution of Ethnic Conflict: The Strategy of Non-territorial Autonomy,” *International Political Science Review* 15.3 (1994)

In doing so, he focuses on erstwhile outposts of Empires during the inter-war period including: 1920 Finland (Finns, Swedes, Others), 1922 Estonia (Estonians, Russians, Germans, Swedes, Jews, Others), 1930 Latvia (Latvians, Russians, Jews, Germans, Others), 1923 Lithuania (Lithuanians, Jews, Poles, Russians, Others), 1921 Czech lands (Czechs, Germans, Others), and 1926 Ireland (Catholics, Protestants).

Coakley outlines the link between forms of political organization at the system and state level and institutionalized group representation: “the collapse of a small number of large multinational empires was associated with the creation of a larger number of smaller multinational states which, at least in their early years, afforded a colorful laboratory for experimentation in various forms of ethnic conflict management.”⁴⁷ Yet, Coakley argues, the rise of the state (as well as the attendant system of rights) was incompatible with this model. He states, “With the growth of the modern state, of course, the thrust of political development moved away from the group and in the direction of the individual: the principle of equality before the law was seen as being incompatible not only with the idea of discrimination against certain groups but also with the idea of granting privileges to them”⁴⁸ Coakley goes on to bemoan the passing of this model of institutionalized rights and representation, “With the passing of the old order after the First World War and the advent of the modern system of individual-based political representation, the prospects for the institutionalization of any kind of corporate or group representation seem superficially bleak.”⁴⁹ Rather than revive this model, it is essential to understand its origin in Empire and thus its inherent contradiction with the state system and contemporary political forms (such

⁴⁷ Ibid, 301

⁴⁸ Ibid, 299

⁴⁹ Ibid, 301

as individually held rights). I argue that the genetic defect of a merger of institutions of empire and the modern state explains the inherent contradiction that leads to cycles of conflict and democratic breakdown.

Given the link he correctly postulates and convincingly evidences between Empire and “non-territorial autonomy” (or institutionalized group representation) on the one hand and the state and individual human and civil rights on the other, his policy prescription appears ill-founded. Non-territorial autonomy is not consistent with the conceptions and practices of the state, including individual human and civil rights. It is therefore peculiar that moves from a discussion of forms of political organization in the unique environment of the inter-war period to the suggestion that these should be applied in the contemporary period. He attempts to circumvent this logical contradiction by attributing the demise of non-territorial autonomy to ideational rather than structural causes, “A sharp shift in emphasis from group rights has been characteristic of the period after the Second World War, leading to diminished interest in ethnic issues in general and in the strategy of non-territorial ethnic autonomy in particular. In fact, the survival of racist forms of institutionalization of group differences drew the notion of non-territorial autonomy into a certain degree of controversy.” Noting the case of South Africa, he suggests non-territorial autonomy “survives more happily” in two types of contemporary cases (indigenous rights and Lijphart’s consociational model) where “devolution to non-territorial groups take place over and above the recognition of fundamental individual rights rather than acting as an alternative to it.”⁵⁰ There is an uneasy relationship between notions of state citizenship

⁵⁰ Ibid, 308

based on individual and group rights which can perhaps never be brought into alignment.⁵¹ Coakley's work is nevertheless significant because he links the system of empire with the state-level organization of group representation.

In addition to these Empire-centered analyses, other authors have considered the relative importance of other forms external actors in *imposing* power-sharing from the outside in Northern Ireland⁵² Lebanon⁵³ and in cross-national studies.⁵⁴ However, rather than viewing "imposition" as an intervention of third-party actors (within an international relations approach to understanding conflict management), perhaps it is important to examine the extent to which the "external" actors are erstwhile (or current) colonizers and power-sharing is an extension of colonial structuring of polities. Indeed, this integrates the potentially contradictory findings of the literature. On the one hand, people like Zahar and Kerr contend that power-sharing only works with external enforcers. On the other hand, Bermeo et al have concluded that "forced together federalism" fails. Perhaps another way to examine the causal relationship is to examine the historical roots of power-sharing and the role of imperial actors in the construction of group-based politics. Through this, the two opposing views can be reconciled: power-sharing institutions are colonial constructions that are inherently unstable. They collapse without sustained external intervention. The question

⁵¹ Kymlicka's work on Multicultural Citizenship (Will Kymlicka, *Multicultural Citizenship* (Oxford: Oxford University Press, 1995) is dominated by resolving this tension through various structures. Yet, despite his work there are not unfounded concerns about the compatibility of this model. However, although it is beyond the scope of the current project, it should be noted that there are non-liberal objections to institutionalized group representation. For example, there are several Muslim and Christian religious leaders in both Nigeria and Lebanon that oppose power-sharing not for jingoistic resource hoarding reasons but based on philosophical objections to divisions of community. More to the point, as evidenced by the discussion of Mamdani and Coakley, there is a structural relationship between older forms of organization (e.g. empire) and group representation and newer forms (e.g. state) and human rights based approaches (which recent scholarship has also shown to be compatible with non-liberal ontologies such as Catholic and Islamic beliefs).

⁵² Kerr

⁵³ Zahar, Kerr

⁵⁴ Bermeo

then becomes, what is the process through which they collapse? How does power sharing—or institutionalized group representation—lead to conflict and democratic breakdown?

MODEL OF INSTITUTIONALIZED GROUP REPRESENTATION

In order to offer the model of how institutionalized group representation leads to cycle of conflict and democratic breakdown, this section builds upon Tilly's framework for a self-reinforcing cycle of democratization.⁵⁵ In Tilly's conceptualization, three processes occur: integration of trust networks, reduction of categorical inequalities, and weakening of autonomous bases of power. I contend that *by definition* power-sharing regimes based on group rights prevent this virtuous circle from taking hold by setting in motion the direct opposite of each mechanism: opportunity hoarding (vs integration of trust networks), category formation (vs reduction in categorical inequalities) and certification (vs removal of autonomous bases of power). Drawing on other works by Tilly (and his frequent collaborators, McAdam and Tarrow),⁵⁶ I elaborate these mechanisms and show how they undermine democracy and generate conflict. Therefore, rather than being a democracy-promoting solution to conflict in divided societies, power sharing represents an obstacle to the very goal it seeks to achieve as will be evidenced through the cases of Nigeria in Part Two and Lebanon in Part Three.

VIRTUOUS CIRCLES OF DEMOCRATIZATION

In *Democracy*, Tilly contends that three components are necessary for a reinforcing process of democratization:

⁵⁵ Charles Tilly, *Democracy* (New York: Cambridge University Press, 2007)

⁵⁶ Doug McAdam, Sidney Tarrow, Charles Tilly, *Dynamics of Contention*, (Cambridge: The University of Cambridge Press, 2001), Charles Tilly, *Identity, Boundaries, and Social Ties* (Boulder: 2005)

- *Integration of Trust Networks:* Trust networks are: “ramified interpersonal connections, consisting mainly of strong ties within which people set valued, consequential, long term resources and enterprises at risk to the malfeasance, mistakes, or failures of others.”⁵⁷ They generate and sustain democratic processes by integrating people into larger body politics. Tilly goes on to explain their value: “Unlike the aggregating effects of catchall trade unions and political parties, political entities based narrowly on ethnic religious, class and craft differences inhibited the cross-group consensus and cross-cutting collective action promoted by thinner but broader forms of organization. But these narrowly based political entities produced two results those sorts of organizations rarely promoted: they integrated previously segregated trust networks at least partway into public politics, and they provided newcomers to associational life with experience in the give and take of organizational activity.”⁵⁸
- *Reduction in Categorical Inequalities:* Tilly contends that “social inequality impedes democratization and undermines democracy under two conditions: first, the crystallization of continuous differences (such as those that distinguish you from your neighbor) into every day categorical differences by race, gender, class, ethnicity, religion, and similar broad groupings; second, the direct translation of those categorical differences into public politics. Before the 1990’s the South African regime not only fostered crystallization of everyday differences by what it treated as “race” into massive material inequalities, but also built those distinctions

⁵⁷ Tilly, 2007: 81

⁵⁸ Tilly, 2007: 86

directly into political rights and obligations. To the extent that citizen-state interactions organize around categorical differences also prevailing in routine social life, those differences undermine broad, equal, protected, mutually binding consultation. They block or subvert democratic politics because they inevitably install large resource disparities in the political arena. They inhibit coalition formation across categorical boundaries.”⁵⁹

- *Removal of Autonomous Bases of Power.* Tilly argues that the reduction of autonomous centers of power mean that actors such as “warlords, patron-client systems, religious communities, armies, and large kinship groups (are) dissolved and/or become subject to public politics with extensive popular participation,” This entails three components: “broadening of popular political participation; equalization of access to non-state political resources and opportunities; inhibition of autonomous and/or arbitrary coercive power within and outside the state.” He goes on to argue that this leads to a “reduction of the influence of autonomous power-clusters, including those of rulers over public politics” and thus a “subjection of states to public politics and a facilitation of popular influence over public politics.” Finally, an “increase in breadth, equality, and protection of mutual binding (sic) in citizen-state relations” results.⁶⁰

Therefore, these three interlocking mechanisms generate virtuous circles of democracy. This process has been adapted from Tilly’s argument and schematized in the following figure:

⁵⁹ Tilly, 2007:110

⁶⁰ Tilly, 2007: 138

FIGURE 1.1: VIRTUOUS CIRCLES OF DEMOCRACY



VICIOUS CYCLES OF CONFLICT AND DEMOCRATIC BREAKDOWN

Adapting this framework, I contend that the emphasis on group representation in power-sharing regimes *by its very logic of group-representation* structure the polity in ways that prevent the virtuous circle outlined by Tilly from operating. Even if various institutions systems create incentives for alliances across pre-determined groups at either the elite or mass-level, outcomes do not change because trust networks remain segmented, categorical inequalities intact, and autonomous power centers entrenched. Indeed, this is a long-standing critique of the consociational model: that it merely promotes inter-elite alliances. However, even those integrationist approaches that suggest institutions that create alliances across groups at the mass-level leaves the segmented trust networks, categorical inequalities, and autonomous power-centers intact because it retains the “group” as the organizing principle of the polity. Indeed, each of Tilly’s components in *Democracy* is the direct opposite

of the three mechanisms of mutual constitution of groups and institutions outlined in the previous section.

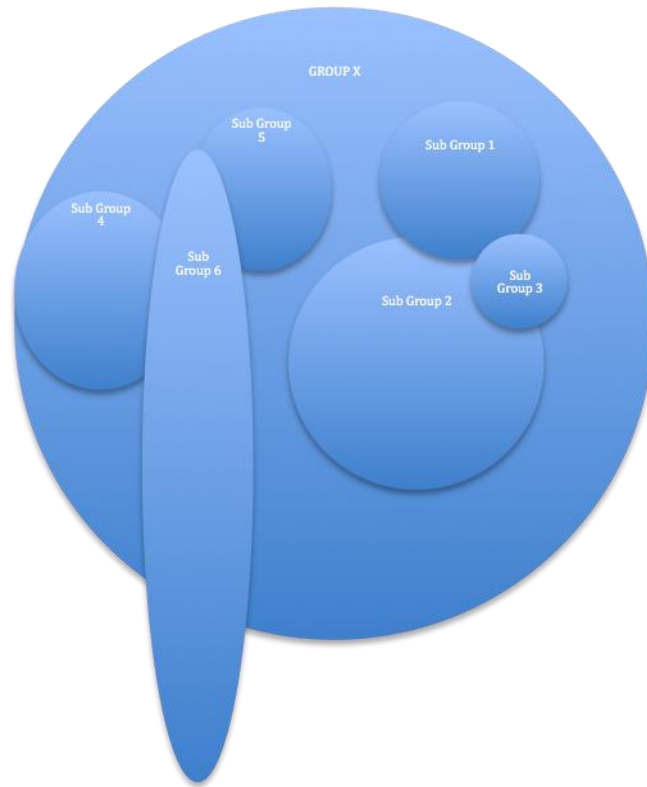
- *Opportunity Hoarding (vs. Integration of Trust Networks):* Under politics organized around group rights, trust networks remain largely segmented. Rather than integrating trust networks into a national public sphere, power-sharing sustains separate trust networks through which resources are selectively directed or the mechanism of “opportunity hoarding.” Drawing on Tilly’s other work on social boundaries, we know that “Opportunity hoarding” occurs “when members of a categorically bounded network acquire access to a resource that is valuable, renewable, subject to monopoly, supportive of network activities, and enhanced by the networks *modus operandi*.” Tilly also elaborates, “opportunity hoarding often rests on ethnic categories, members of which reinforce their control over hoarded resources by means of their power to include or exclude other members with respect to language, kinship, courtship, marriage, housing, sociability, religion, ceremonial life, credit, and political patronage.”⁶¹

In order to flesh out the operation of this mechanism more effectively, if constructivist insights are correct, then every individual has competing claims of groups—or subgroups—that he or she represents. Therefore, any individual identified in a position of political power is potentially a representative of various groups. All of these have a claim to the benefits of their group being represented in office—jobs, money, infrastructure. Also from constructivist insights, we know

⁶¹ Tilly, 2005: 160

that actors privilege some aspects of identity over others. Therefore, a representative of group X will distribute the benefits of office to subgroups of X (e.g. subgroups 1, 2, and 3). These could be kin groups, residents of home areas, or co-religionists. The tightest networks of which this individual is a part will be the likely recipients of resources to be dispersed. Inevitably, there will also be losers or those excluded from these patronage networks. These could be pre-existing and fully formed X sub-groups (e.g. 4, 5, 6) or simply all X individuals not members of X sub-groups 1, 2, 3. Because the power-sharing system of group rights is based on assumption of homogeneity of groups, it fails to anticipate the creation of “in-group” and “out-group” categories in the distribution of resources for any one “group.”

FIGURE 1.2: RELATIONSHIP OF POTENTIAL GROUP AND SUBGROUPS⁶²



- *Category Formation (vs. Reduction in Categorical Inequalities)*: Although they may not be as hierarchal as the categorical inequalities discussed by Tilly, group-based polities institutionalize categorical inequalities rather than seek their removal. Similarly, segmental separation of polities ensures inequality despite their intent of equalization. Although this allocation may be designed to reduce inequalities by preventing a single group from dominating, there are inevitably other groups or sub-groups left out of the practice. Drawing on Tilly’s work on Social Boundaries, broadly speaking, category formation is a key mechanism through which groups form. More

⁶² This example representation should be understood as a possible configuration at a given moment in time, bit a timeless representation of intra-group relations.

specifically, “A social category consists of a set of sites that share a boundary distinguishing all of them from and relating all of them to at least one set of the sites visibly excluded by the boundary.”

Yet, in *Identities, Boundaries, and Social Ties*, Tilly makes an important distinction between two types of mechanisms: those that *precipitate* boundary change and those that *constitute* boundary change.⁶³ He notes that precipitating mechanisms include: encounter, imposition, borrowing, conversation, and incentive shift. Constituting mechanisms include: inscription, erasure, activation, deactivation, site transfer and relocation. Similarly, in an earlier work, Adam, Tarrow, and Tilly go on to note in *Dynamics of Contention* that category formation has three potential components: invention, borrowing, and encounter. Combining these two works, his dissertation likewise views category formation as divided into two components: one precipitating, one constitutive. The precipitating component is Imposition, when “authorities draw lines where they did not previous exist.”⁶⁴ In this sense, this is the part of the mechanism that restructures the state.

“Imposition” is linked to the constitutive component which is inscription/activation: “Inscription and activation sometime operate simultaneously, as do erasure and deactivation. Inscription heightens the social relations and representations that comprise a particular boundary, while activation makes that

⁶³ Tilly, 2005: 135-146

⁶⁴ Tilly, 2007: 139

same boundary more central to the organization of activity in its vicinity. Thus religious zealots often create extensive webs of relations within their faiths, guarded relations to nonmembers of the faith and powerful representations of those nonmembers: high inscription. Most of the time, zealots continue to participate in professions, political parties, neighborhood associations, and investments of their capital that involve other us-them boundaries: low to medium activation. Yet, if a threat to the religious community's survival arises, members begin organizing their activities around the religious boundary alone: rising activation. In combination, Inscription and activation provide a basis for sustained, costly collective action." The dissertation emphasizes the inscriptive component (especially attention to "webs of relations" and "powerful representations") but does examine increases in activation (treated differently than "activation" in instrumentalist terms which is used as a switching between two separate categories). This is the part of the mechanism that restructures the group.

Tilly also elaborates on this idea through his concept of "categorical organization" which includes "all sorts of well-bounded clusters of social ties in which the occupants of at least one position have the right to commit collective resources to activities reaching across the boundary. Organizations thus include corporate kin groups, households, religious sects, bands of mercenaries, and many local

communities.”⁶⁵ Tilly likewise notes the relational configurations of these categorical organizations: “chain, hierarchy, triad, organization, and categorical pair.”

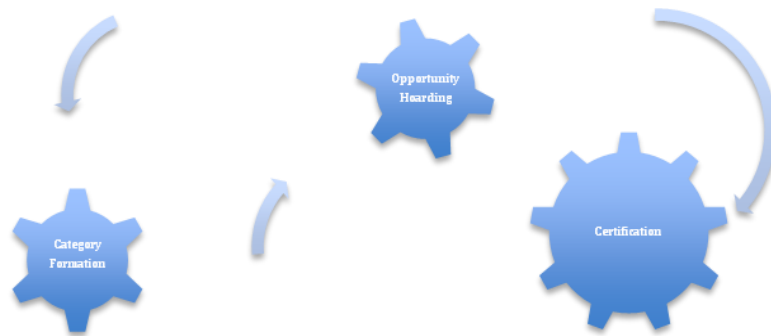
- *Certification (vs. Removal of Autonomous Bases of Power)*: By allocating particular ministries, offices or other positions to specific “groups,” power-sharing regimes entrench rather than remove autonomous bases of power. The idea that a group is entitled to this allocation is the holy grail of contention linked to power-sharing. This is why “certification” is not only the reverse mechanism of “removal of autonomous bases of power,” but also the culmination of previous mechanisms. Drawing on Mc Adam, Tarrow, and Tilly in *Dynamics of Contention*: “Every polity implicitly establishes a roster of those political actors that have rights to exist, to act, to make claims, and/or draw routinely on government controlled resources.” This is the final mechanism in the cycle: certification as a “group” and thus access to government resources. In power-sharing states where state wealth, ministries and resources are distributed among group-based networks (rather than party or other patronage networks), to exist is to be certified in this respect. To paraphrase Descartes, “I receive therefore I am.”

Unlike the three mechanisms of “integration of trust networks,” “reduction in categorical inequalities,” and “removal of autonomous bases of power” which lead to virtuous circles of democracy, the three mechanisms of “category formation,” “opportunity hoarding” and

⁶⁵ Tilly, 2007: 74

“certification” tear the polity apart, leading to vicious cycles of conflict and democratic breakdown.

FIGURE 1.3:
VICIOUS CYCLES OF CONFLICT AND DEMOCRATIC BREAKDOWN



CONFLICT AND DEMOCRATIC BREAKDOWN

The national cake is finite. Additional slices (or larger slices) mean less pie for others. In power-sharing regimes, institutionalized group representation raises the stakes over cabinet positions, electoral districts, and other state resources. These are not a matter of individual careers or even party control: distribution networks around institutionalized group representation high stakes means that allocation of state positions is a matter of group survival. Thus, the distribution of resources—especially the *redistribution* of resources—is accompanied by conflict, at both the national and local levels.

However, vicious cycles are not only accompanied by conflict. They also culminate in democratic breakdown. Elections are an essential part of institutionalized group

representation. Therefore, this dissertation examines the role of elections in the process of power-sharing. However, in doing so, it is important to look beyond the e-day—a negative electoral affinity, if you will. Much as in art, music, or atomic physics the negative spaces hold compositional centrality—as do periods between elections. Indeed, perhaps the most important period of opportunity hoarding and certification occur in-between elections.

Although elections are the process through which putative groups get a slice of the allocative pie, the most important part of this process often occurs long before the votes are cast.⁶⁶ In fact, many of Nigeria’s elections have rightly been called “selections” rather than “elections” by various observers, including Human Rights Watch, Nigerian civil society organizations, and the local press. Similarly, in Lebanon, only 20 of the 128 seats were contested in 2009—candidates were pre-determined (or “selected”) using agreements regarding lists. One might therefore be tempted to discount the significance of elections. But that would be a mistake. The lead-up to elections set the institutional stage in which power is allocated among groups—when opportunities are hoarded and some groups become “certified” and others lose out. While e-day is the culmination, it is only one part of a longer cycle.

It is important to note that mobilization of “selection” is different than a bottom-up process of competition or even a matter of identifying the most competitive candidate. Both the formal design of institutions as well as informal agreements in political parties determine the outcome of the vote—without mass mobilization. Therefore, mobilization is also not

⁶⁶ Indeed, this perspective on democratic politics is the underlying principle for the turn to “Long Term Observation” in election observation. As one democracy and governance NGO Country Director has put it, this work examines “how the system is rigged.”

the conventional ethnic-outbidding dynamic of mobilizing co-ethnics.⁶⁷ Instead, under institutionalized group representation, there are no public campaigns of mass mobilization underpinned by demographic calculations. Instead, closed-door consultations allocate seats among groups well before election-day. These reconfigurations occur in “constitutional consultations” debates (such as in Nigeria) about electoral laws (such as in Lebanon) and/or the informal agreements that accompany them—all of which occur *well before election day*—*often in the central temporal point between elections, the axis along which “transitions” turn*. Therefore, I contend that countries with institutionalized group representation form a particular sub-set of that Chandra’s patronage democracy.⁶⁸

In this sense, the dissertation builds on Joseph’s *Democracy and Prebendal Politics in Nigeria*, an insightful description of Nigerian politics as relying on the personalization of

⁶⁷ Kanchan Chandra, *Why Ethnic Parties Succeed: Patronage and Headcounts in Ethnic India* (Cambridge: Cambridge University Press, 2004). In this sense, this approach differs from the mass-mobilizational contention that Chandra or others discuss with regard to India or other countries where parties’ roots penetrate deeply into the soil of society. Put simply, she writes, “The central hypothesis of this book can now be restated in final form: Ethnic parties are most likely to succeed in patronage democracies when they have competitive rules for intraparty advancement and the ethnic group they seek to mobilize is larger than the threshold of winning or leverage imposed by the electoral system. The adoption of centralized rules for intraparty advancement and/or a negative difference between the size of the target ethnic constituency and the threshold of winning or influence, increase the likelihood of failure” She outlines the components of “Patronage Democracy”: “Democracy in which the state monopolizes access to jobs and services and in which elected officials have discretion in the implementation of laws allocating the jobs and services at the disposal of the state...” (Chandra: 6) In this system, individuals rely on information shortcuts, head counting in party of co-ethnics, plus head counting of co-ethnics among voters (to determine if ethnic parties will succeed). Institutionalized group representation can be viewed as a sub-set of patronage democracies, but one in which ethnic electoral mobilization is not one of many outcomes, that they are embedded into the system and operate at an elite rather than mass-level. Similarly, another instrumentalist account of how institutional incentives is offered by Steven Wilkinson (who sometimes co-authors with Chandra) in his book *Votes and Violence: Electoral Competition and Ethnic Riots in India* (Cambridge: Cambridge University Press, 2004) “My central argument is that town level electoral incentives account for where Hindu-Muslim violence breaks out and that state-level electoral incentives account for where and when state governments use their police forces to prevent violence. We can show that these town and state level electoral incentives remain important even when we control for socio-economic factors, local patterns of ethnic diversity, and towns’ and states’ previous levels of Hindu-Muslim conflict.”: 4. Put differently, he argues that if local elections are competitive, they are likely to become violent. Whether state-level elections are competitive will determine whether the potential for violence is contained or inflamed.

⁶⁸ Another might be corporatism, a non-ethnic patronage democracy but one which fits the criteria nonetheless and works as an analytical complement to institutionalized group representation.

power (often although not exclusively) along communal lines reinforced by patron-client networks that often operate electorally.⁶⁹ Indeed, suggesting the change from regions to states between the first and second republic, “Whereas the polity had undergone a geologic structural shift since 1966, however, the politicians could little be distinguished in their behavior from their predecessors...the same could be said of the expectations of the Nigerian public regarding how their votes should yield immediate dividends to their communities and themselves in the apportioning of the “national-cake.” Yet, Joseph notes that the origins of prebendal politics remains unexplained,⁷⁰ although in his conclusion he offers a preliminary cultural explanation drawing on Yoruba patterns of authority. This dissertation instead argues that that institutionalized group representation explains not only prebendalism in Nigeria, but prebendal politics/patronage democracy well beyond West Africa. It moreover offers an explanation to the origin of prebendal politics.

Therefore, institutionalized group representation prevents a virtuous circle where the cogs (integrated trust networks, reduction in categorical inequalities, and removal of autonomous basis of power) work in tandem seamlessly integrating into a national polity moving forward. Instead, power-sharing regimes based on institutionalized group representation promote vicious cycles of: opportunity hoarding, category formation (imposition and inscription) and certification. This process results in conflict culminating around electoral cycles, with the most significant elements of opportunity hoarding and certification occurring in advance of e-day.

⁶⁹ Richard A. Joseph, *Democracy and Prebendal Politics in Nigeria: the Rise and Fall of the Second Republic* (New York: Cambridge University Press, 1987)

⁷⁰ *Ibid*, 8

When the process culminates, it leads not only to conflict but also to democratic breakdown. By this I mean a suspension or collapse of electoral institutions. In this sense I focus on institutional and procedural notions of democracy, in contrast to substantive forms of democracy. Indeed, democracy as understood as public deliberation can exist outside of electoral institutions as evidenced by work on qat chews in Yemen⁷¹ or Demokaraasi in Senegal.⁷² Moreover, elections do not guarantee democratic practice within or outside of the state. In fact, elections can serve to consolidate authoritarian rule, as has been the case in Afghanistan, Iran, and elsewhere. However, when elections serve to hoard opportunities among ethnic groups, it leads to the collapse of representative institutions through coup, conflict, or emergency rule/suspension of institutions. This collapse of electoral institutions is the culmination of the cycle of conflict of and democratic breakdown. In trace the means through which the mechanisms of category formation, opportunity hoarding, and certification lead to conflict and democratic breakdown, the means of their measurement must first be specified.

FROM MODELING TO MEASURING MECHANISMS

In order to link the theoretical with the empirical, this section draws on two authors that are, at first blush, unlikely conceptual bedfellows: Mark Irving Lichbach and William Sewell. Although Lichbach works from a rationalist orientation and Sewell from a constructivist/”cultural analyst” orientation, both are seized with two related methodological problems. First and generally, they are concerned with bridging the gap between

⁷¹ Lisa Wedeen, *Peripheral Visions: Publics, Power, and Performance in Yemen* (Chicago: University of Chicago, 2008)

⁷² Frederic C. Schaffer, *Democracy in Translation: Understanding Politics in an Unfamiliar Culture* (Ithaca: Cornell University Press, 1998)

generalization and attention to context with a concomitant commitment to meso-level or “middle-range” theorizing. Second, and more specifically, their work aims to improve the explanatory power of relational approaches. In outlining the means through which the model of interlocking mechanisms enumerated above (opportunity hoarding-category formation-certification), this section therefore integrates the insights of both Lichbach’s “Modeling Mechanisms” and Sewell’s *Logics of History*.

Lichbach provides a helpful guide beginning with MTT’s definition of a mechanism: “A delimited class of transforming events that alter relations among a specified set of elements in identical or closely similar ways over a variety of situations.”⁷³ He also adds “what we see is many mechanisms operating simultaneously in particular social systems. In other words, all social systems and all major social changes involve the workings of more than one mechanism. As MTT put it, mechanisms combine into processes that coalesce into episodes of contention.”⁷⁴ Therefore, in the context of this work, the mechanisms of opportunity hoarding, category formation, and certification concatenate into processes of new group emergence and episodes of institutional reconfiguration contention.

The central part of Lichbach’s work is an exhaustive eight-point list of the components (or “rules”) of a mechanism. Lichbach emphasizes the “*transforming events*” aspect of MTT’s conceptualization. In this sense, Lichbach unpacks the mechanisms into “start up conditions,” “terminal conditions” and “event.” “Conditions” are “set of

⁷³ Mark Lichbach, “Modeling Mechanisms of Contention: MTT’s Positivist Constructivism”, *Qualitative Sociology* 31.4 (2008): 346

⁷⁴ *Ibid*, 348

relations, connections, and interactions” that can be either real or symbolic. Events are the “inputs to the mechanism that help turn start-up conditions into terminal conditions.”⁷⁵

This emphasis on transformative events fits nicely with Sewell’s call for an “eventful social science” in some respects. Sewell writes, “An eventful temporality recognizes the power of events in history. Social life may be conceptualized as being composed of countless happenings or encounters in which persons and groups of persons engage in social action. These actions are constrained and enabled by the constitutive structures of their societies...Events may be defined as that relatively rare subclass of happenings that significantly transform structures. An eventful conception of temporality is one that takes into account the transformation of structures by events.”⁷⁶ In this respect, Sewell and Lichbach share a concern with the impact of event on causal structure. Indeed, as a result of his concern regarding dynamic causal accounts, Lichbach suggests that a “hard task for social science is to explore how processes produce structures which set new processes in motion.”⁷⁷ In fact, Lichbach and Sewell both seem to agree that the search for covering laws might be a wild goose chase of social science. As such, this dissertation focuses on events that transform groups and institutions within the power-sharing regime. Therefore conflict and democratic breakdown represent the culmination of the previous cycle and the “event” that sets the next cycle in motion.

However, Sewell and Lichbach appear to depart on etiology. As the title indicates, Lichbach’s approach is deeply rooted in positivism and his approach to etiology. In his

⁷⁵ Ibid, 346

⁷⁶ William Sewell, *Logics of History: Social Theory and Social Transformation* (Chicago: University of Chicago Press, 2005)

⁷⁷ Lichbach, 2008: 350

article, he provides two notions of causality a “why” variable oriented approach or a “what” constitutive approach. Lichbach favors the former suggesting that it “creates, changes or conditions something else” whereas the later is merely “often the mechanism itself.” In contrast, Sewell appears to favor a “what” approach that is more focused on an explanation of new forms of contention—that the what contains the why or the “analytical narrative.” He writes, “rather than rejecting comparative method, we need to strip it of inappropriate scientific rhetoric and rethink it as a means of theorizing causal narratives through looping contexts of discovery. The construction of an eventful sociology will require a collective rethinking of the discipline by many scholars. Success in this venture, in my opinion, will hinge on a closer intellectual collaboration of sociologist with historians, anthropologists, political scientists, and others who are themselves engaged in parallel rethinkings.”⁷⁸ In this sense, the dissertation focuses on a constitutive etiology, but nevertheless examines the new emergent form of contention through event-based narrative rather than a tautology that explains mechanism by recourse to mechanism. It does so by tracing the constituent components of the mechanism as outlined by Lichbach.

Lichbach also calls for “partition” or “creating a top-down hierarchal system—wheels within wheels and wheels that mesh with other wheels—allows the social scientist to localize causal pathways and examine the interactions among modular subsystems. Fashioning a non-reductionist and multilevel explanation facilitates the exploration of higher and lower entities and processes.”⁷⁹ The dissertation examines the interlocking operation of

⁷⁸ Ibid, 112

⁷⁹ Lichbach, 2008

opportunity hoarding, category formation, and certification operating at three levels in two countries: North/Middle Belt/Jasawa in Nigeria and Muslim/Shi'a/Alawi in Lebanon.

Similarly, context is important to both Lichbach and Sewell. For Sewell, content is largely (though not exclusively) temporal, which is unsurprising given Sewell's training as an historian. He writes also emphasizing the importance of sequence suggested in the start-up and terminal conditions: "Historians believe that we cannot understand why things happened as they did without figuring out the sequence in which things happened. As this implies, historians assume that the outcome of any action, even, or trend is likely to be contingent that is its effects will depend upon the particular complex temporal sequence of which it is a part."⁸⁰

For Lichbach context is largely (though not exclusively) spatial, which is unsurprising given Lichbach's training as a Comparativist: "While a focus on general mechanisms operating in general systems at all times does not take social inquiry very far, a study of the mechanisms that operated in historically concrete systems can offer deep explanations."⁸¹ Instead, he suggests "Mechanisms are contingent and local, not exceptionless and global. Contentious mechanisms come into play and do their work at particular times and places...Since different fields, spaces, or sites of contention activate different mechanisms, a mechanism's environment is part of its explanans." Therefore, mechanisms can only be understood and measured when the contextual framework and relevant event episodes are specified. I agree with both Lichbach and Sewell—both special and temporal contextualization matters. For this reason, the dissertation the dissertation examines the

⁸⁰ Sewell, 2005: 7

⁸¹ Lichbach, 2008: 351

colonial creation of power-sharing in both Nigeria and Lebanon in the next section. However, before proceeding, it is necessary to provide an overview of the larger work.

OUTLINE OF CHAPTERS

In the next chapter “Methodology,” I outline the logic underpinning my case selection of Nigeria and Lebanon. In doing so, I explain how both countries have institutionalized group representation but vary in nearly every respect considered relevant in the institutional design literature. However, they experience similar cycles of conflict and democratic breakdown. I then explain how this case selection does not constitute the sin of “selecting on the dependent variable” by evidencing the case methodological literature’s support for such cases when process tracing is utilized. I then move to explain my application of process tracing, situating the work within the field of contentious politics. As such, I then emphasize that the subject of my analysis is neither particular groups nor institutions but rather the causal process set in motion as a result of institutionalized group representation. From there, I explain my choice of focus on particular clusters of nested groups (North/Middle Belt/Jasawa in Nigeria and Muslim/Shi’a/Alawi in Lebanon). Within constructivist ontology, the choice of putative groups is not unproblematic since they are regarded as fluid rather than fixed. However, my nesting approach allows for the examination of category formation between them. Finally, this chapter concludes with a discussion of the political ethnography on which data collection relied.

From there I move to Part Two which provides an institutional genealogy of power-sharing in Nigeria and Lebanon. Chapter Three provides an institutional overview of both Nigeria and Lebanon which examines the fundamental unit of institutionalized group

representation (executive unit in Nigeria, electoral in Lebanon). It also examines other rules of the power sharing game, such as the allocation of public offices in the cabinet and public sector. Similarly, it compares the electoral systems—First Past the Post in Nigeria and Block Vote (with Party Block Vote and Proportional Representation elements) in Lebanon. Finally, each country section includes a broad overview of institutional change from the colonial period to present.

The next two chapters provide an in-depth examination of the colonial foundations of power-sharing and include three components: Colonial Foundations, Colonialism and Groupness and Pre-Independence Institutional Reconfigurations. In Chapter Four on Nigeria, I discuss the roots of federalism in British policy of Indirect Rule and Amalgamation through independence. I show how power-sharing was rooted in the practice of indirect rule and federalism borne through the 1914 amalgamation. In Chapter Five on Lebanon, I trace the origin and development of the group representation regime from Ottoman and European imposition of governing structures through independence. In addition to the familiar discussion of the *Reglement Organique*, I examine the administrative pre-cursors such as partition of Mt. Lebanon.

From there, I move to Part Three, an in-depth examination in which I trace the operation of my mechanisms. Each chapter is divided into four parts: “event” that led to institutional reconfiguration, Category Formation (Imposition), Opportunity Hoarding, Category Formation (Inscription) and Certification. In each chapter I focus on the “selectoral politics” of institutionalized group representation in which opportunity hoarding and certification operate. Moreover, in the discussion of certification, I trace how this process has led directly to conflict in both cases.

In the first part of Chapter Six on Nigeria, I examine “category formation (imposition)” a mechanism through which “authorities draw lines where they did not previous exist.” I trace the operation of “category formation (imposition)” through the introduction of the idea of supra-state executive units (Section and Geopolitical Zone) and the strengthening of sub-state executive units (Local Government Areas) in the 1994-1995 Constitutional Conference. I then examine how these categories were imposed through the 1996 creation and operation of the Federal Character Commission.

From there, I examine “opportunity hoarding,” a mechanism through which selective distribution of “group” resources to a sub-group network creates “in-group” and “out-group” categories within the putative “group.” I trace the operation of “opportunity hoarding” through the division of administrative spoils of the executive units at the national and local level. At the national level, I examine the 1999 Gentleman’s Agreement regarding the division of power between “North” and “South” as well as the distribution of administrative positions at both the national executive level (cabinet posts, etc) as well as the local executive level (Jos North LGA positions, etc)

Following this discussion, I then examine the operation of “category formation (inscription)” a mechanism that “heightens the social relations and representations that comprise a particular boundary.” I trace the operation of “category formation (inscription)” through the emergence of organizations and identities of the “North” at the national level, “Middle Belt” at the GPZ level and “Jasawa” at the local level. Rather than being a timeless or primordial assertion or mobilization of identity, I argue that they have gelled in direct relationship to the imposition of the new institutional categories as a means to increase representation and shape the content of the identity.

Finally, as the culmination of the process, I examine “certification” the mechanism through which group categories receive recognition and resources of state, often through electoral processes. I trace the operation of “certification” at the national level through the April 2007 presidential elections and the local level through the November 2008 Jos North LGA elections. I argue that the process of certification at the national level is the cause of the so-called “cartoon riots,” which are more accurately described as constitutional riots. Moreover, at the local level, I explain the recurrent conflict in Jos as the culmination of certification through LGA elections.

In the Chapter Seven on Lebanon, I follow the same format as Chapter Six. In the first part of Chapter Seven, I examine “category formation (imposition)” a mechanism through which “authorities draw lines where they did not previous exist.” I trace the operation of “category formation (imposition)” through the implementation of the Taif Agreement. The Taif Agreement created the Three Presidencies: President of the Republic (Maronite), President of the Council of Ministers/Prime Minister (Sunni), and President of the Chamber of Deputies/Speaker of the Parliament (Shi’a). Moreover, it creates parliamentary seats for confessions that previously had none (such as the Alawi). The structure of the Taif Agreement imposed new categories in the political system.

From there, I examine “opportunity hoarding,” a mechanism through which selective distribution of “group” resources to a sub-group network creates “in-group” and “out-group” categories within the putative “group.” In tracing the operation of “opportunity hoarding,” I examine the allocation of resources at the national level, especially the confessional cabinet appointments and control over public institutions in the post-Taif period. In addition, I examine “selectoral politics” and the distribution of seats in all post-

Taif elections: 1992, 1996, 2000, and 2005. Because of Lebanon's multi-member districts (under a Block Vote system) that are confessionally pre-determined and elected without pre-printed ballots, majority communities can appoint the representatives of minority communities through including them on their list. As a result, some communities have access to resources through representation while others don't, creating in-group and out-group categories.

In the next section, I examine "category formation (inscription)" a mechanism that "heightens the social relations and representations that comprise a particular boundary." I trace the operation of "category formation (inscription)" through the generation of webs of relations among a Shi'a bloc the Shi'a distinct from the "Muslim" community. In addition, I examine how the category of the "Alawi" has similarly become inscribed in webs of relations around the category imposed by Taif. However, rather than being timeless or primordial assertion or mobilization of identities, I argue that these categories have become inscribed in webs of relations gelled in response the imposition of the new institutional categories as a means to increase representation and shape the content of the identity.

Chapter Seven culminates with the final mechanism: "certification." This is the mechanism through which group categories receive recognition and resources of state, particularly through elections. I trace the operation of "certification" through increased demands of Shi'a and Alawi for representation in Lebanon through the institutional redesign ultimately reach in Doha and the June 2009 parliamentary elections. I argue that the conflict in January 2007 and May 2008 (as well as continuing conflict between the Sunni and Alawi in Tripoli) is a result not of sectarian or international factors, but instead directly tied to inter-group contests over representative power at the center.

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Chapter One: Introduction

Finally, in Chapter Eight, I offer my conclusion. I summarize my main argument regarding the colonial origin of institutionalized group representation and review my model. I then summarize how this argument and model has operated in my two cases: Nigeria and Lebanon. From there, I explain why extant alternative explanations fall short and how my model of institutionalized group representation explains what these explanations cover as well as what they don't. In particular, I examine alternative explanations that focus on the role of institutions and international factors. Finally, I examine alternative theoretical frameworks and explain how my model of institutionalized group representation provides more rigorous and effective approach to understanding the problem of conflict and democratic breakdown in plural societies.

CHAPTER TWO: METHODOLOGY

In this chapter, I outline the logic underpinning my case selection of Nigeria and Lebanon. In doing so, I explain how both countries have institutionalized group representation but vary in nearly every respect considered relevant in the institutional design literature. However, they experience similar cycles of conflict and democratic breakdown. I then explain how this case selection does not constitute the sin of “selecting on the dependent variable” by evidencing the case methodological literature’s support for such applications when process tracing is utilized. I then move to explain my application of process tracing, situating the work within the field of contentious politics. As such, I then emphasize that the subject of my analysis is neither particular groups nor institutions but rather the causal process set in motion as a result of institutionalized group representation. From there, I explain my choice of particular clusters of nested groups (North/Middle Belt/Jasawa in Nigeria and Muslim/Shi’a/Alawi in Lebanon). Within constructivist ontology, the choice of putative groups is not unproblematic since they are regarded as fluid rather than fixed. However, my nesting approach allows for the examination of category formation between them. Finally, this chapter concludes with a discussion of the political ethnography upon which data collection relied.

COMPARATIVE LOGIC OF CONTENTIOUS COMPARISONS

“Apples and oranges!” might be too mild a phrase to use to surmise most reactions to my comparative study. Even Valerie Bunce’s famous phrase of Apples and Kangaroos⁸² might still be too subtly stated. Ironically, the only thing that most scholars and citizens of both Lebanon and Nigeria think the two nations have in common is the inherent exceptionalism of each.⁸³ Yet, despite this presumed dissimilarity, they are the staples of the institutional design and power-sharing literature since Lijphart’s 1977 volume *Democracy in Plural Societies* and Horowitz’s 1985 contribution *Ethnic Groups in Conflict*. In addition to these godfathers of the field, their more policy-oriented pups who apply Nigeria and Lebanon in a more cursory fashion to the contemporary cases of Iraq, Afghanistan, Kenya and others. Also, as outlined below, these two countries have dramatically different institutions that operate as controls. Third, Nigeria and Lebanon differ on a number of other contextual factors that likewise operate controls (e.g. regional security environment).

Indeed, on the surface, Nigeria and Lebanon are dissimilar in nearly every respect identified in the institutional literature, as the following table and the subsequent discussion indicate. In terms of primary institutions, the basis of power-sharing is different in each: region (proxy for ethnic) in Nigeria, religion in Lebanon. Nigeria has a federal system;

⁸² Valerie Bunce, “Should Transitologists Be Grounded?” *Slavic Review*, Vol. 54, No. 1 (Spring, 1995): 111-127

⁸³ However, there is a very small but growing literature comparing each of these with other countries. See, for example: David R. Smock and Audrey C. Smock, *The Politics of Pluralism: A Comparative Study of Lebanon and Ghana*, (New York: Elsevier, 1975) a 1975 comparison of Lebanon and Ghana and an oft-overlooked early contribution to the power-sharing literature; Peter Lewis, *Growing Apart: Oil, Politics, and Economic Change in Indonesia and Nigeria*, (Ann Arbor: University of Michigan Press, 2007), a 2007 book comparing oil politics in Nigeria and Indonesia; Michael Kerr, *Imposing Power-Sharing: Conflict and Co-existence in Northern Ireland and Lebanon*, (Dublin: Irish Academic Press, 2005), a 2005 examination of the role of external actors in power-sharing in Lebanon and Northern Ireland, and Leonard Wantchekon, “Credible Power-Sharing Agreements: Theory with Evidence from South Africa and Lebanon,” in *Constitutional Political Economy* (2000): 11a comparison of pacts in South Africa and Lebanon.

Lebanon has a unitary one. Nigeria has a Presidential System (especially following the 1979 Constitution). Lebanon a Mixed one (increasingly Parliamentary especially following the 1989 Taif Accord). Nigeria has a majoritarian system (First Past The Post) and Lebanon has a plurality system (technically Block Vote that operates as Party Block Vote due to the absence of a pre-printed ballot) with strong proportional elements.

TABLE 2.1:
PRIMARY INSTITUTIONS OF NIGERIA AND LEBANON

CHARACTERISTIC	NIGERIA	LEBANON
Basis of Power-Sharing	Region (Federal)	Religion (Confessional)
Centralization	Decentralized	Centralized
Head of State	Presidential	Mixed
Electoral System	FPTP	BV (semi-PBV/PR)

In terms of secondary institutions—that create the sort of mass-mass linkages Horowitz suggested were so important—Nigeria and Lebanon differ here as well. Due to the practice of “Federal Character” Nigerian ministries are required to have equal representation from all states (determined by ethnic origins) where as Lebanese ministries are divided up among confessional groups. Similarly, after the 1970 end of the Biafran civil war, educational institutions were also reshaped to foster mass-mass linkages. First, government funded unity schools drew students from different communities together. Second, the

government instituted the National Youth Service Program that required all college graduates to do a year of community service outside of their area of origin. In contrast, in Lebanon the school system is highly confessionalized from the primary to tertiary level with only AUB, LAU and Lebanese University being sectarian. The educational system is so confessionalized that there is no standard history text used in all schools, compounding social segmentation with national narrative fragmentation.⁸⁴

Finally, party laws mirror the bureaucracy and educational system. In Nigeria, parties contesting in national elections are required to be registered and active in 2/3rds of the states. However, in Lebanon, political parties are also confessional in nature, often acting as shells for the advancement of confessional interests. For example, the Progressive Socialist Party is the Druze party led by Chieftain Walid Jumblatt, Future is led by Saad Hariri, the de-facto leader of the Sunni community and the heir to the political legacy of the assassinated former Prime Minister Rafiq Hariri, the Lebanese Forces by former militiaman Samir Geagea, and AMAL by Nabih Berri, although this has been joined by Hizbullah as the vehicle for the advancement of Shi'a interests.

TABLE 2.2:
SECONDARY INSTITUTIONS (MASS TIES) OF NIGERIA AND LEBANON

CHARACTERISTIC	NIGERIA	LEBANON
Bureaucracy	Mixed Ministries	Segmented Ministries
	Federal Character	
Educational System	Mixed	Separate

⁸⁴ Jim Quilty, "Separate Learning. Learned Separateness. How the Lebanese Learn Who They Are and the Challenges to teaching Them Any Different", *The Daily Star Lebanon* (Monday February 19, 2007), Ralph E. Crow, "Religious Sectarianism in the Lebanese Political System", *The Journal of Politics* 24.3 (1962).

	NYSC	
	Unity Schools	
Party Laws	Unitary	Segmented
	Federal Character	

TABLE 2.3:
CONTEXTUAL FEATURES OF NIGERIA AND LEBANON

FEATURE	NIGERIA	LEBANON
Size (km ²)	923,768 sq km	10,400 sq km
Size (population)	140 million	4 million
Colonial Ruler	UK	France
Regional	Africa	Middle East
Security Environment		
Number of “groups”	3, 36, (200-400)	18

On the other hand, Nigeria and Lebanon have broadly similar societal configurations. In particular, both countries are religiously divided with roughly equal Muslim-Christian populations approximately 5:4 in Nigeria and 6:4 in Lebanon. In addition, both are relatively pluralist. Nigeria has a dazzling array of 200-400 ethnic and language groups. Lebanon pales in comparison with a mere (!) 18 confessions, including ethno-

linguistic categories.⁸⁵ Despite the fact that Nigeria—the giant of Africa—has a degree of diversity that dwarfs that of Lebanon, both pass the threshold of “multiple centers of power” (generally 3-6) proposed by the literature. Indeed, the 200-400 ethnic groups/36 states in Nigeria aggregate into larger groups, much like the 18 confessions/*qadas* aggregate into larger groups/units. However, despite the similar societal configurations and dissimilar institutional configurations, both Nigeria and Lebanon have experienced similar cycles of conflict and democratic breakdown as the following table indicates.

In order to periodize, this work has adapted use of “Republics” applied consistently to both Nigeria and Lebanon. The use of republics is denotes a break with previous institutional orders. The use of “republics” here will be familiar to scholars of Nigeria—and perplexing to scholars of Lebanon. In contrast to Nigeria, there is a frustrating lack of standard periodization used when discussing Lebanese history. Although the temporal periods divided by civil war are fairly standard (e.g. 1943-1958), the descriptive terms are not. This is unsurprising given the lack of a unified historical curriculum as well as contending language to describe most political events and actors, as discussed in Chapter Seven. Sometimes the President is used to describe the period (e.g. Chihabist). When “republic” is used, it is used differently. For example, Baaklini refers to successive French colonial periods as “republics”⁸⁶ whereas Ziadeh refers to the First Republic as the French Mandate, the second Republic as 1943-1975 (independence to civil war), and the Third Republic as

⁸⁵ The non-Arab population includes Armenians (a recognized confession) and Kurds (not a recognized group) as well as arguably Syriac (not a recognized group, but one that has been agitating for representation). In addition, *some* extremist Maronite actors contend that Maronites are of non-Arab (Phoenician) origin although this perspective not adopted by the mainstream Maronite community.

⁸⁶Abdo I Baaklini, *Legislative and Political Development: Lebanon, 1842-1972* (Durham, North Carolina: Duke University Press, 1976)

1989-2005 (Taif Accord to Syrian withdrawal).⁸⁷ Others have referred to the post-Taif period as the “Second Republic”⁸⁸ and still more confusingly, the “Third Republic” was a source of controversy during the 2009 elections.⁸⁹ The republic schema used by this dissertation instead focuses on the standard conventions of “republic” transitions: institutional collapse and transformation. Therefore, the governmental breakdown and reconfiguration following independence, the 1958 clashes, the civil war, and the 2006-8 crisis are considered the dividing lines between new institutional orders, and thus new republics.

TABLE 2.4:
CONFLICT AND DEMOCRATIC BREAKDOWN IN NIGERIA AND LEBANON

<i>NIGERIA</i>	<i>LEBANON</i>
First Republic: 1960-1966	First Republic: 1943-1958
Civil War: 1966-1970	Civil Conflict: 1958
Second Republic 1979-1983	Second Republic: 1958-1975
Military Rule 1983-1993	Civil War: 1975-1989
Third Republic	Third Republic: 1989-2005

⁸⁷ Hanna Ziadeh, *Sectarianism and Inter-communal Nation-building in Lebanon*. (New York: Hurst & Co, 2006): xv

⁸⁸ Paul Salem, *Remaking Lebanon: The Persistence of an (Imperfect) Arab Democracy* Draft Manuscript, 2004

⁸⁹ Opposition leader Gen. Aoun referred to the “third republic” (post-Syrian withdrawal) during a speech, which was then lambasted by the March 14 coalition (especially the Lebanese Forces with whom Aounists have a particularly charged history) with signs of the Lebanese flag colored Hizbullah yellow with Aounist orange detail, attempting to invoke a sense of danger of Hizbullah’s dominance in an Aounist led Third Republic.

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	Conflict and Breakdown
Military Rule 1993-1996	(February 2005 Hariri Assassination; July 2006 War; December 2006 Govt Collapse; May 2008 Clashes)
Fourth Republic	Forth Republic
1999-present	May 2008-present

Therefore, based on either a one-size fits all approach to institutional design or a tailor made model approach, we would expect different outcomes because of the largely similar societal configurations and dramatically different institutions. Instead, the same process is at play in both: several democratic episodes punctuated by reversals through eruptions of conflict (coups or civil war). Although group and institutional reconfiguration are addressed in finer-detail in Parts Two and Three, the above table as well as the subsequent case discussions evidence that both Nigeria and Lebanon have experienced similar cycles of:

- a) conflict and democratic breakdown →
(violent clashes and interruptions in democratic rule)
- b) institutional reconfiguration →
(creation of new units (federal, electoral); category formation (imposition))
- c) group reconfiguration →
(creation of new putative groups; category formation (inscription); opportunity hoarding within new groups)
- d) demand for institutional reconfiguration which recognizes new groups →
(“selectoral” allocation of state positions and resources; certification)

e) new cycle of conflict and democratic breakdown →
new violent clashes and interruptions in democratic rule

(and so on and so forth)

This comparative framework may lead to charges of the once cardinal sin of social science research: selecting on the dependent variable. However, recent work in qualitative methods reveals the value of this approach. In their 2005 standard-setting work on case methodology, George and Bennett contended that the presumed disadvantages of the “the method of agreement” (in Mills terms) or “most different design” (in Tuene and Pzerworski’s terms) are not as grave as once assumed. Indeed, this approach can even be advantages under the right circumstances. This method “deliberately seeks cases of a particular phenomenon that differ as much as possible since the research objective is to find similar processes or outcomes in diverse cases.”⁹⁰ The authors contend that this method can successfully be undertaken if coupled with a careful integration of process-tracing. Process-tracing not only minimizes the pitfalls of potential overlooked independent variables of the “most different design” but also allows for addressing the ubiquitous pitfall of all social scientific research: equifinality or multiple paths to a single outcome. “(P)rocess tracing provides an additional source of evidence for affirming or discrediting such inferences.”⁹¹

This dissertation therefore employs a structured-focused case comparison that employs process-tracing in the analytical narrative tradition. It fulfills the three-fold case selection criteria outlined by George and Bennett. First, it focuses on a single subclass of

⁹⁰ Alexander L. George and Andrew Bennett, *Case Studies and Theory Development in the Social*, (Cambridge: MIT, 2005): 165

⁹¹ George and Bennett, 165

one phenomenon: power-sharing (institutionalized group representation). Second, the comparative cases of Nigeria and Lebanon were selected for the reasons outlined above: they vary in every institutional feature deemed relevant in the power-sharing literature yet have strikingly similar cycles of conflict and democratic breakdown. Finally, the case discussions that follow focus on “variables of theoretical interest for purposes of explanation.” The discussion that follows examines the mutual constitution of “groups” and “institutions.”

The study is structured in that it asks and answers “a set of standardized, general questions of each case.” Likewise, the method is focused in that “it deals only with certain aspects of the historical cases examined.”⁹² More specifically, the questions I apply to each case are:

How does a power-sharing regime (or institutionalized group representation) emerge? This is the focus of the previous chapter which addresses the origins of power-sharing institutions in conditions of Empire systems generally. The question is answered further Part Two in reference to the specific emergence of power-sharing in both Nigeria and Lebanon. This question includes two queries related to the two components of power-sharing regimes: how are the original “groups” identified and how are institutions configured to distribute representation between them?

The dissertation then answers: *How do groups change? How do institutions change?* These questions are taken up in Part Three. As argued above, this study examines the mutual constitution of groups and institutions. As such, the question is more accurately stated as: *How do groups and institutions mutually constitute one another?* However, while the process is

⁹² George and Bennett, 67

recursive, there is still a sequential unfolding of events. The dissertation therefore examines the mutual constitution of groups and institutions through a particular period—the Third and Fourth Republics of both Nigeria and Lebanon. Moreover, the dissertation compares the start-up conditions (set in motion by an “event”) of this period with the terminal conditions, examining the causal impact of mechanisms.

Therefore, the question of *“how do groups and institutions mutually constitute one another?”* is answered by four interlocking mechanisms discussed in greater detail in the following chapter: opportunity hoarding, category formation (imposition); category formation (inscription), and certification. I trace how each of these mechanisms concatenate in both Nigeria and Lebanon. In the case of Nigeria, the observable regularities of mechanisms of “opportunity hoarding,” “category formation (imposition)” and “certification” are examined on three levels of federalism: National, Geopolitical Zone, and Local Government Area. Similarly, the observable regularities of “opportunity hoarding” and “category formation (inscription),” and certification are examined in the boundary demarcations of the nested categories of: North/Middle Belt/Jasawa. In the case of Lebanon’s unitary system, the observable regularities of mechanisms “opportunity hoarding,” “category formation (imposition),” and “certification” are observed in two spheres: the Cabinet and the Parliament. Similarly, the observable regularities of “opportunity hoarding” and “category formation (inscription),” and “certification” are explained in the nested category boundary demarcations of: Muslim/Shi’a/Alawi.

The focus on causal mechanisms in the research likewise lends itself to an application of process-tracing. George and Bennett go to great lengths to distinguish between the causal outcomes orientation of statistical research or research based on

statistical foundations (such as *Designing Social Inquiry*⁹³) and the relative ability of qualitative comparative case research to map causal mechanisms. The two authors contend that causal mechanisms have deep microfoundational roots and “provide more detailed and in a sense more fundamental explanations than general laws do. The difference between a law and a mechanism is that between a static correlations (if X, then Y”) and a “process” (“X leads to Y through steps A, B, C”)” I argue that systems of group representation lead to cycles of conflict and democratic breakdown through these inter-related mechanisms of: opportunity hoarding, category formation (imposition), category formation (inscription), and certification.

True to the George and Bennett approach, my focus on causal mechanisms accounts for both structural and agentic components⁹⁴ and uses process-tracing to map the mechanisms. Given the role of contingent path dependence, process-tracing offers additional benefits, “path dependence at early points in the development of a longitudinal case should not be assumed to determine the outcome. Process-tracing can access to what extent and how possible outcomes of a case were restricted by the choices made at decision making points along the way.”⁹⁵ In particular, this dissertation employs the “analytical explanation” “variety” of process tracing, which “converts a historical narrative into an analytical causal explanation couched in explicit theoretical forms.”⁹⁶ As such, the approach

⁹³ Gary King, Robert O. Keohane, Sidney Verba, *Designing Social Inquiry*, (Princeton: Princeton University Press, 1994)

⁹⁴ George and Bennett, 145

⁹⁵ George and Bennett, 213

⁹⁶ George and Bennett, 211

is similar to “analytical narratives”⁹⁷ except for its emphasis on the linkages in causal mechanisms.

However, it should be noted that the “analytical narrative” is “focused” in that it does not “address all the interesting aspects of a historical event.” While this may be disappointing to some—especially Nigeria and Lebanon specialists—it is necessary because “A researcher’s treatment of a historical episode must be selectively focused in accordance with the type of theory that the investigator is attempting to develop.”⁹⁸ More specifically, this study focuses on groups and institutions. Therefore in the chapters of Part Two on the colonial foundations of power-sharing, the focus is on identification of putative groups and the design of institutions to manage relations between them. While this overlooks many significant developments in both Nigerian and Lebanese history, there are fortunately numerous volumes already on those subjects. Similarly, one could find the discussion in Part Three of group-institutional configurations in the more recent history of both Nigeria and Lebanon wanting, yet a focus on group-institutional developments prevents forays into these other aspects of Nigerian and Lebanese political development. It should also be noted that the discussion of both cases—Nigeria and Lebanon—hone in on the most recent periods of the Third and Fourth Republics. In the case of Nigeria, I examine the emergence of institutions between the Third and Fourth Republics and the reconfiguration of groups in the Forth Republic as a result. In the case of Lebanon, I examine the emergence of institutions between the Second and Third Republics and the reconfiguration of groups as a result.

⁹⁷ Robert Bates, *Analytical Narratives*, (Princeton: Princeton University Press, 1998)

⁹⁸ George and Bennett

Therefore, in this sense, through slowly tracing out the iterated process of institution-group configuration over a period of a century, I can counter any concerns that I have selected cases where institutions are not endogenous. In detailing their origins in colonial administration generally in Chapter Three and specifically for Nigeria in Chapter Four and Lebanon in Chapter Five, I can show that power-sharing (or institutionalized group representation) did not emerge through a happy pluralist equilibrium from the fecund soil of a richly diverse society. Rather, I show how colonial administration constructed this diversity as a means of empire administration, how the independence leadership chose to retain it (in contrast to other cases such as Ghana or post-Apartheid South Africa where it did not). I then painstakingly outline the iterated process of group-institution interaction through independence to the latest period in each country. Then, I focus more still.

In order to trace the interlocking causal operation of my four mechanisms—category formation (imposition), opportunity hoarding, category formation (inscription), and certification—I focus on the most recent cycle institution-group conflict reconfiguration cycle in both countries. This allows me to evidence how these mechanisms transformed the polity and led to the mutual constitution of institution and groups. Thus, I trace the causal processes and evidence in intimate detail—rather than merely correlate—how institutionalized group represented leads to conflict and interruptions in democratic rule. Moreover, I do so in two dramatically different countries that vary in regional security environment, size, electoral law, central institutions, secondary institutions, components of pluralism, and even colonial heritage.

Methodological traditionalists might be tempted to levy another charge against this research design: what of falsifiability? Unlike large-N statistical studies, the onus of the need to provide a framework for falsifiability is greater on qualitative case studies. This dissertation employs two techniques to address falsifiability. The argument of this dissertation—that powersharing leads to conflict and democratic breakdown—would be falsified under two sufficient conditions. First, if institutionalized group representation did not generate the three interlocking mechanisms of opportunity hoarding, category formation, and certification. Second, if this process led to peaceful inter-group relations and sustained electoral democracy (free and fair elections). The detailed tracing of these events in both cases shows that, as suggested by the model, opportunity hoarding, category formation, and certification lead directly to conflict.

Moreover, the dissertation adopts two additional techniques in the research design that buttress its causal claims. First, the dissertation engages counterfactuals at both the micro and macro levels. I examine counterfactuals at key junctures: independence and the start of the transition in the current cycle. In Chapter 4 and Five, I engage the counterfactual of what would have happened had Nigeria and Lebanon abolished rather than entrenched institutionalized group representation. In Chapter Six and Seven, I engage the counterfactual of what would have happened if institutionalized group representation been abolished rather than entrenched. However, I emphasize that this is a theoretical tool since the logic of power-sharing is such that alternative paths are increasingly difficult to take. Yet, in theorizing different outcomes had institutionalized group representation been

removed rather than entrenched, it further evidences the causal significance of institutionalized group representation.

Second, the selection of Nigeria and Lebanon represents a “double whammy” of a crucial case. Both countries represent “most likely cases.” Indeed, they are the darlings of the power-sharing literature. Although Lijphart and Horowitz disagree on the optimal institutional formulas for institutionalized group representation, both scholars (as well as others) cite Lebanon and Nigeria as success stories. These countries are considered the ones in which power-sharing is most likely to work—indeed scholars and policy makers are so convinced that power-sharing is working in Lebanon and Nigeria that they import the formulas to countries like Iraq and Afghanistan. However, in tracing how power-sharing leads to conflict and democratic breakdown, this dissertation falsifies both the Lijphartian and the Horowitzian models of power-sharing.

George and Bennett, “The best possible evidence for weakening a theory is when a case is most likely for that theory and for alternative theories, and all these theories make the same prediction. If the prediction proves wrong, the failure of the theory cannot be attributed to the countervailing influence of the variables from the other theories...This might be called an easiest test case. If a theory and all the alternatives fail in such a case, it should be considered a deviant case and it might prove fruitful to look for an undiscovered causal path or variable. A theory’s failure in an easiest test case calls into question its applicability to many types of cases.”⁹⁹ Indeed, this is exactly what this dissertation does. It proves the inapplicability of a theory (Lijphart’s model of power-sharing) alongside

⁹⁹ George and Bennett, 122

alternative theories (Horowitz's model of power-sharing) and uncovers an underlying variable: imperial origins and exigencies of power-sharing. In disproving this "easiest case," it calls into question the applicability of power-sharing to other cases such as Iraq and Afghanistan.

Apart from extant claims of incompatibility, potential cries of selecting on the dependent variable, and calls for falsifiability, my comparison is contentious in another sense. Although my case choice fits traditional case analysis as discussed above, it is also consistent with the relational tradition of *Dynamics of Contention* which focuses on process as the unit of analysis. As McAdam, Tilly, and Tarrow write, "We depart from the "common foundations" tradition (the idea of selecting cases based on shared variables, thus pinpointing key and thus explanatory differences) not to maximize resemblance or even to pinpoint difference within whole countries, but to discover whether similar mechanisms and processes drive changes in substantially different periods, places, and regimes."¹⁰⁰

I am not generalizing about particular kinds of groups or particular institutions, rather the dynamic processes of group-institution interaction in power-sharing regimes. I am not comparing the impact of institutions on the instrumental calculations of static and hermetically sealed groups. Rather, I am tracing how the interaction between the two leads to processes of conflict and democratic breakdown. As McAdam, Tarrow, and Tilly contend, "Common properties across historically and culturally distinct settings do not consist of similar large structures and sequences but of recurrent causal mechanisms

¹⁰⁰ Doug McAdam, Sidney Tarrow, Charles Tilly, *Dynamics of Contention*, (Cambridge: The University of Cambridge Press, 2001): 82. Interestingly, given her own take on comparison, they cite Valerie Bunce's 1981 work as a successful example of cross-regional comparison. The authors contend, that her comparison between Soviet and Western Liberal Regimes allowed her to make robust claims regarding the impact of leadership succession on policy innovation.

concatenating into causal processes.”¹⁰¹ Thus, in seeking to outline the dynamic processes that are interactively shaping both institutions and groups, my work has some seemingly strange "comparative" bedfellows not unlike those of *Dynamics of Contention*.

Much like I am not focused on particular groups or institutions, it should be noted that the dissertation does not claim to explain all conflicts in either Nigeria or Lebanon. It merely traces the process through which institutionalized group representation leads to conflict. In doing so, it traces how these conflicts were a direct result of contests over group representation rather than other factors (e.g. Danish cartoons, Special Tribunal Lebanon (on the Hariri assassination), etc). Yet, this dissertation does not claim to explain *all* conflicts in Nigeria and Lebanon. Indeed, it rejects the idea that there is a singular covering law for all conflicts or indeed all conflicts within a particular sub-class.

Indeed, this position is well-established in causality studies as embodied in the idea of equifinality or multiple causal pathways to a single outcome. “Equifinality challenges and undermines the common assumption that similar outcomes in several cases must have a common cause that remains to be discovered. The assumption misdirects the attention of the investigator by leading him or her to believe that the task of empirical inquiry is to discover a single causal pattern for cases that have similar values on the dependent variable.”¹⁰² Indeed, “conflict” is often viewed as a single homogenous outcome with an accompanying covering law that can somehow be uncovered. While analytically and morally comforting, this may not actually be the case.

¹⁰¹ McAdam, Tarrow, and Tilly, 24

¹⁰² George and Bennett

In fact, some conflicts are so anomalous that they defy causal prediction. One such example is the riot that occurred in Borno in 2001 following an eclipse.¹⁰³ While an extreme example, violent messianic movements—in Nigeria and around the world—are also arguably governed by individualist rather than systemic forces and thus might resist structural explanation. Yet, even those conflicts with structural causes may have different diffusion effects and trajectories. The riots set off by the movement of conflict refugees from Plateau to Kano state and the return of bodies from Bauchi to Anambra state share similar diffusion processes but share none of the underlying structural causes that prompted the clashes in Bauchi and Plateau.

Similarly, Lebanon is beset by conflicts, but are they linked? Although temporally adjacent, the 2006 July war with Israel and the Summer 2007 clashes between militants and the Lebanese Army in the Palestinian refugee camp were entirely unlinked and shared no causal factors. While some might be tempted to point to the underlying Arab-Israeli conflict, this would also be erroneous: most of the militants seeking refuge in the camp were Lebanese Islamist actors not Palestinian refugees. While seeking a covering law for conflict in Nigeria or Lebanon is a laudable goal, it might be the el Dorado of conflict studies. This dissertation has a more humble objective. The goal is not to explain all conflict in Nigeria and Lebanon, but merely to trace the causal mechanism through which power-sharing leads to conflict. We should not allow the glittering promise of a single solution to conflict to lead us astray and away from the more reachable goal of tracing the causal process of some conflicts through middle-range theory.

¹⁰³ This is the topic of a working paper, “Eclipses and Equifinality: Reflections from Nigeria on Causality and Conflict.”

COMPARING GROUPS IN CONTENTION

To some extent the selection of groups could be arbitrary. In tracing group-institutional dynamics, I could select any “group.” Indeed, within the constructivist ontology, assumptions regarding the fixity and homogeneity of “groups” would indeed complicate such a choice. In order to make such a comparative study manageable I have decided to focus on nested “groups” that have emerged within both Nigeria and Lebanon. In Nigeria, I have focused on North/Middle Belt/Jasawa. In Lebanon, I have focused on Muslim/Shi’a/Alawi. This allows for the examination of boundary construction without suggesting an undue degree of homogeneity or fixity. In order to make this more clear, I will expand on Posner’s metaphor of playing cards for identity.

Much like Posner¹⁰⁴ has identified for Zambia, there are various axes of identity. However, rather than being discrete “cards” that are “played” at given moments (his puzzle is determining which cards are played when), identities are overlapping categories with fluid boundaries. As such, it is more useful to think of wild cards, face cards, or aces in which the meanings and values can shift over time and in context. There are a number of Hausa speaking tribes that are mixed Muslim Christian. Indeed, sometimes even the categories change entirely with new tribes emerging from old categories. An ace paired with a face card is bound to be valued at as eleven in Blackjack although it will have a different value with other cards or in other games. To paraphrase the metaphor, this study doesn’t try to determine which card is played when—instead it determines the expression particular cards take when “played” with others in different games.

¹⁰⁴ Daniel N. Posner, *Institutions and Ethnic Politics in Africa*, (Cambridge: Cambridge University Press, 2005)

The Fluid Boundaries of the North: In the case of the “North” of Nigeria (or the 19 states formerly comprising the historic Northern region) there are several identity axes. The “North” is sometimes mistakenly taken to be synonymous with either Hausa/Fulani or Muslim. Hausa/Fulani is itself a term indicative of the blurred boundaries with the Fulani having historically conquered the Hausa, but Hausa culture assimilating Fulani) or Muslim. The predominantly Hausa-Fulani areas are sometimes referred to as the “core North” indicating both a territorial and a cultural geography. Again in territorial-cultural-geographic terms, there is also the “Middle Belt” region of the North, located in the southernmost part of the section. The “Middle Belt” is home to Hausa and non-Hausa Muslim minorities (e.g. Nupe), mixed Muslim-Christian minorities, (e.g. Igala, some Yoruba) as well as largely Christian or historically animist groups (e.g. Berom). In addition, there are many localized identities, such as the Jasawa, the Jos-based Hausa that have emerged in recent decades staking claims for institutional representation. As discussed in Chapters Four and Six, these boundaries are fluid.

The Shifting Shapes of Sectarianism: Although Lebanon has a generally a simpler configuration with a smaller mix of identities (18 different Arabic speaking confessions), this belies a fluidity of identification over time. Indeed, Shi’a were so politically irrelevant as a community during the National Pact in 1943, that they played no role in crafting this central political institution. During the national pact until the civil war, the primary axis was Muslim-Christian (with a degree of intra-communal conflict within both Christian and Muslim communities). Although specific seats were allocated to all 18 confessions, the fundamental points of contention were the 6:5 Christian-Muslim ratio in Parliament and

neutral foreign policy orientation (between the West and Arab World). The civil war was also fought largely along those lines.

However, with the increased role of Shi'a politics in Lebanese politics the relevant fissure is not Christian-Muslim, but a Sunni oriented government against a Shi'a oriented opposition, each with Christian allies. During this same period, the Alawi emerged as a newly recognized Shi'a sect and received two seats under the 1989 Taif Agreement. Although to some extent the confessional system sets the sectarian stage, the salient boundaries shift over time tied to institutional dynamics. The emergence and institutional demands of the different sects will be traced in Chapters 5 and 7.

Likewise, true to the allocative politics at the national level, all the nested groups under study consider themselves economically and politically “marginalized” despite these numbers. They are not alone in this. To even repeat the narrative of Northern marginalization in Nigeria anywhere in the South (especially the Delta) is to invite ridicule. And one does not have to be in Lebanon long to hear the lament of Christian marginalization in post-Taif Syrian occupied Lebanon or historical marginalization of the Shi'a. The role of the social scientist is not to adjudicate these claims: indeed, the system of power-sharing generates them, sustains them, and makes all of them real.

POLITICAL ETHNOGRAPHY

In his Afterword to a symposium on Political Ethnography in Sociology, Charles Tilly writes, “(I)f you believe (as I do) that how things happen is *why* they happen, then ethnography has great advantages over most other conventional social scientific methods as a way of getting at cause-effect relations...Ethnography engages the analyst in looking at

social processes as they unfold rather than reasoning chiefly from either the conditions under which they occur or the outcomes that correlate with them”¹⁰⁵ As this dissertation seeks to trace the causal processes of cycles of conflict and democratic breakdown under power sharing regimes, it relies heavily on political ethnography. I was particularly fortunate to be able to conduct substantial political ethnography in both Nigeria and Lebanon at key junctures for the issue of power sharing regimes, conflict, and democratization.

At the crest of the recent wave of qualitative work in the social sciences, political ethnography re-introduces the methods of participant observation into research on the political realm. As the editor of the aforementioned Political Ethnography symposium, Javier Auyero explains the special contribution of ethnography to political research: “After all, ethnography is uniquely equipped to look microscopically at the foundations of political institutions and their attendant sets of practices, just as it is ideally suited to explain why political actors behave the way they do and to identify the causes, processes, and outcomes that are part and parcel of political life.”¹⁰⁶ Therefore, I have drawn on the six constituent elements of political ethnography as outlined by Tilly: In-depth Interviews, Conversation, Participant Observation, Passive Observation of Interaction, Covert observation of Interaction, and Inobtrusive (sic) Observation Concerning Residues and Consequences of Interaction. Before detailing these components, I will outline the broad contours of my political ethnographic work in both countries.

¹⁰⁵ Charles Tilly, “Afterword: Political Ethnography as Art and Science”, *Qualitative Sociology* 29 (2006): 409-412

¹⁰⁶ Javier Auyero, editor, “Afterword: Political Ethnography as Art and Science”, *Qualitative Sociology* 29 (2006): 409-412

Power Sharing or Power Hoarding?
Conflict and Democratic Breakdown in Nigeria and Lebanon
Maren Milligan
Chapter Two: Methodology

My research was conducted in Nigeria over the course of 18 months. The first portion was supported by a Fulbright during which time I was based at Mambayya House, part of Bayero University in Kano. However, I traveled extensively in the North and was often based in Arewa House, located in Kaduna but affiliated with Ahmedu Bello University in nearby Zaria. During the course of the 18 months, I conducted research in FCT (Federal Capital Territory), Abuja and five of the six geopolitical zones in the following states: Adamawa, Benue, Enugu, Kaduna, Kano, Lagos, Niger, and Plateau. As one would expect, the bulk of my political ethnographic work was in the North, with work only in the erstwhile capitals of the other regions: Enugu and Lagos.

After my fellowship finished, I acted as a Long Term Observer (LTO) for the National Democratic Institute (NDI) from October-November 2006 and then returning from Lebanon to again act as an LTO for NDI from March-May 2007, including being a part of the NDI observer delegation for the April 2007 elections. This enabled me to assume a different role in my political ethnographic process, drawing on both my research contacts as well as the increased access to election-related actors as a result of this role. I should also add at this juncture, that I consulted extensively with my key interlocutors among various parties, NGO's, and religious movements before I assumed this role. I was loathe to do anything that might reinforce fears that I was working for the CIA or my research aims were for objectives other than the academic ones. However, my normative commitment to democratic processes converged with the normative commitment of all of my interlocutors and they were supportive of the role of international observers and my own participation in this process.

In Lebanon, during the first stage of work, I was based in the Hamra neighborhood of Beirut over a period of six months broken into two periods, punctuated by a trip to Nigeria for the elections. Although based in Beirut, I conducted research in all of the regions, excluding the largely Sunni North, which was less accessible due to events around the Palestinian refugee camp, Nahr al-Bared. Part of this research was accompanying LADE, the Lebanese Association for Democratic Elections during a series of public debates on the electoral law they conducted throughout the country. I also spent time in various neighborhoods of Dahiyya, or the Shi'a dominated Southern Suburbs of Beirut (although technically part of the Muhaafazah of Mt. Lebanon), conducting interviews observing the socio-political dynamic.

I again returned to my research area as a Long-Term Observer (LTO) for the National Democratic Institute (NDI) around the June 12 Parliamentary elections. During the first part of the mission (mid-March to late-April) I worked in the Beirut-Mt. Lebanon regions; in the second part of the mission, I worked in the North expanding my work among the Sunni and Alawi communities. This allowed me to expand the scope of my work and gain a greater comparative understanding. As was the case in Nigeria, this new role allowed me to draw upon my previous knowledge and contacts, but engage in a different research processed focused on the electoral framework and concerns. However, I hasten to add that while my work at NDI enhanced my previous fieldwork, NDI is not responsible for any statements or arguments made in this dissertation. Naturally, the reverse is also true. Any statements or reports from NDI should be viewed as the product as an existing organization separate from my work as an individual researcher.

In-depth interviews: These formed the bulk of the research. Even interactions that evolved to more conversational or participant observation forms began with interviews. Indeed, they often began with interviews of the interviewee. Particularly in Northern Nigeria, I was first interviewed first. In no case was I refused an interview. Indeed, in some cases, it took several attempts or gatekeepers to reach an individual. It took three key associates vouching for me with one individual and it was not until he himself had a chance to interview me (after failing to evade another attempt on my part) that I got the interview. Once he understood the work, he became so sincerely committed to it that he then facilitated even greater access to key individuals needed for the process. In the highly charged political environment this makes sense. In fact, these sorts of procedures fulfill the spirit of IRB review.

In Lebanon, there was a similar process. Gatekeepers remained key. In this sense, the interviews are almost all snowball sample. However, in both cases, I began with a clear list (that only expanded) and found a way to nearly all those on the list—thus, although the routes are snowball (and, within relationalist methodology) might be distorted in that sense, the sample itself is not skewed. In the case of Hizbullah, the pre-interview interview was more official as all researchers need to apply to the information office for permission. The information required: contact information, copy of passport, topics of research, and affiliation. During the application conversation, I also was asked to provide copies of the research after it is completed (which IRB review also requires) and told that I should limit my research to the topics identified (which IRB also requires). However, as discussed below, the day I was to begin my interviews with Hizbullah leadership, the party froze all media and academic interviews. Nevertheless, before I left in August, I was able to interview some

Hizbullah officials that were able to comment on matters related to my research. Similarly, after my work with NDI was completed and I returned to my own research agenda, another freeze was in place because the post-election government was being formed.

I should also note that in Nigeria, all but two interviews were conducted in English.¹⁰⁷ In Lebanon, interviews were conducted in both Arabic and English. Arabic interviews apart from observation work were conducted without a translation. Interviews conducted during observation work were conducted as part of a two-person team and thus conducted with a translator, but with occasional interjection by the researcher. All transliteration within the text uses the standard English language transliteration,¹⁰⁸ except when quoting a source which might use French transliteration.

Conversation: In addition to interviews with elected officials, spokespeople, and statesmen using a standard set of questions, I spent considerable time in semi-social conversations with journalists, NGO workers, and Lebanese citizens from various sects, regions, and classes. While this material is not directly used in much of the dissertation, it informed the background of interviews and the direction of research.

Participant Observation: In both countries, I was fortunate to be able to attend political events organized by parties of both a secular and religious orientation. I attended political rallies for candidates, party formation events, and religious events. Along these lines, I attended the very different events of the Ashura Khutba of Sayyed Hassan Nasrallah in Beirut and the commemoration of Hariri's assassination in early 2007. Observation of these events has likewise provided helpful background, particularly in observing social relations

¹⁰⁷ Two interviews with Moses R Wong were conducted in Berom with Henry Mang translating.

¹⁰⁸ There are a few exceptions where common English spellings of names do not track with customary Arabic-English transliterations. For example, I use "Geagea" rather than "Jea'jea'" and Chouf rather than Shouf.

and interactions among political actors—enhancing my ability to interpret the resonance of political meanings. While I cried during the discussion of the wrenching details of Hussein and Zeinab’s fate during the Ashura khutba (along with the other women in the room), I hasten to add that I attended as a researcher and was not an “active” participant at any of these events.

Passive Observation of Interaction: There is no such thing as dead air in ethnographic fieldwork. Indeed, the seemingly empty spaces can yield tremendous insights. My research involved a lot of waiting because politicians were involved. Not just what one learns with the people going in and out of the offices, not just with the insights an assistant might share, but also when no interviews are happening at all. Such was the case with the Hizbullah interview freeze. I learned quite a bit about the functioning of the organization, its alliances, and its positions during the election season.

Although the popular journalistic account of the freeze focused on rebuilding of Dahiyya, evidence does not support this unfounded assertion. The freeze occurred in the middle of debates regarding the by-elections for the assassinated MPs. At that particular moment in time, Hizbullah was caught between a rock and a hard place: between the electoral aspirations of one of its Christian allies, Free Patriotic Movement, or Aoun’s party which sought to contest one of the vacated seats, and its other Christian ally President Lahoud that declared the by-elections illegal without his signature. Indeed, in the day prior to the instatement of the interview freeze, Hizbullah officials made contradictory statements: one supporting the right of Aoun to contest another supporting the President’s declaration.

My hypothesis was further confirmed by the openness about the unveiling of Wa’ad or the reconstruction program as well as, more importantly, strict limitations being placed on

elections related questions when I was finally granted interviews. Moreover, my waiting moments (e.g. “we will know more tomorrow whether you can interview”) were closely coordinated with Hizbullah consultations and announcements regarding the by-elections. Hizbullah never announced a position on the elections. I conclude it was a compromise between the well-known twin practices of Hizbullah: internal consultation and coordinated stance. If the later is not possible through the former, then public discussion is limited. Further confirmation of the criteria for a freeze was the fact that there was a freeze after the June 12 elections when the contentious issues of Parliament speaker and cabinet formation was being discussed.

Another overlooked area rich in political ethnographic insights is transport. Not only is this time to process or prep for an interview, but much can also be learned from overheard conversations or observed interactions. Indeed, how the routes or passengers change over time are important indicators patterns of interaction. In Nigeria, motor parks are such important political places that voter registration occurs there. In Lebanon, transportation routes shifted as a result of clashes. Indeed, the familiar Bus 4 and 12 route changed dramatically after the downtown was re-opened. Transport is an integral part of social boundaries. Learning how people accommodated these changes was significant, as it revealed geographic elements of social linkages.

Covert Observation of Interaction: Indeed, this was not my intent at any stage of the research process, but I unintentionally covertly observed interaction in Nigeria. Some northern Nigerian actors assumptions regarding my lack of knowledge about Hausa made me an unwitting covert observer of several highly illuminating conversations. My Hausa never developed to a state where I could conduct interviews, however it was sufficient to

function in day-to-day affairs, conduct rudimentary conversations, and unfortunately understand the context of conversations that were intended to be private. This included: an argument between the leaders of an inter-faith organization that provided information about internal coordination, conversation between a politician and his supporter about rigging (during the registration process) and between a politician and the local godfather (about electoral irregularities during the party primary). It was assumed I did not understand Hausa because I was a foreign researcher and was conducting interviews in English, the national language. However, due to the ethical implications surrounding the importance of consent and my research, I immediately let my (albeit limited) Hausa skills become known. Likewise, I have not used the particular data obtained there from although certainly this insight has informed my background understanding of dynamics.

Inobstrusive (sic) Observation Concerning Residues and Consequences of Interaction: Apart from my electoral observation, I also toured areas where clashes occurred in both countries, fortunately after the events occurred. For example, in Nigeria I toured the areas of Plateau, Kaduna, and Kano where clashes occurred (included the so-called Taleban incident). In Lebanon, I was able to tour areas affected by Black Tuesday. This passive observation (excluding interviews conducted) served as an important check on journalistic and academic secondary accounts.

Secondary Materials, Press, and Archival Research: It should also be noted that in both cases, political ethnographic work was also supplemented with secondary materials, media, and archival work. In Chapters Three and Four, I not only utilize secondary accounts of the colonial and early independence periods, but also supplement these writing with my own research on how colonial rule structured groups and administrative institutions.

Yet, while these six components are essential techniques, it should be noted that political ethnography is more than just a method of gathering material. Political ethnography also processes this material in a way that reflects the meaning given to this material by political actors. Lisa Wedeen¹⁰⁹ has helpfully outlined four interpretive components of political ethnography. The first, Foucauldian in orientation, is an examination of the relationship of knowledge production in structures of power. The second, constructivist in orientation, is an understanding of the world as socially made. The third, relational in methodology, focuses on collectivities rather than individuals. The fourth, semiotic in orientation examines the situated uses of language and symbols in political practice. In conducting political ethnography among the nested “groups” of the North/Middle Belt/Jasawa and Muslim/Shi’a/Alawi, I have examined the way that language and symbols have been mobilized for the construction of collective identities in order to claim power at the center.

Final Comment on the Contentious Politics of Contentious Politics: The writing of the dissertation has occurred in the context of the Supreme Court Ruling which some academics are concerned could be interpreted in the future in such a way that would prevent researchers from speaking to members of organizations identified as terrorist, thus hindering social science research.¹¹⁰ While the few research interactions with Hizbullah figures occurred

¹⁰⁹ Lisa Wedeen, “Ethnography as Interpretive Enterprise” in *Problems and Methods in the Study of Politics.*, eds. Ian Shapiro, Rogers Smith and Tarek Masoud (Cambridge University Press, 2004)

¹¹⁰ <http://www.nytimes.com/2010/06/30/opinion/30atran.html> It should be noted that, although these researchers raise concerns about the potential implications of the ruling on future social scientific work with policy relevance, American researchers, policy actors, and public figures continue to meet with Hizbullah. Former President Jimmy Carter held high-profile meetings with Hamas and Hizbullah. Moreover, employees of the Carter Center and NDI (whose Lebanon programs were US government funded) met with Hizbullah officials under instruction that it is legal for observers to meet with Hizbullah.

before the ruling,¹¹¹ it is nevertheless important to contextualize them. The objective of this component of the research is not advancing Hizbullah's objectives, but to understand them as one of many contending viewpoints in Lebanon. This is not a treatise on Hizbullah nor is it even a treatise on the Shi'a. It is a story about how institutions shape identity in power-sharing contexts. Much of this story is a sad tale for the Shi'a who have historically been shut out of the system. Yet, while this dissertation discusses the efforts of the Shi'a (led by Hizbullah only in the last decade) as well as other communities such as the Jasawa to gain "certification" and a place at the table, it should not be understood as an advocacy text in this respect. Indeed, to the extent that this dissertation is an advocacy text, it is a cautionary tale about power-sharing.

¹¹¹ This involved multiple meetings with the Public Relations office liaison officer (Hajjiyya Wafa') to complete paperwork required for interviews as well as follow-up calls regarding scheduling meetings and the status of the press freeze. In the end due to the freeze, only one interview occurred with Hussein Rahal, Public Spokesperson prior to my August 2007 departure date. In addition, I visited the Hizbullah affiliated think-tank, the Consulting Center for Studies and Documentation to speak with the head and obtain center publications related to their position on the electoral law and other institutions. In none of these instances did I provide material support or expertise to the organization. In the course of my research, I moved throughout neighborhoods populated by Hizbullah supporters (both ardent and lukewarm alike) and was able to speak with them. In addition, I was able to interview officials from Hizbullah allies Amal and FPM extensively. In my 2009 trip, I did not interview Hizbullah members due to the fact that I was conducting election observation in regions in which they are not active; after the observation ended, a media freeze was again instated because the government was being formed. Thus, I was able to walk the fine line American researchers now face in working within legal parameters while still obtaining the necessary information and background.

PART TWO: GENELOGIES OF POWER-SHARING

Chapter Three: Overview of Nigerian and Lebanese Power-sharing

Chapter Four: Origins and Evolution of Nigeria's Ethnic Federalism

Chapter Five: Origins and Evolution of Lebanon's Confessionalism

CHAPTER THREE: OVERVIEW OF NIGERIAN AND LEBANESE POWER-SHARING

This chapter provides a broad overview of the power-sharing systems of Nigeria and Lebanon. The chapter begins with Nigeria, then moves to Lebanon. Each section includes: an overview of power-sharing, identification of key units (executive units such a state and LGA in Nigeria, electoral constituencies in Lebanon), a discussion of principles of power-sharing, an examination of electoral systems, and an overview of institutional change. Although this chapter offers a grand sweep of Nigerian and Lebanese institutional history. The following two Chapters provide a detailed account of the colonial origins of Nigerian and Lebanese power-sharing. The final two chapters, Chapter Six and Chapter Seven, provide a detailed examination of the mutual constitution of groups and institutions since the 1990s.

NIGERIA

Many a book, chapter, and article about Nigeria begin with this famous quote by Awolowo: “Nigeria is not a nation. It is a mere geographical expression. There is no such thing as ‘Nigerians’ in the same sense as there are ‘English,’ ‘Welsh,’ or ‘French.’” The word ‘Nigerian’ is merely a distinctive appellation to distinguish those living within the boundaries of Nigeria from those who do not.”¹¹² *This quote is so famous because the “problem” of Nigeria*

¹¹²Awolowo, *Path to Nigerian Freedom* (London: Faber and Faber, 1947) Of course, it should be noted that although this quote is most commonly used, other leaders have expressed similar ideas. For example, Ahmadu Bello said “The mistake of 1914 has come to little” in his statement to the House of Representatives in 1953. It is also not uncommon to hear paraphrases of this idea in present day politics, even uttered by civil society activists. One such example is “Nigeria is a collaboration not a country.” (Interview, Plateau State, October 2006)

remains the problem of boundaries. Yet, the boundary problem is not simply one of external boundaries.

Indeed, Awolowo goes on to say in a less-quoted clarification: “There are various national or ethnical groups in the country...Each of them is a nation by itself with many tribes and clans. There is as much difference between them as there is between Germans, English, Russians, and Turks for instance.”¹¹³ *These are the boundaries that pose the real problem of the Nigerian state.* While the external boundaries of Nigeria have remained largely fixed since its inception,¹¹⁴ internal boundaries are subject to cycles of change fueled by the very logic of group representation.

The boundary problem, or the geographical foundation of the ethno-federal power-sharing began with the British decision to amalgamate the Northern and Southern regions on the first day of 1914, as discussed in Chapter Four. Prior to that time, Britain had acquired territories comprising what was to become Nigeria in a piecemeal fashion. These previously autonomous political entities were separate empires exercising control over sometimes-reluctant populations. Yet, they were joined together to suit colonial administrative needs. Such begins the illustrious history of federalism in Nigeria, indeed the history of Nigeria.

¹¹³ Another source provides the following version of the subsequent point: “On top of all this the country is made up of small, un-integrated tribal and clannish units who live in political isolation from one another.” Bamidele A. Oyo, *Problems and Prospects of Sustaining Democracy in Nigeria*, (Nova, 2001) It should also be noted that the argument about “nations” and thus the need for autonomy parallels the arguments that Jinnah of the Muslim League made in pre-independence India to make the case for greater Muslim autonomy and eventual partition. Paul R. Brass, *Ethnicity and Nationalism: Theory and Comparison* (New Delhi: Sage Publications, 1991), Paul R. Brass, “Elite Groups, Symbol Manipulation and Ethnic Identity Among the Muslims of South Asia” and Francis Robinson “Islam and Muslim Separatism”, in *Political Identity in South Asia*, ed. David Taylor and Malcom Yapp (London: Curzon Press, 1979)

¹¹⁴ The recent transfer of Balakaasi Peninsula notwithstanding.

Indeed, Nigeria is an *ethnic federalism*. The creation of units emerged from fusing together prior political structures with shared languages and religions—indeed, culture. Moreover, as discussed in Chapter Four, demands for the creation of new units emerged from various ethnic groups demanding their own sphere of influence. Therefore, while some of the terms are generic (such as East or Benue), they are ethnic proxies. East signifies Ibo (which the marginalized Niger Delta groups unsuccessfully requesting the state of Mid-West); Benue is a state created in response to Tiv demands, generated as-yet-unrealized demands by the Idoma for their own state. As part of this ethnic-demand process, federalism in Nigeria has changed over time as the units have repeatedly been restructured over the near century of Nigeria’s political life. The ebb and flow of Nigerian political life is punctuated by cycles of conflict, democratic breakdown constitutional construction(s). Before providing an overview of institutional change, it is essential to first cover the principles of power-sharing in Nigeria.

THE IMPORTANCE OF BEING EXECUTIVE

The fundamental unit of power-sharing has remained the executive unit: president, governor, Local Government Area (LGA) Chairman and increasingly Section/GPZ (or the organizations that claim to represent them). While much was made of the importance of “executive office” in the 2008 American Presidential elections, executive units are the primary building blocks in the Nigerian power-sharing systems. This is unsurprising given the fact that Nigeria has a Presidential system since the 1979 constitution that “replicated (the “presidential” model) at the state and local government levels.”¹¹⁵ Yet, even prior to the

¹¹⁵ “State and Local Governance in Nigeria”, *World Bank: Africa Region, 2002*

1979 constitution which enhanced presidentialism, the relevant units (e.g. regions, military governed states) still had considerable executive authority. That is because the importance of executive authority owes not to the Presidential system, but to institutionalized group representation.

Executive offices are the “prizes” to be shared—or hoarded. Yet, this “sharing” or rotation of executive office is not simply a matter of a sense of belonging or expansion of political participation—that a “face like your own” is in the “villa.” In a phrase prescient of the 2008 American elections, one politician exclaimed in exasperation in 2006, “Because Hawaii has never produced a president, they don’t belong?” Instead, these positions—president, governor, LGA Chairman—are most hotly contested because they are the most “chop”¹¹⁶able, meaning they are the ones most vulnerable to resource-based distribution networks of groups. Instead, power-sharing a matter—in all levels of the “executive” positions—of having a “fellow brother in the villa and getting a contract.”¹¹⁷

Indeed, it is this very division of spoils that fuels the creation of new units as section, state, and LGA levels. “There are many states because each state wants a governor from their tribe.”¹¹⁸ “Everyone wants to be a king...Everyone wants to be head of something to steal money.” If this were to continue, there will be 100 states. If federal allocation were to stop, 2/3 of the states would collapse.”¹¹⁹ Likewise, this national context plays out at the local level. The first—and controversial—LGA Chairman of Jos North reflected on the role of rotation in

¹¹⁶ “Chop” in Nigerian English means to eat, to enjoy, or can also signify theft of public funds.

¹¹⁷ Interview with elected official of the ruling party and scion of a Northern political family (and a mixed Muslim-Christian marriage) family in an ethnically mixed state who sometimes affiliates with “Northern” interests (represented by her father who heads a “Northern” organization) and sometimes with “Yoruba” interests, thus indicating the fluid nature of political, religious, regional, and ethnic identities in Nigerian politics.

¹¹⁸ Interview, Yahya Gausau, Kaduna, 2006

¹¹⁹ Interview, Festus Okoye. December 2006

contemporary Nigerian politics, “Rotation shares the opportunity to loot resources.” The same individual intimately involved with Jos LGA politics notes, “If today, oil were to disappear, it would solve the problems in Jos. Jos North receives from the FG 100 million naira. If the LGA raised funds for its running from the local community, the LGA would have a different dimension.”¹²⁰ Thus, although the “executive” is headed by a “big man,” he is merely the apex of a group distribution network.

OTHER RULES OF THE POWER-SHARING GAME

State structures are complemented by other rules of the game. The 1979 constitution contains provisions regarding “restrictions in the formation of political parties” that parties “reflect” the “federal character” of Nigeria such that “members thereof belong to different states not being less in number than two thirds of all the states comprising the federation.” Thus, the Federal Character Principle requires that any political party must operate in two-thirds of states in Nigeria. This principle determines the ways in which regional or local parties amalgamate at the national level, with the objective of promoting inter-ethnic cooperation. However, several caveats are in order about how this principle is actually practiced in Nigeria.

First, the Federal Character Principle has not eliminated regional parties. The ANPP is mostly a “core northern” party popular in Bauchi, Kano, etc. AGPA is an South Eastern party with a strong Ibo base; AD/AC is a Southwestern party with a strong Yoruba Base. Even within the national parties, the process of aggregation to meet the criteria can be a

¹²⁰ Smaila Mohamed December 13 2006. It should be noted that this quotation is extracted from an interview generally on the topic of power sharing and should not be interpreted as a statement on his term as Chairman of Jos North LGA.

process of inter-group wheeling and dealing (e.g. in the case of the ACD and AD move to Action Congress in the lead up to April 2007 elections) that reinforced group divisions with very tenuous electoral ties among them.

Second, the Federal Character principle also does not prevent political parties from obtaining an ethnic or religious coloration at the state or LGA level. Indeed, groups often organize sharply along party lines at the local level. In Plateau state generally—and in Jos in particular—the PDP is largely Christian party whereas ANPP in particular has greater Muslim participation.¹²¹ As a result, parties at the sub-federal level quickly become vehicles for the advancement of various “group” interests especially since there is a marked absence of ideological differences between parties. In Nigerian federalism with its sub-national institutional arenas, this creates conditions for explosive group electoral contests outside of the national level. Although these contests are outside of capitals and thus overlooked by international media, they are no less significant.

¹²¹ The AC is also a contending party, but in Plateau the main competition is between the PDP and the ANPP. The PDP is considered a Christian party in Plateau state due to the interaction of national political dynamics and Plateau state demography. First, Buhari—a candidate viewed as more supportive of Shari’a—ran on the ANPP ticket in 2003 and again in 2007. Second, the PDP is the ruling party at the national level whereas the ANPP is an opposition party of the north where it took some states such as Kano (and AD/AC is the opposition party of the SW, taking Lagos; and AGPA has previously held Anambra in the SE). With the return of electoral politics in 1999, Christian population of approximately 60% is in a position to determine the Governor. Given local demography and near one party rule, it is unsurprising that the PDP has selected Christian Gubernatorial and Deputy Gubernatorial Candidates. As the opposition courting the Muslim community, the ANPP has selected Deputy Gubernatorial Candidates who are Muslim. It is also important to note that its 2007 Gubernatorial Candidate, Victor Lar, is also head of the Northern Members Forum, a Parliamentary block designed to bring together all religious and ethnic interests of the North. While it is unclear if the chicken or the egg came first (Christian candidates or supporters), most members of the leadership of the Christian Association of Nigeria in describe themselves as PDP members and most Christian political activists are PDP supporters. While there are a few prominent so-called “indigene” Muslims among the PDP who are elected and or given appointed office (e.g. Sen. Mantu, the head of JNI, which is appointed by the Plateau state government ruled by the PDP), there is a clear ethno-religious dimension to party affiliation within Plateau state and Jos and certainly no so-called “non-indigene” (or Jasawa, as discussed below) among PDP members or leadership. Much like the presence of Condoleezza Rice and Colin Powell in the Bush administration did not indicate mass membership in the republican party of blacks, neither should Mantu indicate mass support of Muslims for the PDP in Plateau state.

ELECTORAL SYSTEM

Nigeria has what is considered the most basic majoritarian¹²² system: First Past the Post (FPTP). According to International IDEA's *Electoral Systems Handbook*,¹²³ "First Past The Post is the simplest form of plurality/majority electoral system. The winning candidate is the one who gains more votes than any other candidate, even if this is not an absolute majority of valid votes. The system uses single-member districts and the voters vote for candidates rather than political parties."¹²⁴ Other countries with this system include the UK and its former colonies: Botswana, US, India, and Malaysia. Also like the US, Nigerian national and state elections are linked, although in Nigeria they are held a week apart. Voting for state offices (Governor and House of Assembly) are held first, followed by Presidential and Legislative (House of Representatives and Senate). Local Government Area elections are de-linked and held as determined by the states in the interim period. However, LGA elections were suspended and delayed.¹²⁵

There are ancillary laws enshrining power-sharing that affect the operation of the electoral system. As noted above, the Federal Character principle requires that all political parties be registered in at least two thirds of the states. Likewise, it requires that a presidential candidate win in at least two thirds of the states. Similarly, although "power-

¹²² Although both are considered majoritarian, this crude classification of proportional vs majoritarian has been challenged by electoral systems experts such as Reynolds and other advocates of Alternative Vote (AV) a so-called majoritarian system with presumed integrative benefits) who argue that a more fine-grained approach is needed to parse institutional incentives of electoral systems.

¹²³ *Electoral System Design: The New International IDEA Handbook* (IDEA: 2005)

¹²⁴ <http://www.idea.int/publications/esd/index.cfm>

¹²⁵ As discussed in Part Two, control of the LGAs sets the stage for manipulation of the elections—through abuse of public office. In Lebanon, control of the municipalities also plays a role in setting the stage for national elections, but differently. It is the arena for intra-confessional contests that determine the dominant party for generating electoral alliances in the coming national election.

rotation” has not yet made its way into the national constitution, political party constitutions often have provisions for the inter-regional (and religious) allocation of positions.

OVERVIEW OF INSTITUTIONAL CHANGE

Although the state structure has remained largely the same, the federation has repeatedly been reconfigured. Moreover, all of the reconfigurations have occurred after “constitutional consultations” during military rule. Yet, while institutional reconfigurations have emerged following these “consultations,” one must retain some skepticism regarding their “consultative” nature. Doubtless, these perennial constitutional consultations serve a Machiavellian aim: keeping potential civil society or opposition actors pre-occupied. However, they nevertheless also serve as an important arena of inter-group contention over institutional design. It is also interesting to note that all constitutions emerged under colonial or military rule with two exceptions.¹²⁶ The first is the Independence Constitution and the second is 2005 Sovereign National Conference, which was conducted in a highly dictatorial fashion by a former military ruler. Similarly, *all institutional reconfigurations in Nigeria have occurred under military rule following a political crisis resolved through coup.*

Likewise, it is important to note another pattern: coups erupt following a crisis over institutions. After these crises, the military steps in to manage and reconstitute the state. Indeed, Rotimi Suberu, an unparalleled expert on Nigerian federalism, “military administrations have sought to manage or assuage the unrelenting pressures for new

¹²⁶ Colonial Period: 1950 (Ibadan) (no constitution produced); 1953 London Conference; 1957 Willink Commission; Independence Constitution; Ad Hoc Constitutional Conference. Gowan: (Leaders of Thought Study Groups) 1966; Murtala Mohamed: 1967 Constitution Drafting Committee; Obasanjo: 1978 Kaduna Conference (no constitution produced); Buhari: Constitutional Review Committee; IBB: Abuja (1989); Abacha: 1994-95 Constitutional Conference; Obasanjo: 2005 Sovereign National Conference.

states...though the reform and reorganization of the local government system.”¹²⁷ Similarly, in the words of one of Gen. Abacha’s constitutional engineers, “There’s a pattern that the military takes over and prepares the ground for hand-over.”¹²⁸ Unsurprisingly, therefore, military rule is nearly always accompanied with institutional change (excluding Buhari’s rule) with constitutional conferences serving as the mediating forum—although they are not unbridled Habermasian public spheres. Even more unsurprisingly, these institutional changes are not always viewed as benign. Gen Ojukwu—the erstwhile leader of Biafra says, “from 1967 every other change in structure in Nigeria has been punitive and not a reflection of the people’s will.”¹²⁹ Biafra was declared after the 1967 creation of states, which was viewed as an anti-Ibo putative measure.

Finally, there are two different trends in the re-organization of executive units. First, reorganization is not a matter of infinite division as the deepening federalism/devolution/fragmentation approaches in power-sharing literature has suggested.¹³⁰ Instead, reorganization is not unidirectional. It can mean either disaggregation or aggregation. In the period from the First to the Third Republics, the emphasis was on increasing the number of units in order to ameliorate conflict resulting from representation claims. However, increased units did not reduce conflict, it merely shifted the boundaries. While breaking the regions down reduced conflict between the Yoruba-Hausa-Ibo power-

¹²⁷ Rotimi Suberu, *Federalism and Ethnic Conflict in Nigeria* (Washington DC, USIP Press, 2001)103-6

¹²⁸ Interview, Doctor Auwal Yadudu, Kano, January 2007

¹²⁹ Interview, Gen Ojukwu Enugu, September 2006.

¹³⁰ Horowitz, *Ethnic Groups in Conflict*. Wilkenson has more recently critiqued the “limits in feasibility” of unit creation, citing Nigeria and India state creation stating (Steven I. Wilkenson, *Votes and Violence: Electoral Competition and Ethnic Riots in India* (Cambridge: Cambridge University Press, 2004)), “Surely at some point, increasing the number of groups with proportional political representation, giving each group cultural autonomy, and providing each with a minority veto that allows them to block future changes will impose huge and unacceptable costs in terms of basic state capacities.”: 135-6. He not only gives an inaccurate figure for Nigerian unit expansion: 4-37, but also fails to recognize that reorganization is not unidirectional—there can be re-aggregation.

sharing troika of the first republic, it did not eliminate conflict in Nigeria. Instead, conflict was merely decentralized to the periphery and is lost in media coverage.

The locus of institutional-group conflict diminished at the national level and intensified at the state level. In general terms, Horowitz notes, “the proliferation of states dispersed some of the conflict into more parochial forms.”¹³¹ However, although conflict has shifted from a large-scale contest over the political center to conflict in remote areas where the international press (indeed even mobile coverage!) disappears, we cannot be lulled into thinking: out of sight, out of mind. As Chapter Six will evidence, institutional reorganization has simply shifted conflict boundary lines. Moreover, as discussed in Chapter Six, since the Third Republic, reorganization has been aggregative, with the emergence of supra-state units such as Section and Geopolitical Zone.

In summary, Nigeria has gone through periodic institutional change, which has shifted group-institutional boundaries as indicated in the following table.

TABLE 3.1: NIGERIAN INSTITUTIONAL CHANGE

Period	Organizational Logic	Executive Units
Colonial (1914-1960)	<i>Region</i>	Northern, Southern (Amalgamation in 1914)
	<i>Native Authority System</i>	Northern, East, West (1954)
First Republic 1960-1966	<i>Reign of the Regions</i>	Northern, East, West, Midwest (1963)
Military Rule (1966-1979)	<i>Supremacy of States</i>	12 states (1967)
		19 states (1976)
		Capital moved Lagos to Abuja
Second Republic (1979-1983)	<i>Supremacy of States</i>	19 states
Military Rule (1983-1993)	<i>Supremacy of States</i>	21 states (1987)
		30 states (1991)
Truncated “Third Republic” (6mos in 1993)	<i>Supremacy of States</i>	30 states
Military Rule (1993-1998)	<i>Supremacy of States</i>	36 states (1996)

¹³¹ Daniel L. Horowitz, *Ethnic Groups in Conflict* (Berkeley: University of California Press, 1985): 613

				6 GPZ, 2 Sections (1994-1997) LGAs (1991-1997)
Fourth Republic (1999-present)		<i>Supra-State: Section/GPZ</i>		2 Section, 6 GPZ (36 states)
		<i>Sub-state LGA</i>		774 LGA

LEBANON

Like many former colonies in Africa and the Middle East, Lebanon also has an internal boundary problem. Much like Nigeria, this has been captured in a famous quotation. Similar to Awolowo’s lament that Nigeria is not a nation in the sense of Wales, Lebanon’s famous poet, philosopher, and (unofficial) statesman captured many of modern Lebanon’s predicaments in *The Garden of the Prophet*. In this work he writes, “Pity the nation divided into fragments, each fragment deeming itself a nation.” This section has become the title of a widely read book on Lebanon, *Pity the Nation*, and this quote has, like the Awolowo quote, graced many a book and chapter introduction. This is because the problem of Lebanon is one of internal boundaries—a problem that has been with the country since its beginning.

Although popular (and indeed even some academic) accounts describe modern day Lebanon as being “carved out” of historical Syria (or ash-Sham), this is not the case. The administrative units that were to become Lebanon were separate administrative units from as-Sham (which included only parts of Beka’a), including *Wilayat* Beirut which included Jabl Amil in the South and Akkar in the North. However, these units were reorganized several times prior to Lebanon’s independence. Lebanon’s political institutions have been in a near continual state of flux since its inception. However, these changes have operated within a

basic set of parameters—set out in the National Pact. The President is Christian, the Prime Minister is Sunni, and the Speaker is Shi'a. However, the powers and duties assigned to them has changed and the balance of power has shifted overtime. In the words of Kais Firro, discussing the pattern emerging under Mandate rule, “though the rules may have changed somewhat, the game has remained the same.”¹³²

THE SIGNIFICANCE OF ELECTORAL UNITS

Whereas Nigeria's fundamental unit was executive, Lebanon's organizing unit is electoral. This is logical since one has a presidential system and the other an increasingly parliamentary system. As a result, the arena of change is different. In the case of Nigeria, constitutional conferences drive changes in the executive unit. In the case of Lebanon, nearly every election has occurred under a different electoral law with only one exception due to international intervention: 2005, an anomaly which is explained in greater detail in Chapter 8. While the ratio of representation was fixed first by the National Pact and then under Taif, there is considerable room for maneuver in the number of seats, sub-confessional allocation of seats, and size of constituencies. For example, the number of seats has steadily increased from 55 from independence to the 109 stipulated by Taif (later increased to 128 in 1992). While the administrative units have remained the same (*Muhaafazah*¹³³ (Province)-*Qada* (State)), these have not corresponded to the electoral constituencies. Electoral constituency change is another means of obtaining and

¹³² Kais M. Firro, *Inventing Lebanon: Nationalism and the State under Mandate* (London: I.B. Tauris, 2003): 125

¹³³ *Muhaafazah* is commonly translated as “governate,” and less often as “province.” Due to the fact that “province” is a more familiar term in English and more closely approximates its institutional role, I use “province”

consolidating power. In fact, as discussed in greater detail in Part Three, there have been shifts between these units over time as well as formulas merging the two.

OTHER RULES OF THE POWER-SHARING GAME

The composition of the cabinet operates in a way similar to the Federal Character Principle in Nigeria. Cabinets are also fluid and thus vulnerable to the turbulent tooting and froing of the Lebanese political seas, often carrying a vicious undercurrent. As such, they are essential locations of political turmoil. In Lebanon's history, the cabinet has ballooned from four to thirty in an ever-expanding process of accommodation. The first colonial cabinet included two Christians and two Muslims¹³⁴ and the cabinet under "normal times" (of the 1960s) was 8-10.¹³⁵ With increasing demands, the cake must be continually divided. It must therefore continue to grow, expanding to 30 at present.

Unsurprisingly, these cabinet cakes are unstable creations, collapsing on themselves under the burden of multiple layers of spoils. Kerr argues, "as a rule, then, cabinets are short-lived" with the record at that time being the 25-month cabinet of Rashid Karami from November 1961-February 1964.¹³⁶ Yet, these cabinets changes are not radical revisions of the political landscape. Many of the faces remain the same. Again according to Kerr, in the four decades from 1926-1963, the 333 positions were held by the same 134 individuals.

The current allocation is determined by a post-Taif formula in which that Sunni and Maronite seats would be equal. In addition, Shi'a and Sunni seats are equal but the Druze should be 1/3 of Sunnis. Among the Christians, Maronites should be equal to Catholics and

¹³⁴ Firro, 2003: 104

¹³⁵ Kerr, 1964 2/3 Sunni, 2/3 Maronite, 1 Greek Orthodox 1 Greek Catholic, 1 Druze, 1 Shi'a)

¹³⁶ Firro, 2003: 192

Orthodox combined and there must always be one Armenian.¹³⁷ Needless to say, there are permutations on this formula, which have been utilized over various administrations. Although the minimum number of ministers under this formula is 14, it can be as high as 30 as was the case with the post-Doha cabinet. It should also be noted that this must include political representation within the various confessions (e.g. distribution of Maronite, Greek Orthodox, Sunni and Shi'a seats among political trends).

The Cabinet Members are also the heads of various ministries. As discussed in Chapter Six, whereas Nigeria requires that all groups be equally represented within each ministry, Lebanon manages the inter-group allocation of resources through a de-facto division of the ministries. For example, the Ministry of the Displaced is traditionally the preserve of the Druze, Labor the Shi'a, and so forth. The ministries are then used as patron-client networks through which jobs and state resources are distributed to the various confessional communities. However, the distribution of the ministries is not fixed and therefore competition for the most significant ministries can be fierce such as the post-2009 election cabinet as discussed in Chapter Seven.

ELECTORAL SYSTEM

Lebanon's system is far more complex than Nigeria and has been variously characterized as proportional,¹³⁸ Block Vote (BV), and Party Block Vote (PBV). The confusion lies in the confessional system and the de facto dominance of party lists in Lebanese politics. The division of 128 parliamentary seats along confessional lines leads

¹³⁷ Syriac and other communities have agitated for their own representation at the cabinet and parliamentary level.

¹³⁸ <http://www.idea.int/publications/esd/index.cfm>

some analysts to describe the *system* as “proportional” even when the *method* of electing officials is not. As discussed above, this allocation has changed over time, but has never been directly representative of the population figures. Although a census was last conducted in 1932, it is widely understood that seats do not directly correspond to the percentages of the populations, as indicated in Table 3.2 below.

TABLE 3.2: DISTRIBUTION OF CONFESSIONS AND THEIR SEATS¹³⁹

Confession	Percentage of 2009 Electorate	Percentage of Seats	of Disparity
Maronite	21.7%	26.5%	+4.8%
Greek Orthodox	7.6%	10.9%	+3.3%
Greek Catholic	5.0%	6.2%	+1.2%
Armenian Orthodox	2.8%	3.9%	+1.1%
Armenian Catholic	0.6%	0.7%	+0.7%
Minorities	1.3%	0.7%	-0.6%
Evangelical	0.5%	0.7%	+0.2%
Sunni	27.0%	21.0%	-6.0%
Shi'a	26.4%	21.0%	-3.4%
Druze	5.7%	6.2%	+0.5%
Alawi	0.3%	1.5%	+1.2%

¹³⁹ Although no census has been conducted since 1932, the voter’s registry is a very reliable indicator of population distribution. Rather than operating a separate voter registry system, Lebanon uses the civil registry which is based on the 1932 census. For example, every ID card begins with a number, one’s family number. This is the number which the family home was given in the 1932 census. Births and marriages continue to be registered with mukhtars (local leaders, meaning “chosen one,” an Ottoman-era institution that has been maintained.) This is then used as the basis of the voter registry, with individuals over 100 being removed unless they specifically request that they be added. As such, the registry is a fairly useful breakdown of the population between the ages of 21-100. I obtained the *qada-by-qada* confessional breakdown of the registry from an organization working with the Ministry of Interior on the elections.

The actual electoral system is Block Vote (BV), which the electoral systems handbook defines as “a plurality/majority system used in multi-member districts. Electors have as many votes as there are candidates to be elected. The candidates with the highest vote totals win the seats. Usually voters vote for candidates rather than parties and in most systems may use as many, or as few, of their votes as they wish.” In Lebanon, this system operates within confessionalism so that each administrative unit (*mubhafazah*, *qada*, district) has a given number of seats for each confession. This generates additional incentives for the dominance of confessional parties¹⁴⁰ and the creation of grand inter-confessional political alliances among parties that sweep elections in different units. In Nigeria, inter-group political alliances emerge within parties in Lebanon, between them.¹⁴¹

However, the system has sometimes been called PTV due to the role of party lists in elections. The International IDEA elections handbook states, “PBV is Party Block Vote (PBV) is a plurality/majority system using multi-member districts in which voters cast a single party-centred vote for a party of choice, and do not choose between candidates. The party with most votes will win every seat in the electoral district.” However, the role of party lists is a political practice.

¹⁴⁰ There are inter-confessional political parties, but they are often dominated by particular confessions or are thinly veiled confessional vehicles. The Communist Party has been the most inter-confessional in history, but was dominated by Shi’a in its early years (before the emergence of Amal and Hizbullah) by Shi’a to the extent that in jest it was called Hizb Shi’ii rather than Hizb Shiyu’ii, its name in Arabic. Likewise, the Syrian Socialist Nationalist Party (SSNP) has ostensible ideological roots, but is dominated by Christians engaged in rivalry with Christians from the Lebanese Forces/Kataib. Similarly, Aoun’s Free Patriotic Movement had some Shi’a members (and is now in alliance with Shi’a Amal and Hizbullah) but is very much a Maronite party.

¹⁴¹ Before the regions were broken up into states, political alliances in Nigeria operated much the same way that they do in Lebanon—indeed as they continue to do under different cover. Much like the inter-party alliances quickly dissolve after the elections only to re-emerge months before balloting in Lebanon, parties in Nigeria fall apart and come together in factions around election time. The fissure lines remain the constituent group units of the nation.

In Lebanon, the incentives of the confessional system generate alliances with attendant lists. Each politician will try to get on the list of dominant party (in either confessional or ideological terms). Although individuals are allowed to vote for individuals, they seldom do. In fact, Lebanon's lack of official ballots¹⁴² makes the system particularly susceptible to the dominance of party lists. Parties print their own lists to be used as ballot papers, often keeping the font and margins too small for write-in candidates. Even if voters were inclined to create their own list, they cannot. Therefore, while the electoral system is technically Block Vote, it operates as Party Block Vote.

OVERVIEW OF INSTITUTIONAL CHANGE

Whereas Nigeria's fundamental unit is executive, Lebanon's organizing unit is electoral constituency. This is logical since one has a presidential system and the other an increasingly parliamentary system. As a result, the arena of change is different. While Nigeria's change has been shepherded by military-administered constitutional conferences, in Lebanon change has been facilitated through perennial electoral law change. These changes to the electoral laws have redistributed power among the confessions, as can be seen from the following table and accompanying charts.

TABLE 3.3: CONFESSIONAL DISTRIBUTION OF PARLIAMENTARY SEATS¹⁴³

¹⁴² The official printing of ballots is one of the areas of administrative areas of electoral reform proposed by the National Electoral Commission.

¹⁴³ Most of the data is taken from Baaklini and LADE. It should also be noted that, these categories are represented as static to facilitate temporal comparison, but they have changed over time. This is one of the epistemological issues encountered when examining the construction of identity—either among individuals or collectives—discussed in the literature review in Part One. However, they have been collapsed in order to present the data. The default or majority category was used. In 1920, Catholics are coded as Greek Catholic (as they become officially in 1947). Armenians are coded as Armenian Orthodox although this could very well include Armenian Catholics that were broken out in the post-Taif period. Likewise, it should be noted that

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	Mar	Greek Orth	Greek Cath	Arm Orth	Arm Cath	Min	Prot/ Evan	Sunni	Shi'a	Druze	Alawi
1920	6	4	4					4	2	1	
1922	10	4	1			1		6	6	2	
1925	10	4	2			1		6	5	2	
1926	10	4	1			1		6	5	2	
1929	15	6	3			1		9	8	3	
1934	7	3	1	1		1		5	4	2	
1937	20	7	4	1		2		13	11	4	
1943	18	6	3	2		1		11	10	4	
1947	18	6	3	2		1		11	19	4	
1951	23	8	5	3		3		16	14	5	
1953	13	5	3	2		1		9	8	3	
1957	20	7	4	3		2		14	12	4	
1960	30	11	6	4		3		20	19	6	
1964	30	11	6	4		1		20	19	6	
1968	30	11	6	4		1		20	19	6	
1972	30	11	6	4		1		20	19	6	
1992	34	14	8	5	1	1	1	27	27	8	2

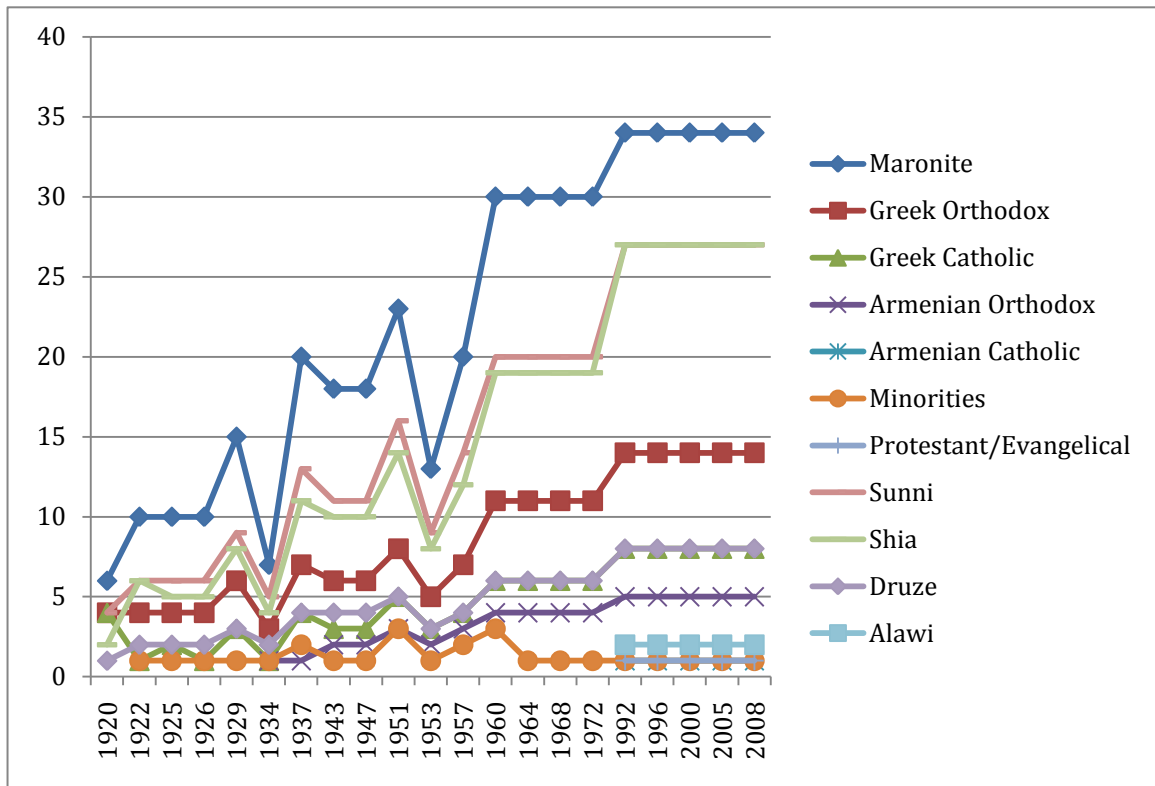
Protestant (1960) becomes Evangelical in the Post-Taif period. The two Chamber body outlined in the 1926 Constitution was abolished by amendment in 1927, so the Chapter of Deputies forms the data for 1926. Finally, missing data on the distribution of 30 Christians in 1943 is taken from the same total figure in 1947.

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1996	34	14	8	5	1	1	1	27	27	8	2
2000	34	14	8	5	1	1	1	27	27	8	2
2005	34	14	8	5	1	1	1	27	27	8	2
2008	34	14	8	5	1	1	1	27	27	8	2

FIGURE 3.1: CONFESSIONAL DISTRIBUTION OF SEATS: 1920-2009



Yet, perhaps trends are more discernable if we break them down into confessional categories. In terms of Christian-Muslim dynamism, we see in Figure 3.2 an early Christian majority that either narrows (e.g. 1953) or widens (e.g. 1960-1972) being replaced by Muslim-Christian equality. Yet, perhaps the data is most revealing regarding dynamics of confessional representation if we disaggregate among Christians and among Muslims. Among Christians, we can see a generally maintained pattern of Maronite dominance with the early emergence of Armenians and Protestants as confessions due to international influence.

FIGURE 3.2: MUSLIM-CHRISTIAN PARLIAMENTARY REPRESENTATION: 1920-2009

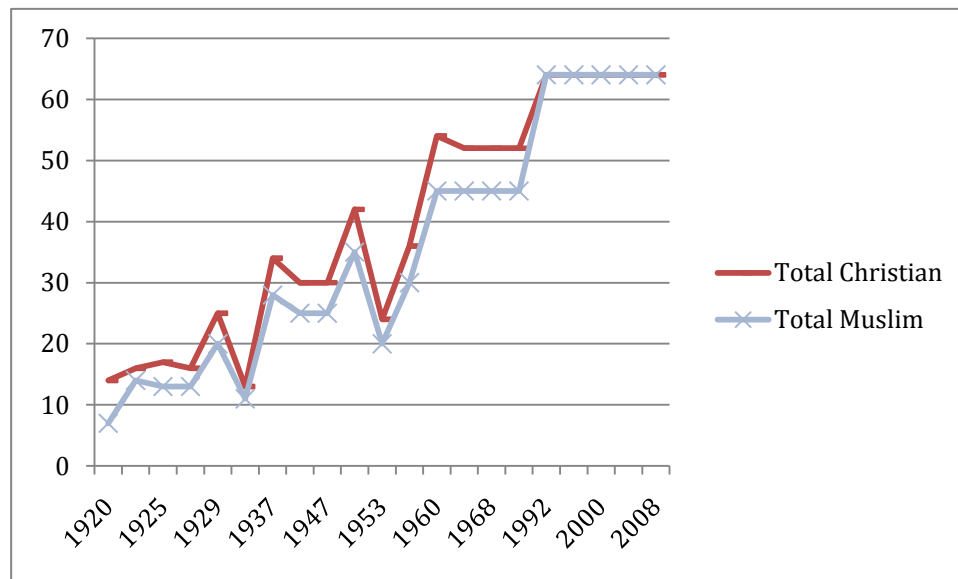
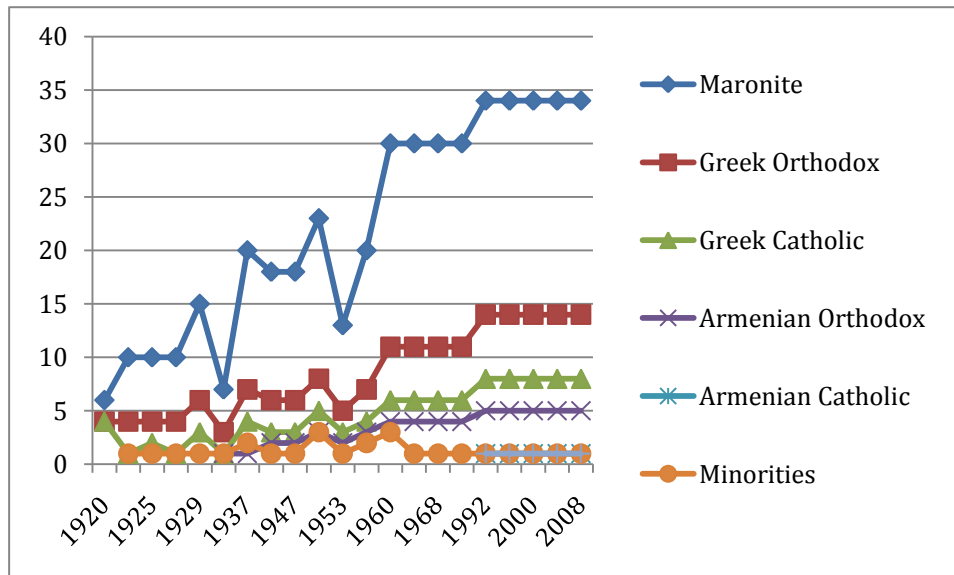
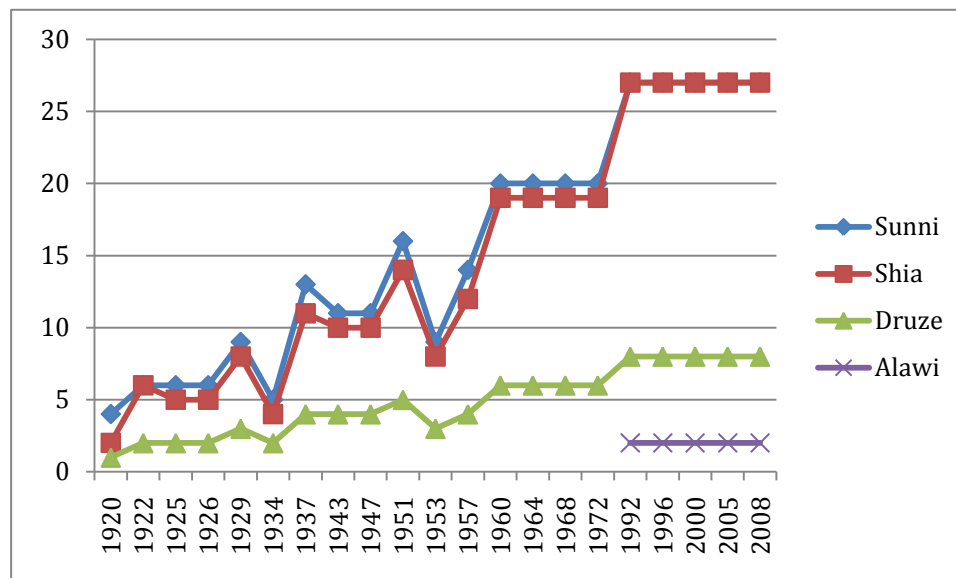


FIGURE 3.3: CHRISTIAN PARLIAMENTARY REPRESENTATION 1920-2009



However, the most interesting dynamic of confessional representation emerges among the Muslim community. Here we see an early pattern of Sunni-Shi'a competition for dominance, with a frequent Sunni majority evening out to equality in the post-Taif period. Moreover, we see the emergence of a represented Muslim confession: the Alawi community. This representative pattern within the legislature is part of overall intra-group dynamics and is also exhibited in the overall institutional reconfiguration of Taif and Doha as discussed in Chapters Seven.

FIGURE 3.4: MUSLIM PARLIAMENTARY REPRESENTATION 1920-2009



However, while the allocation of seats among confessions is central, so too is the drawing of constituency boundaries. Indeed, because all voters in a constituency vote for the MPs of each confession, constituency boundaries often determine outcomes. As discussed in greater detail in Chapters Five and Seven, the division of constituencies has been used to pre-determine outcomes in favor of the ruling majorities. Although cross-confessional voting is often portrayed as an instrument conflict mitigation, it is historically an instrument of political and confessional domination. For example, as discussed in Chapter Five, constituencies were drawn by colonial intervention to ensure Christian election of Muslim representatives in the Mutasarifiyya of Mt. Lebanon. Conversely, as discussed in Chapter Six, constituencies were drawn in post-Taif Lebanon by Syrian authorities to ensure the Muslim Election of Christian representatives. These were clearly measures of confessional domination and should thus be figured in the mix of the allocation of seats since some seats are not controlled by the confessions, thus weakening their value as discussed in the section of Chapter Seven on “certification.” Indeed, some confessions such as the Alawi, as discussed in Chapter Seven, have never elected their own representatives, rendering the allocation of their two MPs virtually meaningless.

CHAPTER FOUR ORIGINS AND EVOLUTION OF NIGERIA'S ETHNO-FEDERALISM

“Nigeria”—both the word and the country that it signifies—is an artifact of colonial cartography. While Lord Lugard birthed the “geographical expression” into being with the 1914 Amalgamation, the woman who was to later become his wife in 1902 named the new country nearly two decades earlier. In an article published in *The Times* on 8 January 1897, Flora Shaw suggested “Nigeria” for what was then called the “Royal Niger Company Territories.” The underlying social terrain was also shaped by the enclosure of social sites within these internal and external boundaries.

Yet, before this chapter traces how British colonialism transformed both geographical and social boundaries, it is important to provide the general contours of the socio-political system that came before, especially in the areas that were to become Northern Nigeria. Unlike Lebanon where European Colonialism merely replaced Ottoman Rule, Northern Nigeria was not ruled under a single authority prior to the advent of British Colonialism. Various kingdoms competed for control over the area. Two major empires competed over most—but not all—of the area that was to become Northern Nigeria.

Based in the western town of Sokoto (but originating in the town of Gobir), the Sokoto Empire extended south to Ilorin. This Fulani Empire emerged at the turn of the nineteenth century and soon came to dominate the seven relatively autonomous Hausa states (or Hausa bakwai: Biram, Daura, Gobir, Kano, Katsina, Kano, and Zaria). However, although the Sokoto Caliphate and the North are often conflated especially in some accounts (i.e. “a revival of the Sokoto caliphate”) it only covered a small amount of area of the North.

Although the Sokoto Empire reached the edges of Yorubaland in Ilorin, other regions and communities remained out of their reach. The Borno Empire—based in the eastern city of Maiduguri—was the largest and most powerful empire of the North and indeed constituted a rival. In addition, the Igala kingdoms and other political communities such as the Jukun states and the Tiv remained autonomous. However, British rule merged these areas into one region for administrative exigency, based on the mistaken claim that they shared a religion, culture and tradition of administration.

As the British conquered and acquired territories in these various kingdoms, British rule in what was to become Nigeria unfolded in a piecemeal fashion. Indeed, it makes sense to speak of British penetration into Nigeria in two very different tracks: South and North. In fact, prior to amalgamation, there was a “Northern Nigeria” but not a “Southern Nigeria.” Amalgamation created Nigeria and sowed the seeds of ethnic federalism, institutionalized group representation and the discord that would follow.

This chapter unfolds in three parts. The first examines the colonial origins of Nigeria's power-sharing institutions, focusing on Indirect Rule and Amalgamation. As suggested in the discussion of Mamdani's *Citizen and Subject* in Chapter Two, “Indirect rule” is the foundation of “groupness” in Nigeria while Amalgamation is the foundation of ethnic federalism. While a discussion of indirect rule and amalgamation in shaping modern Nigerian politics is hardly an analytical innovation that breaks new ground, the following discussion incorporates critiques of mainstream accounts and also highlights the ways in which these forms of administration specifically enshrined the practice of group representation. After this ground is covered, the section then moves into the transitional terrain: the Richards Constitution, Ibadan Conference, the Lyttleton Constitution, and the 1957 Minorities Commission. The

chapter then explains how these institutions transformed group relations and moreover entrenched institutionalized group representation as the foundation of the polity. Although this section will proceed chronologically, it will not be an exhaustive recounting of Nigerian history. Nor will it even be an exhaustive recounting of Nigerian institutional history. Indeed, outstanding volumes on both these subjects already exist. The primary aim of this section is to sketch the institutional framework of the polity, especially at the moment of genesis.

COLONIAL FOUNDATIONS

INDIRECT RULE

It is important to understand that indirect rule and amalgamation emerged from British colonial rule not coincidentally. Indeed, they are part of the same integrated administrative package. Lugard repeatedly mentions the Native Authority system in his amalgamation report and devotes an entire section to it. In this, he writes,

“The system of Native administration in the separate Government of Northern Nigeria had been based on a recognition of the authority of the Native Chiefs. The policy of the Government was that these Chiefs should govern their people, not as independent but as dependent rulers. The orders of the Government are not conveyed to the people through them, but emanate from them in accordance of where necessary with instructions received through the Resident.”

He then continues,

“The system is clearly only adapted in its fullest application to communities under the centralized rule of a paramount Chief, with some administrative machinery at his disposal, and finds its best exposition in the Muslim communities of the North. Nevertheless, its underlying principles are applied, to the varying extent to which it is possible in each case to apply the, even to the most primitive communities in the North. The first step is to endeavour to find a man of influence as a chief, and to group under him as many villages or

districts as possible, to teach him to delegate powers, and to take and interest in his “Native Treasury,” to support his authority, and to inculcate a sense of responsibility.”¹⁴⁴

A few things should be clear from Lugard's exposition. First, pre-existing administrative hierarchies—rather than Islam—explain why indirect rule takes hold. In Orientalist prose that shows that would Egypt's Lord Cromer proud, Lord Lugard writes, “The Southern Provinces were populated by tribes at in the lowest stage of primitive savagery, without any central organization, except in the West where Yorubas, Egbas, Benis and some minor allied tribes had developed a social organization under paramount Chiefs, but, in the early years, they were still addicted to many barbarous rites. A great part of the North, on the other hand, had come under the influence of Islam and the Hausa States and Bornu had an elaborate administrative machinery, though it had become corrupt and degraded. There remained, however, in the North a vast population of Pagans in a similar stage of savagery to those in the South.”¹⁴⁵ In this sense, it is the administrative structure of developed empires rather than the alleged authoritarian bent of the religion. In typical Orientalist fashion, northern administration is decayed “corrupt and degraded,” but vestiges of this administrative structure remain. Ironically, this view of Nigeria flipped with the spread of Christianity in southern Nigeria: the South is the new “developed” darling of Western administrators.

¹⁴⁴Lugard and the amalgamation of Nigeria: a documentary record; being a reprint of the Report by Sir F. D. Lugard on the amalgamation of Northern and Southern Nigeria and the administration 1912-191; together with supplementary unpublished amalgamation reports, and other relevant documents, compiled and introduced by A. H. M. Kirk-Greene (London: Cass, 1968)

¹⁴⁵Ibid, writing: 12.

Second, it is clear that the intent was to apply this form of governance elsewhere even though the process of imposing it in the North was eased by a pre-existing administrative structure. Thus, there is nothing inherent in Northern culture that lends itself to indirect rule: it is an administrative imperative of colonial rule. In fact, elsewhere in the report, Lugard states explicitly,

“The system (of “indirect rule”) may thus be said to have worked with good results in the North, and I desired to introduce its principles in the South. It is, however, obvious that it depends essentially on the principle of direct taxation, which provides the means whereby the Native Administration can pay salaries to the paramount Chief and all other officials and, and so put an end to the unlimited exactions on which they had previously lived, and reduce their number to those actually required for the service to the Native Administration. The Secretary of State was unwilling to authorize this innovation, while hostilities were going on in the Cameroons, and the position in regard to Yoruba and Igbaland became in consequence on of great difficulty, for there was nothing to substitute for the native misrule...”¹⁴⁶

History has shown that this effort was successful—it is well known that even in the more acephalous Ibo areas district chiefs were appointed in order to provide the requisite institutional framework.¹⁴⁷

¹⁴⁶ Lugard Report, He continues, “In the Kingdom of Benin (located in Southern Nigeria) a new situation was created by the death of the ex-Oba, Overami who had been in exile since the conquest of his country after the massacre of a British mission in 1896. In response to the wishes of the people, his son was recognized as Oba, and he willingly accepted the Government policy, including the direct tax. As Benin was conquered territory, the Oba was informed that while the regulation of the occupation of land by natives was left to his control under native law and custom, leases to non-natives and aliens required the approval of the Governor, and their rentals would be divided between the General Revenue and the Native Treasury. The Governor could take any unoccupied land required for a public purpose without payment, or on payment of compensation if occupied.”: 15.

¹⁴⁷ As the preceding discussion of indirect rule appears to suggest there are two undeniable truths: it is authoritarian and it emerged in the North of Nigeria. However, to conflate these two disparate facts into some sort of causal relationship is to commit the greatest of analytical sins: confusing correlation with causality. Indeed, the practice of indirect rule in Nigeria also transformed Northern society just as the promotion of particular Yoruba kings in the West or the creation of district chiefs in the East irrevocably transformed those communities as well. *As Lugard's writings indicate, not all Native Authorities in an area are created equal: the colonial leadership identified particular rules and promoted them.* Therefore, indirect rule in all regions of the country built on these traditions but indirect rule also warped, abused and forged them into more dictatorial instruments. This tendency to posit a causal relationship from the place of origin of indirect rule has been called a “prevalent

Therefore, the exigencies of indirect rule necessitated a centralized authority. While easier in the North due to its own imperial history and administrative heritage, the application of Indirect Rule required more work in other regions. "The British however had difficulty in finding a local ruler in the [areas that were to later be labeled] Middle Belt areas and where they found one, his claim to exercise power was over a small area and his exercise of power was not complete as it was regulated by a council of elders. It was this situation that Lugard found frustrating and described the Middle Belt groups as tribes in the lowest stage of primitive savagery without any central organization. Lugard also set out procedures for the establishment of indirect rule on the M-Belt groups which were used on the patterns that existed in Islamic society: "The first step is to endeavor to find a man of influence as chief and to group under him as many villages and districts as possible, to teach him to delegate powers and to take an interest in his 'Native Treasury' to support his authority and to inculcate a sense of responsibility."¹⁴⁸ Yet, this was more easily said (or written) than done. Indeed, according to one observer of this area's history, the period from 1919-1931 saw extensive Fulani authority extended to non-Fulani communities in order to facilitate the practice of indirect rule.

misconception and fallacy" by one prominent Political Scientist of Democratization, Attihiru Jega, *The Nigerian Federal System: Problems and Prospects* (Switzerland: The University of Fribourg, 1997) He also refers to the underlying assumptions and inherent stereotypes in "such concepts as 'feudal aristocracy' 'Hausa-Fulani hegemony,' 'the Caliphate, etc.'" (224) Jega seeks to challenge "the prevail(ing)...dominant explanatory model of politics and political and political process in Nigeria" which "views the post-colonial political processes as extensions of the pre-colonial ones, only somewhat conditioned and modified by colonial reforms of native administration, which sought to infuse modernity into an essentially traditional indigenous/endogenous system." (224)

¹⁴⁸ Logams It is important to note that while Logams and other scholars use the term "Middle Belt" this should not be understood as a category that was used during the early periods of British rule. Although Logams is writing as a scholar very deliberately narrating the emergence of the Middle Belt, it should not be assumed that this is a given or natural category. Later I examine the first use of the term (as well as apocryphal accounts of its usage intended to give it greater legitimacy) as well as efforts within the Fourth Republic to further establish the "Middle Belt" as a certified category.

However, this system gradually changed. Under Palmer's administration, Islamic rulers (e.g. Fulani) were replaced with more localized ones that had been identified by colonial anthropologists as "ruling tribes." Logams writes, "The NAs in the M-Belt areas between 1920 and 1931 were centered around the location of the "ruling races" of Palmer. The effects of "Paramount Chiefs" in the Palmer model created tribal consciousness and distinct cultural identity in the tribal groups who gained a Paramount Chief as well as those who did not. By 1938, this consciousness erupted firstly among the Tiv and created demands for a Paramount Chief subsequently followed by the Idoma and the Birom, among others in the M-Belt areas."¹⁴⁹ The demands for district chiefs was just the beginning of the process of mutual constitution of groups and institutions this dissertation trace throughout Nigerian history.

Indirect rule was the building blocks of British rule with these smaller units were to be aggregated for streamlined administration. "It was believed that the later scheme would provide the essential link whereby the native authority system and the superstructure would be made complementary elements in a single harmonious system."¹⁵⁰ In this harmonious system, it was the notion of group rights that provided the connective tissue. Indirect rule provided the "group" side of institutionalized group representation, but we now turn to the institutional side: amalgamation.

AMALGAMATION

Since its inception, geographically organized group representation has remained the underlying political framework in Nigeria, from the national to the local level. Because the

¹⁴⁹ Paul Logams, *The Middle Belt Movement in Nigerian Political Development: A Study in Political Identity 1949-1967* (Abuja: Centre for Middle Belt Studies/Selidan Books Printing Division, 2004)

¹⁵⁰ Logams, 273-274

amalgamation of 1914 remains the foundation upon which this edifice rests, it is helpful to provide an in-depth examination of its construction. Fortunately, much has been written about Amalgamation—the British kept careful records, some of which have been even more carefully redacted.

In the introduction to *Lugard and the Amalgamation of Nigeria*, AM Kirk-Greene notes a letter Lugard wrote to his brother in which he “declared that the three Nigerias had surely to be amalgamated one day and that to be charged with this was the assignment he would dearly have loved.”¹⁵¹ Indeed, as early as 1905, Lugard is writing memos on “amalgamation,” referring to the “country.”¹⁵² As discussed in greater detail below, Lugard originally considered several plans the most significant of which was a plan to turn the two protectorates into “six or seven administrative commands”¹⁵³ The amalgamation report, which Lugard termed “Nigeria’s first blueprint,” outlined the final organizing principles.¹⁵⁴ In short, Lugard writes of amalgamation, “as a means by which each part of Nigeria should be raised to the level of the highest plane attained by any part.”¹⁵⁵ And so was set in motion the logic of “parts” sometimes now referred to as “sectionalism.”

¹⁵¹ A. H. M. Kirk-Greene, *Lugard and the Amalgamation of Nigeria: a Documentary Record* (London: Frank Cass: 1968): 5

¹⁵² Lugard Report, 211

¹⁵³ Lugard Report, 214 Based on his discussion of the protectorates, these appear to roughly correspond to the later six geopolitical zones: “with headquarters at Kano, Lakoja and Maiduguri respectively” (NW, NC, and NE) (215) Also, after confessing a relative lack of knowledge of the South, he suggests “the three provinces already established (Eastern, Central, and Western) would be suitable units, and Lagos Colony a fourth. Possibly, it might be advisable to divide the Eastern Province in two.” (p. 218) As will be discussed in greater depth in the following two chapters, this idea for organizing the polity was to re-emerge nearly eighty years later as a key component of the polity. This shows the lasting power of colonial cartography even in the absence of ratification.

¹⁵⁴ Lugard Report, 35

¹⁵⁵ Lugard Report, He continues, “Thus regarded each of the two administrations had much to learn from the other. The North—a younger government—was capable of improvement in its departmental organization, and backward both in the development of its material resources and of the facilities (such as roads) required for the purpose. The South required a better organization of its Native Administration and its Judicial System.”: 8

However, administrative integration under the British was imperfect. According to Coleman, "The only occasions on which the higher officials of the two separate bureaucracies could meet was at the annual session of the Legislative Council in Lagos...(a) frequently heard quip was that if all the Africans were to leave Nigeria the northern and southern administrations would go to war." He then goes on to add, "The fact that Northern and Southern protectorates were never effectively united has tended to perpetuate the sharp cultural differences between the peoples of north and the south."¹⁵⁶ *It should be emphasized, that the highlighted divisions are not cultural differences between Africans, but institutional divisions among the Crown's loyal administrators.* Thus we see the early ways in which institutions shaped groups. The combination of indirect rule and amalgamation generated ethnic federalism in Nigeria, initiating a process through which institutionalized group representation would generate conflict and democratic background. However, the decisions to entrench—rather than dislodge—institutionalized group representation on the eve of independence set propelled the process forward.

PRE-INDEPENDENCE INSTITUTIONAL RECONFIGURATIONS

As noted above, it is impossible to review the entirety of Nigerian colonial history here—indeed even the entirety of the history of British colonial institutions in Nigeria. For this reason, the next section focuses on four important events in the lead up to Independence: the Richards Constitution, Ibadan Conference, the 1954 Lyttleton Constitution, and the 1958 Willinks Commission.

¹⁵⁶ James S. Coleman, *Background to Nationalism* (Berkeley: University of California Press, 1958): 46-7, alternating capitalization in original

Chapter Four: Origins and Evolution of Nigeria's Ethno-Federalism
THE BASE OF THE FEDERAL FOUNDATION: RICHARDS CONSTITUTION

Although administered as separate provinces since 1939, the North, East, and West were formally established as regions in the Richards Constitution 1946. These “progressively became to be regarded by the British as the “natural” regions or components of the incipient Nigerian federation. The “naturalness” of these regions derived from their rough demarcation by the lateral axis and southward confluence of the Benue and Niger Rivers, their broad coincidence with the three different routes by which the British penetrated and consolidated Nigeria after the cession of Lagos in 1956 and the demographic preponderance in each region of a major ethnic group.”¹⁵⁷

Another scholar similarly writes of the turning point of the Richards Constitution, “The promotion of regionalism seemed quite in tune with the Lugardian conception of “dual mandate,” which identified the task of British colonial rule as that of, first, “advancing” the “native races,” by preserving their distinct and different cultural values and beliefs and secondly opening up their resources for the benefit of metropolitan industries. Indeed, the British encouraged both the regionalization of politics and the mobilization of ethnoregional identities that substantively weakened nationalist struggles in the era of the political struggles for decolonization. It was a subtle process of divide and rule which created hitherto non-existing ethnic identities and consciousness, then nurtured mutual fears and suspicions of domination amongst the ethnic groups, and finally set the stage for subsequent ethnoregional and religious struggles and conflicts.”¹⁵⁸

¹⁵⁷ Rotimi Suberu, *Federalism and Ethnic Conflict in Nigeria* (Washington DC: USIP Press, 2001): 23

¹⁵⁸ Attahiru Jega, *The Nigerian Federal System: Problems and Prospects* (Switzerland: The University of Fribourg, 1997): 6

Chapter Four: Origins and Evolution of Nigeria's Ethno-Federalism
IBADAN CONFERENCE 1950 AND THE ROOTS OF FEDERAL CHARACTER

Indeed, one of the first governance crises was a dispute about legislative, revenue/development, and civil service allocation that emerged from the Ibadan conference in 1950. In a translation of a letter from the Sultan of Sokoto “to the people of the North” distributed to Gaskia Corporation (the primary media outlet of the North from the word “truth” in Hausa) and deposited with the Resident’s office, the Sultan outlined three points regarding the Ibadan constitutional discussions that plant the seeds of “parity” in Nigerian constitutional thought, especially in considerations of the North:

“(a) According to the English democratic system representatives of the people are chosen on a population basis and that is why we say we want to be given representation according to our population...We used to notice that whenever something potentially harmful for the North came to the vote the Western and the Eastern members united and outvoted the North...”

“(b) We have suggested that the Central Revenue should be distributed to Regions fairly, and not as it is at present. That the North is being cheated is clear for anyone to see. What we ask for is an adjustment and this does not mean that the North should be given what is not her due. Our desire is equity...”

“(c) In our opinion the administration of this country is in the hands of Europeans but we notice that the Europeans are gradually handing this administration to other people...Everyone knows that the North is very backward in European education. We should not deceive ourselves in suggesting that the Presiding Officer ought to be selected from the Regions; if we do that, he will surely be selected from either the Eastern or the Western Region. From that moment on it means that they will have started to lord it over us...”

Early in Nigeria’s constitutional history, the Northern parity was a central issue. Indeed, this particular archival file marked “Secret” is filled with papers documenting the well-publicized campaign to raise funds to send a delegation to the UK to pursue the matter with the British government and public opinion. Predictably, the file is also filled with

British government discussions on the implications that waver between frantic worry, dismissive rebuke, and reasoned analysis. This is unsurprising given the mobilizational success that this appeal for funds to send a delegation to the UK (called the "Northern Self-Development Fund"). In September 1950, Kaduna Province and Zaria alone had raised 6,700 British Pounds (with a total of 40,000 pounds total) indicating the popularity of the initiative and the degree to which Northerners had become galvanized. After an agreement for 50% representation was reached, the funds were channeled into scholarship funds for Northern youth to attend school in the UK¹⁵⁹ and thus correct the educational imbalances that concerned the Northern elite.

Suberu writes of the turning point of the Ibadan Conference, "beginning with the landmark Ibadan General Constitutional Conference of 1950, the Nigerian political class collaborated with the British to fashion the basic outlines of a constitution for self-governing Nigeria. At the conference, and in subsequent constitutional deliberations, the majority of Nigeria's leaders increasingly and persistently emphasized the need to grant the fullest autonomy to the country's component groups or regions."¹⁶⁰ Here, ethnic federalism is consolidated with the principle of balance among the units.

LYTTLETON CONSTITUTION

The move to federalism was further entrenched in 1954 with the Lyttleton Constitution. Indeed, this is often noted as a turning point in Nigerian politics or the "instauration of federalism."¹⁶¹ According to Attahiru Jega, "In 1954, the Lyttleton

¹⁵⁹ Richard L. Sklar, *Nigerian Political Parties: Power in an Emergent African Nation* (Trenton, NJ: Africa World Press, Inc., 2004): 96

¹⁶⁰ Suberu, 2001: 24

¹⁶¹ Suberu, 2001: 45

Constitution was introduced, with exclusive, concurrent, and residual powers clearly spelled out, and with considerable powers given to the regions. This marked the shift to experimentation with federalism, although the underlying currents of regional persisted. The Lyttleton Constitution also introduced the principle of “derivation” in the sharing of federal revenues, and it put the civil service and the judiciary under the control of the Regions (Ezra 1960, Ostheimer 1973). It essentially reflected a compromise, and was accommodating of the prevailing elite sentiments expressed during the preceding 1953 and 1954 London Conferences, which tended toward a preference for a confederation. This is especially in the sense that it assured each of the three dominant ethnic groups political control of the region it dominated.”¹⁶²

It should also be noted that these institutional changes also resulted in reconfigured identities. The opening created by the consultations and reconfigurations motivated mobilization of groups seeking to gain the same sort of regional fiefdom that the three dominant ethnic groups had received. For example, the Middle Belt Peoples Party emerged in 1952 and advocated the creation of a Middle Belt Region as early as 1953.¹⁶³ However, the creation of the East and West spurred Middle Belt aspirations further, “Since the party in power asked for the division of Nigeria into three regions at the London Conference in 1953, they must now agree to this Motion of dividing the Northern Region into two.”¹⁶⁴ Indeed, this period between the 1954 creation of the East and West and the Willink Commission was one of tremendous gestation for “groups.” As early as 1955, advocates of

¹⁶² Jega, 1997: 7

¹⁶³ Middle Belt People's Party Aims and Objectives 12/13 July 1953; Middle Belt Peoples Party Agenda, First General Conference of the MBPP 12/13 July 1953. I am grateful to Moses R Wong for sharing this and other documents with me.

¹⁶⁴ Logams, 2004

a Middle Belt identity and region had even started to promote a Middle Belt Anthem.¹⁶⁵

However, it was the 1957 Willink Minorities Commission that perhaps played an even more significant role in crystallizing the Middle Belt identity.

*THE 1957 WILLINK MINORITIES COMMISSION*¹⁶⁶

The Willink Commission has a central place in Nigerian history not only because it established the group representation petition framework, but it also set the stage for the related pattern of “constitutional consultations.” Apart from the institutional changes that resulted, the Willinks Commission also created a forum for the consideration—and the mobilization—of “minority” identities. According to Logams, “(A)gainst the background of the intended visit and tours of the Commission on Minorities to centres in the North, that the UMBC executive decided to organize their own tours too, to effect more political mobilization of the whole of the Middle-Belt groups and societies as well as other non-Islamic communities in the North...During the tours by Tarka and Docketri, there were also numerous public rallies in the urban and semi-urban centres of the Middle Belt areas. Apart from the increased political consciousness, which these tours created on the purpose of the Commission on Minorities, from the rallies and the consultations with chiefs and community leaders, there was also an element of cementing the unity of the Middle-Belt groups and societies.”¹⁶⁷ Indeed, within the Northern region, the Willinks Commission toured many metropolitan areas of the “Middle Belt” areas, receiving testimony at least once in locations

¹⁶⁵ Logams, 2004

¹⁶⁶ The minorities are an important fact or in Nigerian politics. Indicating their central status, they are also called WAZOBIA in Nigerian slang, which is an amalgamation of “come” in Yoruba, Hausa, and Ibo languages indicating the dominance of the regions and ethnic communities which they were purported to represent.

¹⁶⁷ Logams, 2004

Chapter Four: Origins and Evolution of Nigeria's Ethno-Federalism
ranging from the southern, western, eastern, and northern areas of this contested area,
including: Minna, Lokoka, Jos, Numan, Zaria and Kano.¹⁶⁸

However, the request for the creation of a Middle Belt Region was not granted. It appears that the primary concern was ambiguity of the scope of the area as well as questions regarding the scope of support. Regarding the nebulous geographical boundaries of the "Middle Belt State," the Commission writes:

There was some uncertainty as to the area claimed by the UMBC and Action Group Alliance for the Middle Belt state. It was the intention of this party that their state should be set up wherever pagans and Christians were strong and Muslims comparatively weak. Where in sort the Northern System was less thoroughly established. But as maps Nos. 5 and 6 (not available in the reprinted report copy), illustrating tribal and religious distribution will show, it is difficult to draw a hard and fast line. In map No 3, we have shown the area of the state now claimed, as far as we were able to ascertain it, but in spite of several requests we never obtained a map showing clearly where it was claimed that the boundary should run, while there were changes in the intention of the Alliance even while we were in Nigeria. We believe that the area eventually claimed is the whole of four Provinces, Benue, Plateau, Adamawa and Niger, to which should be added Ilorin and Kabba Provinces less the Ilorin Division and the Kabba Divisions, together with the southern parts of Bauchi and Zaria...this claim involves a change of policy. Until recently the area claimed was, we understand, the whole of the Ilorin, Kabba, Benue, and Plateau Provinces; the southern parts of Bauchi and Zaria the Niger Province as far as Kontagor Town only; out of the Adamawa Province, only the Numan Division and the two Districts of Muri are now claimed, while Ilorin and Kabba Divisions have been surrendered in theory to the Western Division. These changes took place at the time of the Alliance between the UMBC and the Action Groups." The report goes on to asses the level of support in these areas. "Thus, if the whole long and sprawling area which is included in the proposals for the Middle Belt area is considered, we believe that support would be strong only in the Jos Division of the Plateau, in the Tiv area, the Numan Division of Adamawa, in southern Zaria and in Pankshin West. Opinion is, we believe, divided in the Lafia Division, Akwanga and Lowland Divisions. A state which consisted of the areas where there is strong

¹⁶⁸ Proceedings at the Sir Henry Willink's Commission (Appointed to Enquire into the Fears of Minorities and the Means of Allaying Them.)

support would be extremely difficult to administer and we do not think that it constitutes a practical proposal. In the Middle Bet area as whole, we judge that at present a majority would prefer to stay as they are.”¹⁶⁹

COLONIALISM AND GROUPNESS

NORTH

As indicated in the introduction, the area that became known as the Northern Territories and then “Northern Nigeria” emerged from a disparate set of kingdoms and peoples. Periodically, there was talk of reconfiguration. In 1918, the British authorities considered moving the boundary north so that Tiv, Jukun and others would be in the Southern provinces, but was discarded for administrative reasons. However, as a result of amalgamation and the federal system of administration that emerged, this Northern category became a unit of politics in the period of British rule.

Yet, as a result of the colonial category, a Northern constituency emerged—a group calling for a “One North.” Unlike the “Middle Belt,” discussed below, the One North had clear geographical boundaries: the region of the North. Its identity boundaries were also broad. As implied by the term, “One North” idea was propagated to suggest not only the descriptive unity of the disparate peoples residing in the region, but also to motivate a normative unity. It arose especially around the technocrats and traditional leaders associated with British administration of the area. It arose from administrative exigencies. The preservation of the region meant the preservation of its institutions. For those existing technocrats and traditional leaders, the preservation of institutions through “One North”

¹⁶⁹ “Sir Henry Willinks Report of the Commission” (Jos: League of Human Rights, 1958):134-5, 137

meant the preservation of their jobs. For those ethnic groups and underclass, “One North” was a claim to a seat at the table: that a Tiv, on the basis of claims to membership in the “North” could jockey for his employment in the administrative structures of the North. Thus, it was a hegemonic idea: an inclusive umbrella that gave cover to the subjugation by a largely Hausa-Fulani aristocratic class¹⁷⁰ working within the British Native Authority system over the poor (talakawa) and ethno-religious minorities.

Yet, as is the case with all aspiring hegemonies, the “One North” idea had challengers. Kwanwashie examines the emergence and development of the “One North” notion in the period from 1900-1965. He argues that the idea faced two forms of internal opposition from those left out of the system: the Hausa Fulani non-elites and the ethno-religious minorities. On the first, Kwanwashie writes, “Throughout the period of our study, the NEPU was regarded as the bulwark of opposition to the political implications of the class structure of Northern society. Its leader, Mallam Aminu Kano, was, throughout the period, one of the major voices of opposition to the Sardauna of the North. The real core of his opposition centered on his rejection of the oppressive nature of emirate rule and his deep personal empathy for the underdog of society. An extension of this disposition was his support for the rights of minorities. Indeed, in the wake of the crisis following the resignation of Emir Sanusi of Kano in March 1963 and the growing competition between the Qadriyya and the Tijaniyya Islamic brotherhoods, Aminu Kano and his party joined in

¹⁷⁰ Naturally, there are exceptions to the rule such as Tawafa Balewa, whose slave origins were belied by his rise through the Northern power structure. However, he was constantly reminded of his humble origins (at times by Regional Premier Bello himself) and thus retained close ties to NEPU and Aminu Kano, sometimes acting as an intermediary between the NPC and NEPU.

the formation of the Kano State Movement which called for the creation of a separate Kano state.”¹⁷¹

Another source of opposition came from ethno-religious minorities. While many of the individuals who were to become important leaders of their own communities began as members of Aminu Kano's NEPU,¹⁷² as regional creation became more of a possibility, the groups broke off to form the Middle Belt movement. Thus, rather than working on an alternative Northern identity, the prospect of new region and state creation transformed and splintered the movement. The talakawa base remained in NEPU, leaving it less diverse ethnically than previously, but retaining its opposition to “traditional rule” through the cooperation of the aristocracy with British colonial administration. However, much like the Middle Belt movement, discussed below, the 1967 creation of states was the final nail in the coffin for the “One North” movement.

While the “North” is often presented as a timeless entity, it ceased to exist in the period from 1967 to 1999—except of course in mythology. During military rule in the 1980s, the historical dominance of Hausas within the military was transformed into an ugly epithet of the “Kaduna Mafia.” In this mythology, all of Nigeria's political events during this period—opaque and incomprehensible to most Nigerians and observers alike—were explained by the machinations of “the Kaduna Mafia” who sought, so the myth goes, in the spirit of the Sokoto Caliphate, to “return” Northern dominance. This conspiracy theory was

¹⁷¹ George Kwanwaishe *The Making of the North in Nigeria 1900-1965* (Kaduna: Arewa House Studies Series, 2002):187

¹⁷² Joseph Tarka, the leader of the Tiv movement, began as a NEPU member after having been a student of Mallam Aminu Kano. I am grateful to Dr. Jalingo of BUK for sharing this and his insights into the early history of NEPU with me. In addition, one of the members, Dr. Ijamu, is reported by a NEPU leader (Tanko Yakasai) and a MZL member (Moses R Wong) as having been an early founder of both. I hope to track down his papers to probe this connection in future research.

so widespread that it was even published as a book.¹⁷³ Yet, like the mythologies of a fallen Rome, this myth persisted.

Indeed, so desperate to retain the a “Northern” identity were some government officials, that they tried to keep the social networks alive through the “Students Exchange Program.” Based on the model of Katsina College where many of the Northern leaders met and developed life-long relationships, the SEP attempted an exchange program among the Northern states to forge ties. However, due to dwindling resources and visibility, the program failed to generate mass support. Also, none of the post-1999 “Northern” leadership I interviewed mentioned schooling in this program, with these elites favoring private foreign education. Nevertheless, the persistence of the program shows the extent to which efforts to resuscitate a dead North went. Only after the 1993 crisis and the 1994-6 constitutional changes imposed the category of “Section” such as North and South, did the North rise again.

MIDDLE BELT

As will be discussed in Chapter Six, most of the scholarship around generating a “Middle Belt” identity emerged in the post-1999 period and is most useful in examining not necessarily a true or timeless history of the Middle Belt, but as historiography which provides important insights on the formation of identity claims. However, during the colonial period, Middle Belt movements emerged around the Willinks Commission investigation into the fears of the minorities and solicitations for region creation.

¹⁷³ Bala Takaya *The Kaduna Mafia: A Study of the Rise, Development, and Consolidation of a Nigerian Power Elite* (Jos: Jos University Press, 1987) It should be noted that Jos is the center of the Middle Belt Movement. Moreover, Takaya is a leading figure in the movement and even ran for office in the 2007 elections. It is therefore clearly a politicized text.

Most commonly called by the spatially defined but nevertheless still ambiguous term, “Middle Belt,” the frontier of the north is a contested and continuously constructed terrain. Indeed, it is so contested that in the seminal work on the Middle Belt, the 800-page life work of Paul Chunun Logams *The Middle Belt Movement*¹⁷⁴ only defines its core concept “the Middle Belt” in six-page appendix “defining the Middle Belt.” In this discussion, Logams notes the tension between a geographical and a socio-political definition, adding that “geographical definitions of the Middle Belt have always been anti-the Middle Belt identity and created some confusion.”¹⁷⁵

On the geographical, Logams cites a “Memorandum to the Minorities Commission from the Government of the Northern Region of Nigeria, Kaduna, December 1957” which states: “the whole of Ilorin, Kabba, Benue and Plateau provinces, the Southern parts of Bauchi and Zaria Provinces, the whole of Niger Province except for the area north of Kontagora town and the whole of the Numan Division of Adamawa Province together with the Districts of Muri and Wurkun in the Muri Division of the same Province.”¹⁷⁶ Logams goes on to document other academic uses of this definition which “toes the political line of the Northern Regional government” and castigates this “lower half” definition because it contains “more Muslims than Christians and with powerful Emirs as those of Ilorin, Bida, Minna, Kontagoro, Bauchi and Zaria, whose allegiance was strongly focused on Sokoto as the center of politics and religion.”

¹⁷⁴ It would not be unfair to call this the Middle Belt Bible given its comprehensive coverage and frequency with which it is mentioned by Middle Belt activists. It would also be an accurate, if blasphemous, play on the extent to which the Middle Belt movement is associated with Christianity. Similarly, the term would allude to the proselytizing aim of the tome, discussed in greater detail in the Chapter Six.

¹⁷⁵ Paul Logams, *The Middle Belt Movement in Nigerian Political Development: A Study in Political Identity 1949-1967* (Abuja: Centre for Middle Belt Studies/Selidan Books Printing Division, 2004)

¹⁷⁶ Logams, 2004

However, Logams notes that part of the problem may lie with the movement itself, “protagonists of the M-Belt movement and the creation of a M-Belt Region, also never clearly defined the M-Belt area.”¹⁷⁷ Indeed, there has been quite a bit of ambiguity in the boundaries of the area as offered even by its advocates. Given the geographical variability, it is therefore instructive to examine the socio-political definition offered by Logams:

“a socio-political M-Belt also exists in the specific context of religious and political problems in Nigeria, particularly problems in the North. It is in the latter case that constituted the foundations of origins in the growth and development of the M-Belt movement in Nigerian politics, which this study undertakes. Although a descriptive definition was brought to bear on a political concept, the geographical M-Belt areas did not correlate with the socio-political and economic problems of the political M-Belt that led to the organization of the M-Belt movement in the demands for the creation of a M-Belt Region in the North as a unit of the Nigerian Federation. The unclear definition of the M-Belt of Nigeria from the political M-Belt, from which the name derived, a failure was due to official attitudes from which the name derived, a failure that was due to official attitudes and political pressures on the M-Belt movement from both the government of the North and AG strategy to achieve the merger of the Yoruba divisions in the North with the West.”¹⁷⁸

He goes on to provide yet another definition: “The M-Belt areas also have the highest concentration of minorities tribal groups in the North and Nigeria in terms of culture, population, religious beliefs, members who speak the same language, territorial area of claims to rights of ownership of land. It was from these conceptions that the “minorities” political identity of the M-Belt movement developed in relation to the dominance of Islamic groups in the control of politics and society in the North. However, a perfect correlation does not

¹⁷⁷ He provides the following details: “Article three of the UMBC constitution and Byelaws of the 1956 gave the definition of the Middle Belt areas as Ilorin, Kabba, Niger, Benue, Plateau, Adamawa, Southern Zaria and Southern Bauchi Provinces. This definition later received the endorsement of the UMBC Lafia Conference on 15-17th January 1957. Slightly different definitions were given by Bitrus Rwang Pam and Ibrahim Imam, which excluded Ilorin Province in the area, and still included the “lower Northern syndrome.”

¹⁷⁸ Logams, 2004

exist between the geographical boundaries of the M-Belt areas and the Islamic Society. This is so because there were areas with population that held strong allegiance to the Islamic Society which were in the middle of the M-Belt areas; for example, Keffi, Lafia, Kanam and Wase.”¹⁷⁹

Logam's religious emphasis is unsurprising given the origins of the movement as the Non-Muslim League. From there, it morphed into the Middle Zone League in order to de-emphasize the religious dimension. However, the zonal incarnation was short-lived. Following conflicts within the MZL, the Middle Belt Peoples Party was founded in 1952 and was followed by the United Middle Belt Congress. The causes of the linguistic move from Zone to Belt remain unclear. However, given the centrality of Christianity it is possible that this was a borrowing from the American “Bible Belt.”¹⁸⁰ However, the politico-institutional origins of the development of the Middle Belt organizations is clear. In only six years, the movement developed considerably into a political party, fueled in large part by the institutional reconfigurations occurring in the lead-up to independence.

Curiously, the extensive discussion of the definition and evolution of the Middle Belt identity discussion does not provide an etymology that includes a first use of the term. Perhaps this is because its origins are murky and contemporary political aspirations are served by keeping the boundaries hazy while suggesting a older provenience.¹⁸¹ However, Logams does provide three contradictory—and ultimately inaccurate—references to the first

¹⁷⁹ Ibid

¹⁸⁰ Based on Hausa language interviews conducted in the 1980s with key Middle Belt activists (including “highly European educated individuals”), Logam writes, “In the period between 1950 and 1960 and well into the 1970s, many Christians, albeit others in the North saw M-Belt territories and “the Bible Belt” centered on the Plateau.” Ibid, 190

¹⁸¹ The Middle Belt Studies Center was founded during the Fourth Republic along with much of the contemporary Middle Belt revival. This tome is a core publication and also serves to give the movement historical legitimacy as discussed in Chapter Six.

use of the term. The first is to a 1956 Northern Assembly accusation that the British created the term. However, since this date follows the establishment of both the Middle Zone League and the Middle Belt People's Party, this cannot be the origin of the term. Along the lines of British creation, the second reference to first use of "Middle Belt" is the 1931 census noting the "Middle Zone Region."¹⁸² Yet, a careful review of all-colonial censuses in the national archives in Kaduna showed this was not the case. In his third description of the origin of the term, Logams attributed it to Ibo and Yoruba associates of Pastor David Lot who contended that these groups constitute the Middle Zone of the country, also added that this association reflected political trends in which the AG (a Yoruba party) and the NCNC (an Ibo party) were seeking to develop bridgeheads into the North.(Logams) However, there is no documentation provided nor an explanation of why this particular term would be suggested. Apart from the lack of evidence of all three creation myths, the existence of each of the three would negate the other two from a positivist perspective. However, the presence of these contradictory claims reveals much from a constructivist perspective.

Instead, accounts of early Middle Belt activists indicate extensive involvement of early Christian missionaries. According to Moses Rwong, founder of the Berom Progressive Union and active in the Middle Belt Peoples Party: "We subsequently took a decision to change the name from Northern Nigeria Non-Muslim League to Middle Zone League with the objective of seeking the establishment of the Middle Belt Region. This followed a suggestion I received from missionaries through pastor Bagaiya who brought the message from Kagoro."¹⁸³ This was part of an effort to create a sphere of activity free from the

¹⁸² Logams 2004

¹⁸³ Da Moses Nyam Rwong Address at the Book Launch on the Middle Belt Movement in Nigerian Political Development." I am grateful to Moses Rwong for sharing this and other documents with me.

constraints on proselytizing and other missionary activities imposed by the British authorities of the largely Islamic North.¹⁸⁴ Indeed, since no other credible account of the emergence of the term “Middle Belt” exists, the missionary roots of the idea and the demand for a region should not be discounted especially since the similar term “Bible Belt” was already popularized in the US.¹⁸⁵ This account is echoed in other more casual accounts by those working in the area of conflict resolution.¹⁸⁶

Irrespective of the lingering questions regarding the origins of the term, “Middle Belt” was a category that gained in prominence in large part from the institutional reconfigurations and consultations that were occurring. Activism leading up to the Willinks Commission created incentives for the emergence of new regional groups. Here, colonial institutions—or proto-institutions—again played a role in identity construction. Although the call for a region for Christians emerged with missionaries, it was taken up by local activists in the

¹⁸⁴ This is consistent with Logams assertion: “The earliest of these ideas and conceptions of a “Middle Belt Region” were those of German Christian Missionary with the British Sudan United Mission (SUM) Dr. Karl Kumm in 1907, in which he suggested a “Benue Region” to both Christendom and the British administration in Nigeria. Kumm saw and discussed the conceptions of the “Benue Region” in terms of areas where Christian Missionary Societies might concentrate their social and religious activities in the cause of halting the southwardly advance of Islam. The Benue Region in the North was to be comprised of groups in the Niger-Benue Valley: the Igala, Idoma, Bassange, Tiv, Jukun and extending northwardly to where Islam had not reached, to such places as the Bauchi Plateau (Plateau and S. Bauchi) and the Adamawa areas north of the Benue River.” Logams, 2004: 101 Similarly, Ashafa writes: “For the first time, the missions began to encourage the indigenous Christians to get involved in the politics of the transition especially by the Sudan Interior Mission and the Sudan United Mission. No wonder, some few months after this debate, the Northern Nigeria Non-Muslims League was formed to protect the religion and customs of the Northern Christians. This was later changed to Middle Zone League with Pastor David Lot as its President. This was again changed to the United Middle Belt Congress. Whatever it was, it could be said that politically rather than denominationally, the Christian missionaries ensured that Christianity became the basis for the political separation and identity of the Northern Christians and in the creation of the Middle Belt State. For example, a deputation of delegates representing the mahor Protestant Christian Missions in the North met with the Lt. Governor in a secret session. Bishop Sherwood Jones, the spokesman, reviewed the political trend in the North and expressed the anxiety and worry developing among the non-Muslims of the region. He argued that the non-Muslims were badly under represented in the legislature and subtly urged the British colonial officials to ensure that before departing Nigeria, a Middle Belt state is created.”: 441

¹⁸⁵ <http://www.texnews.com/religion97/belt091397.html> I am grateful to Shanna Pearson and Becca Thorpe for their assistance in tracking down the period in which the term “Bible Belt” was first used and popularized. It should also be noted that “Bible Belt” similarly operates as a culturally defined rather than a geographically defined sphere.

¹⁸⁶ Interview, Jibril Ibrahim, December Abuja

context of regional reconfigurations. Yet, the movement would undergo changes in this period. The Middle Zone League then fractured into the MZL and the break-away Middle Belt Peoples Party in 1952, which emerged as a result of personality and ideological differences. In 1954,¹⁸⁷ the United Middle Belt Congress merged the MZL and the MBPP into one party that would participate more directly in constitutional consultations and the crafting of the political system that emerged in the lead-up to independence. However, with the creation of the states in 1967, the movement for a Middle Belt region was displaced by the call by smaller groups for states much like happened with the “North.” However, the Middle Belt identity emerged and gained definition following the creation of Geopolitical Zones in the period 1994-1996, as discussed in Chapter Six.

CONCLUSION

Therefore, from this discussion we can see that group representation became a foundation of the Nigerian political system from the outset. It was part of the concrete mix of indirect rule and amalgamation that was poured into the partitioned soil of West Africa. As one observer astutely noted, “this power-sharing thing has always been with us.” He elaborated by explaining that power-sharing has “always been in the Nigerian political system...(they’ve) tried to institutionalize, but has always been there.”¹⁸⁸ Yet, this does not mean that the continued development of institutionalized group representation in the form of ethnic federalism was the only outcome. Colonial institutionalization of indirect rule and amalgamation was not an original sin—not a single moment in genesis in which Nigeria is forever cast out of the Garden of Eden.

¹⁸⁷ Different dates have been given, including 1956 (Logans: 545) as well as 1954, “An Evidence Letter” Submitted to the *Willink's Commission* by Moses Riwong 1957. However, since 1954 is the date given on a document from 1957, I use the date given on the contemporary document here.

¹⁸⁸ Interview, M.D. Yousefu. He went on to discuss the 1950 agreement for a 50-50 N-S allocation of positions and the origins of strong regionalism.

However, the post-colonial leadership retained the institutionalized group representation rather than breaking with it—as was the case with Nigeria's neighbor, Ghana, for example. Had Nigeria's nationalist leaders not sought to consolidate these fiefdoms—or if progressive leadership (such as Mallam Aminu Kano in the North) taken power—individual based human rights would have replaced institutionalized group representation. However, this process should be viewed as path dependent, with diminishing opportunities to leave the vicious cycle of conflict and democratic breakdown. Exogenous rupture—such as the end of colonial rule—are essential to provide a radical revision of the system. As such, following independence, institutionalized group representation took hold of the system and the process of three interlocking mechanisms (opportunity hoarding, category formation, certification) drove cycles of conflict and democratic breakdown. Chapter Six traces the operation of these mechanisms in the most recent cycle.

CHAPTER FIVE: ORIGIN AND EVOLUTION OF LEBANON'S CONFESSIONALISM

The country of Lebanon takes its name from one area of the country: Mt. Lebanon. There were other regions and other Mountains (such as Jabl Amil in the South). But Lebanon is named for Mt. Lebanon, the area that was ground zero for the emergence of confessionalism and the central region from which the country expanded. With a large Maronite population in a strategic location, Mt. Lebanon attracted early European interest and intervention. As this chapter will show, the emergence of confessionalism was a result of this European interference, first indirectly through the 1841 partition and again in the 1861/64 establishment and modification of the Mutasarafiyya, then directly through the French Mandate.

This chapter unfolds in three parts. The first examines the colonial origins of Lebanon's power-sharing institutions, focusing on Partition and the Creation of the Mutasarafiyya of Mt. Lebanon. Although tracing confessionalism to the Mutasarafiyya is well worn analytical terrain, this discussion incorporates critiques of mainstream accounts and also highlights the ways in which these forms of administration specifically enshrined the practice of group representation. After this ground is covered, the section then moves into the transitional terrain: focusing on two key moments when the twilight of British rule in Nigeria cast a shadow over institutional development: the historic 1951 elections, and the 1957 Minorities Commission. The chapter then explains how these institutions transformed group relations and moreover entrenched institutionalized group representation as the foundation of the polity. Although this section will proceed chronologically, it will not be an

exhaustive recounting of Lebanese history. Nor will it even be an exhaustive recounting of Lebanese institutional history. Indeed, outstanding volumes on both these subjects already exist. The primary aim of this section is to sketch the institutional framework of the polity, especially at the moment of genesis.

COLONIAL FOUNDATIONS: OTTOMAN ADMINISTRATION

As noted above, the Ottoman Empire utilized a form of socio-political organization unique to empires—non-territorial autonomy. In the case of the Ottoman Empire, this was underpinned by a particular interpretation of Islam which gave *ahl al-kitab* “people of the book” (Christians and Jews) a special institutionalized status through the millet system. However, in Lebanon, the millet system was supplemented by other institutions designed to organize relations among putative groups. As early as 1834, political institutions promoted confessional distribution. According to Farha, “the first interconfessional municipal council (*diman*) set up in Beirut in 1834 was equally divided between six Muslim and six Christian delegates.”¹⁸⁹ Indeed, this practice survived until today. Although municipal elections are non-confessional (in contrast to Parliamentary elections in which seats are allocated among the confessions), Beirut is the only municipality to conduct elections confessionally, with seats distributed equally among Muslims and Christians by agreement.

¹⁸⁹ Mark Farha, “Demographic Dilemmas” in Barry Rubin, ed., *Lebanon: Liberation, Conflict, Crisis* (New York: Palgrave MacMillan, 2009): 83

Although the confessional system is often traced back to the establishment of the Mutasarafiyya in 1861, it predates this system by two decades. Increased colonial influence led to institutional restructuring, especially in Mt. Lebanon, which as also been credited with increased confessionalism. Indeed, while most accounts focus on European intervention in the period from 1861-1943, European intervention dates to 1649 when King Louis XIV “adopted” the Maronite community,¹⁹⁰ paving the way for international patronage of communities that drove the social fissures on the Mountain. Soon, colonial competition meant that the British soon found “clients” in the Druze and the Russians with the Orthodox. These early interventions had a distorting effect on the evolving administration of Mt. Lebanon, entrenching confessionalism rather than ameliorating it.

Makdisi writes, “(J)ust as the Ottomans were moving away from a vaguely defined *millet* system in which the Sunni Muslims were treated as socially and culturally superior to the other communities of the Empire, and were moving toward a more integrative form of government, the Europeans favored and intervened on behalf of the Christians.”¹⁹¹ He calls this intermediate period when the *tanzimat* reforms were eroding the distinctions of the *millet system* “restoration politics.” Makdisi moreover contends that even prior to the introduction of the *tanzimat*, the differentiation between Druze and Christian communities was not as stark as it was to become, with considerable intermixing including shared religious ceremonies. However, with increased French and British missionary and political

¹⁹⁰ 28 April 1649 “Maronite community placed under protection by Louis XIV” in J.C. Hurewitz, ed., *Diplomacy in the Near and Middle East, A Documentary Record 1535-1914 Volume I*. (Princeton, D. Van Nostrand, 1956): 24

¹⁹¹ Ussama Makdisi, *The Culture of Sectarianism: Community, History, and Violence in Nineteenth-Century Ottoman Lebanon* (Berkeley: University of California Press, 2000): 11

involvement in Mt. Lebanon, this “gave way to a new form of sectarian politics that was focused on redefining the Mount Lebanon geographically, politically, and culturally.”¹⁹²

Despite Ottoman concerns about conflict, Mt. Lebanon was divided into the Northern district, which was to be ruled by a Christian governor and the southern district that was to be ruled by a Druze governor. It should also be noted that these operated as spheres of influence for the European powers as well as their missionaries. This decision was taken despite the belief of several European observers that direct Ottoman rule (or inter-mixing of the population) might better ensure security.¹⁹³ “The European and Ottoman characterization of “age-old” religious turmoil not only absolved the European powers and the Ottoman empire of any responsibility for the violence but reflected their ardent conviction that they alone knew this region and that they alone could properly reform it.”¹⁹⁴ Of course, at the time, Maronites and Druze weren't the only resident minorities, yet the Greek Orthodox, Greek Catholic, and Shi'a are almost entirely overlooked in the arrangement that partitioned the mountain into Druze and Maronite spheres. The “(E)uropean designed partition plan assumed that there were in fact two distinct and separate primordial tribes of Druzes and Maronites to which all Druze and Maronites instinctively adhered.”¹⁹⁵

Apart from creating two Qaimaqams in the partition of Mt. Lebanon as discussed by Makdisi, the Ottoman Empire—in direct consultation with European authorities—created

¹⁹² Ibid, 66

¹⁹³ Makdisi, 2000: 72. The British penchant for partition (and even sometimes amalgamation) has left a legacy from Northern Ireland, India, Cyprus, Palestine, the Balkans, and beyond. Indeed, this congenital legacy has been noted by Makdisi: “Like Salman Rushdi's ‘midnight children,’ Cebel-i-Lubnan—a term that came into Ottoman usage at precisely this time—was born to signify a new beginning for the region, but also a tragic inheritance.”: 79

¹⁹⁴ Ibid, 78

¹⁹⁵ Ibid, 80

supplemental institutions. The first was the subsequent creation of “councils” for each qaimaqamate with appointed life-long representatives from the Maronite, Druze, Sunni, Shi’a, and Greek Orthodox.¹⁹⁶ In addition, the introduction of detailed regulations for this new structure in 1845 deepened confessional separation—implementing it at the village level. In mixed villages, a *wakil* (or representative) and a *mukata’aci* (or tax farmer) of each community was appointed. Intra-communal disputes in the village were resolved solely by their wakils. Inter-communal disputes were governed by elaborate formulas balancing wakils and mukata’aci’s at all levels.¹⁹⁷ According to Akarli in his definitive, *Long Peace: Ottoman Lebanon 1861-1920* “this arrangement introduced confessional representation as a constitutional principle into Lebanese public life.” Thus, while confessionalism is often dated from 1861, we can only understand confessionalism by beginning with partition. Both are imperial practices of rule that have generated power-sharing.

Yet, this solution was to prove unstable. Makdisi credits this partition and the resulting “dismantling of the increasingly tenuous bonds of civility that had in the past bound Druzes and Maronites together”¹⁹⁸ with the heightened tensions over the following two decades that led to the 1860 clashes. Similarly, Ziadeh attributes the Nizam (or system) with the genesis of the confessional system in Lebanon, noting that the partition was “an arrangement that translated the intercommunal politics of a religiously mixed society, with its tradition for cross-communal cooperation and alliances into the ‘modern’ sphere of the politics of nation building. But in the case of Lebanon this translation was corrupted by the

¹⁹⁶ Hanna Ziadeh, *Sectarianism and Inter-Communal Nation Building in Lebanon*, (New York: C Hurst & Co, 2006): 53; Abdo I. Baklini, *Legislative and Political Development: Lebanon, 1842-1972* (Durham: Duke University Press, 1976):45

¹⁹⁷ 28 July 1845 “Ottoman Circular Informing the Great Powers of Changes in the Administration of Lebanon” in J.C. Hurewitz, ed., *Diplomacy in the Near and Middle East, A Documentary Record 1535-1914 Volume I*. (Princeton: D. Van Nostrand, 1956): 132-35

¹⁹⁸ Makdisi, 2000: 128

false 'notion of a pure communal factor' i.e. the autonomous, homogenous Maronite community, and the central role this pure communal factor acquired."¹⁹⁹ In response to the failure of partition, another confessional solution was to emerge from Europe: the *Reglement Organique*.

REGLEMENT ORGANIQUE OF 1861

In 1861, the *Mutasarafiyya*²⁰⁰ of Mt. Lebanon was created as a result of negotiations between the Ottoman Empire and France (which had forces in Lebanon for nearly a year, from 16 August 1860 to 5 June 1861), Britain, Russia, Prussia, and Austria. This measure abrogated the partition and instead created a unified province with a non-Lebanese Christian governor (from among the Greek or Armenian communities) selected in consultation with the European powers and answerable directly to the Sublime Porte. While creating a unified province, it nevertheless apportioned indirectly elected²⁰¹ seats on the twelve-seat governing council (Central Administrative Council) among Druze and Maronites, but also Greek Orthodox, Sunni, and Shi'a. In 1861, the seats were allocated to two Maronites, two Druze, two Roman Catholics, two Greek Orthodox, two "Mitwalis" (Shi'a) and two "Muslims." (Sunnis), an equal ratio of Christians to Muslims: 6:6. However, this was revised in 1864 to a 7:5 Christian Muslim ratio among the twelve seats distributed among the different *qada*, or administrative units as indicated in Table 5.1 below.²⁰² As can be seen below, the big

¹⁹⁹ Ziadeh, 2006: 68

²⁰⁰ Although the *Mutasarafiyya* was autonomous unit guaranteed by five European powers (France, Britain, Austria, Russia, Prussia, and later also by Italy in 1867), it was not the highest administrative unit. The hierarchy of Ottoman-era institutions is as follows: *Wilayat* (e.g. Damascus) → *Mutasarifiyya* (i.e. Mt. Lebanon) / *Sanjaq* (e.g. Tripoli) / *Muhaafazah* (e.g. Ladhqiya) → *Kaymaqamat/Qada* (e.g. Batroun) → *Mudriyya*.

²⁰¹ As discussed in greater detail below, the representatives were elected by shaikhs who were elected by the people. Baaklini, 1976: 50.

²⁰² Ziadeh, 2006 quotes the 1864 revision as follows: "the administrative districts shall send up delegates and shall be divided in the following proportional way: 1 and 2 the districts of Kiserwan and Batroun each shall

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winner were the Maronites who doubled their share of the seats. To compensate, a seat was taken each from the Sunnis and Shi’a.

TABLE 5.1: CENTRAL ADMINISTRATIVE COUNCIL (1864-1915; 1915-1919)²⁰³

Koura	1 Greek Orthodox
Batroun	1 Maronite
Kiserwan	1 Maronite
Matn	1 Maronite, 1 Greek Orthodox, 1 Shi’a, 1 Druze
Chouf	1 Druze
Zahle	1 Greek Catholic
Jezzin	1 Maronite, 1 Sunni, 1 Druze

delegate a Maronite member 3. The district of Jezzin a Maronite, a Druze, and a Muslim. 4 The district of Metn a Marolite, a Greek Orthodox, Druze and a Metwali (Shi’a) 5. Al-Shouf a Druze 6. Al-Koura a Greek Orthodox 7. Zahleh a Roman Catholic.” This corresponds to the information provided of the Administrative Council by Baklini, 1976: 49 (with Sunni substituting for “Muslim” and Shi’a for “Mitwali” thus using changed conventions), suggesting it was the formula used since 1861. The updated conventions are used in this table.

²⁰³ As discussed below, in 1912, the town of Dayr al Qamr was given autonomy and added as a *Qada* and given one Maronite and one Druze seat, increasing the number of seats to 14. Baklini, 1976: 295.

Apart from the revised ratio in 1864, seats were also reallocated according to the census in 1868, with the Sunni councilor coming from Chouf and the Shi'i councilor from Kiserwan.²⁰⁴ Beirut was also part of the original 1861 negotiations, although it was then part of the *wilayat* of Saida to the South. As part of the 1864 institutional revision, it shifted to the *wilayat* of Damascus in 1864 only to become its own *wilayat* in 1887²⁰⁵ and join Greater Lebanon in 1920, as discussed below.

At the local level, the notion of segmentation of confessions contained in the provisions of the 1845 decree appear to have been retained. Each *qada* will have a “justice of the peace for each religious group” with a Lower Judicial Council comprising three-six members “representing the diverse elements of the population.” The procedures for resolving disputes with inter-communal actors is as elaborate as those outlined in the 1845 document. Moreover, the idea of separation at the village level is again applied, but with newly created units. The *qada* (e.g. Koura) “shall be divided into sub-districts, the territory of which shall be based roughly on that of the former iqlims (zones) and shall consist insofar as possible of homogenous populations” of approximately 500 persons. Although the accord stated “in mixed communities, each constituent element of the population shall have its own shaykh who will exercise authority over its coreligionists.”²⁰⁶

However, in practice many villages elected one shaikh from the dominant sect (often Maronite). Because the village shaikhs then elected the representative of the *qada*, Maronites were often in a position to determine the representative for other communities. Akarli, a

²⁰⁴ Engin Deniz Akarli, *The Long Peace: Ottoman Lebanon, 1861-1920* (Berkeley: The University of California Press, 1993): 83

²⁰⁵ Ibid, 31

²⁰⁶ 9 June 1861 “Regulation for the Administration of Lebanon” in J.C. Hurewitz, ed. *Diplomacy in the Near and Middle East, A Documentary Record 1535-1914 Volume I*. (Princeton, D. Van Nostrand, 1956): 165-168

proponent of the confessional administration of Mt. Lebanon, writes, "Consequently, the Maronites, who constituted the majority of the population in Batrun, Kisrawan, Matn, and Jazzin, and 20 percent of the Shouf's population, found themselves in a strong position to influence the outcome of the elections, irrespective of the denominational specifications."²⁰⁷

Although this feature of Lebanese politics—cross-confessional voting—is often portrayed as a conflict regulation mechanism of electoral accommodation, its roots lie in the European role in ensuring Maronite hegemony on the Mountain, not an indigenous efforts at inter-religious accommodation. As such, it is no surprise that the presumed benefits of this outcome—inter-ethnic cooperation—often fail to materialize because minorities are denied representation and protection as a result. While this feature of the Lebanese system benefitted Maronites during the Mutasarifiyyah (and the Mandate period to some degree), the domination was inverted in the post-Taif period. Larger districts favored Sunni and Shi'a populations, which were able to use their demographic weight to determine which Christian MPs were elected.

In addition to the village sheikh and his role in electing the councilors, the issue of local administrative staff was contentious. Although the Reglement specified that the district head come from the dominant sect, it was silent on the sub-district head and the other administrative staff. "The local population, however, wanted a broader application of the principle, and brought pressure to bear upon the earlier governors in that direction, as witnessed by a series of petitions presented to Franko demanding the appointment of all local officials from the dominant sect." Franco acceded to this demand, which, like the election of councilors, favored the Maronite community. However, in the later period of

²⁰⁷ Akarli, 1993: 83

the Mutasarafiyya regime, a “pre-set quota” emerged. Although Maronites still constituted 54% of all positions and salaries in the period for which data is available (1902-7), other communities were represented as well. This ranged from 20% for the Druze (the dominant sect in Chouf) followed by nine percent each for the Greek Orthodox and Greek Catholics, the dominant sects of Koura and Zahle, respectively. The big losers were the Sunnis at 5% and the Shi'a at 3% since they were marginalized minority sects without a set “base”—so much so that their seats were reallocated to different *qada* in 1868.²⁰⁸ Indeed, Akarli (a supporter of the mutasarafiyya system as implied by the title *The Long Peace*), argues that the administrative apparatus—as much as the Administrative Council—was an important arena of confessionalism. “Confessionalism, as expressed in the parceling of offices among sects, remained a characteristic of the system.” Allocation of public sector positions remains a central component of the system, although the allocation has been transformed by various agreements such as Taif and Doha. This will be discussed in greater detail in the Chapter on “Opportunity Hoarding.”

Yet, the changes overtaking the region as a result of WWI did not leave the Lebanese polity unaffected. Within the Ottoman Empire, the Young Turks revolution extended the constitutional vision to Mt. Lebanon.²⁰⁹ Within other parts of the Ottoman Empire that were to become Lebanon (i.e. Beirut), demands for increased self government were growing. Beirut created an ad-hoc national assembly in 1913 and the Arab-Syrian Congress called in the same year for greater self-rule. However, despite these persistent reformist calls for devolution of power, the autonomy of Mt. Lebanon was revoked by the Ottomans in 1915 and its administrative council dissolved by the French in 1919 to curtail its pro-independence

²⁰⁸ Akarli, 1993: 150-1

²⁰⁹ Ziadeh, 2006: 79

activities. Ottoman rule officially became French rule in 1920 as a result of the division of spoils agreed at the San Remo Conference in 1920.

COLONIAL FOUNDATIONS: FRENCH MANDATE

The 1920 creation of greater Lebanon also entailed the reconfiguration of administrative units. Four new Mutasarrafiyyas or sanjaqs were created: Northern (with Zgharta as the capital), Mt. Lebanon (Babda), Southern (Saida), and Biqa' (Zahle) and were subdivided into over 20 sub-units or *qada/mudriyya* and Beirut as well as Tripoli remaining as separate units.²¹⁰ The 1921 census was then used to allocate seats to the Representative Council along confessional lines.²¹¹ This allocation—as well as French manipulation of electoral alliances—led to the clan-dominance and the tyranny of “lists” we see today.²¹²

The primary arena in which the French Mandate managed inter-group relations was the Parliament and the electoral laws which governed its formation. As indicated in both the Introduction and Chapter Three, the electoral law has been the primary arena of contestation. While the Administrative Council of the Mutasarafiyya remained fixed for six decades, the electoral system changed seven times during two decades of French rule, as indicated in Table 5.2.

TABLE 5.2: PARLIAMENTARY SEATS UNDER THE FRENCH MANDATE

	1920- 1922	1922- 1925	1925- 1926	1926- 1929	1929- 1934	1934- 1937	1937- 1939
Seats	17	30	30	46	45	25	62

²¹⁰ Kais M. Firro, *Metamorphosis of the Nation (al-Umma): The Rise of Arabism and Minorities in Syria and Lebanon, 1850 - 1940* (Portland: Sussex Academic Press, 2009): 75

²¹¹ *Ibid*, 77

²¹² *Ibid*, 77-8

Christian-	10:7	16:14	17:13	26:20	25:20	14:11	34:28
Muslim							
Distribution							

The first Parliament was not a proper representative body in 1920. Instead, the 17 members of the Advisory Council were appointed by French authorities in order to assist with administrative matters.²¹³ In response to agitations in 1922, the French Mandate created the first directly elected representative body, the Representative Assembly. Its 30 seats were organized confessionally among five electoral units: Beirut, Northern Lebanon (minus Tripoli, its own unit), Central Lebanon (formerly Mt. Lebanon minus the town of Zahle, now incorporated into Beqaa and Jezzine, now in Southern Lebanon), Southern Lebanon, and Tripoli.²¹⁴ These roughly correspond to the administrative units. The primary administrative units of Greater Lebanon in 1922 were the four sanjaqs of North Lebanon, Biqaa, Mt. Lebanon, and South Lebanon. Beirut and Tripoli had administrative independence, which partially accounts for their treatment as separate electoral units. However, as can be seen from Table 5.3, this administrative division preserves the Christian hegemony of units, with Sunni fragmentation across the various units. As a result, Sunnis boycotted the elections in several areas.

TABLE 5.3 REPRESENTATIVE ASSEMBLY 1922-5

²¹³ Baaklini, 1976: 78

²¹⁴ Unit break down from American Consulate "Representative Council of Greater Lebanon" in Walter Browne, *Political History of Lebanon 1920-1950 Volume 1* (Salisbury, SC: Documentary Publications, 1976) :44 As with other sources, language has been changed to retain consistency with contemporary usage and avoid epithets (e.g. Metwallies, Mohamedian)

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Beirut	2 Sunni, 1 Greek Orthodox, 1 Maronite, 1 Minorities (Protestant, etc)
Northern Lebanon	2 Maronite, 1 Greek Orthodox, 1 Sunni
Central Lebanon	5 Maronites, 2 Druze, 1 Greek Orthodox
Southern Lebanon	3 Shi'a, 1 Greek Catholic, 1 Maronite, 1 Sunni
Beqaa	2 Shi'a, 1 Greek Orthodox, 1 Greek Catholic, 1 Maronite, 1 Sunni
Tripoli	1 Sunni

***PREINDEPENDENCE INSTITUTIONAL RECONFIGURATIONS:
 1943 NATIONAL PACT***

Indicating the importance of electoral laws as the premiere arena of Lebanese communal contention, the National Pact—the foundation of the modern Lebanese republic—emerged from negotiations around the 1943 independence elections. On the one hand was the Muslim compromise formula, the Egyptian Nahhas proposal of a 25-29 distribution; on the other hand were various Christian proposals for a retaining the 28-35 ratio or even moving to 22-32 ratio.²¹⁵ Indeed, on June 17, Ayoub Thabit (appointed by Catroux to oversee the elections) issued two controversial decrees, which implemented the 32-22 ratio based on an inclusion of the largely Christian émigré population and use of postal ballots.²¹⁶ Given widespread Muslim opposition and a growing rift in an already new fragile republic, Thabit was replaced by Petro Trad. In order to negotiate an agreement, both British and Egyptian diplomats intervened; General Spears as well as Mustafa Nahhas Pasha acted as intermediaries,²¹⁷ finally coaxing an agreement of 30:25.²¹⁸ Hellou issued a decree to that effect²¹⁹ a month before the August 29 elections were to be held. El-Khazen contends that these electoral negotiations are the foundation for the National Pact.²²⁰ While there is no written document of this pact—the closest document is the statement two

²¹⁵ Secretary of State Telegram August 2, 1943 (Section One) in Walter Browne, *Political History of Lebanon 1920-1950 Volume 1* (Salisbury, SC: Documentary Publications, 1976): 397. The source gives uses “Nahas” rather than “Nahhas”

²¹⁶ This mirrors the 1932 census and elections that included the expatriate (and largely Christian) population for that express purpose. Sonia Roubini, “The Lebanese Census of 1932: A Character of Calculability (Oberlin, OH: Oberlin College, May 2010 completed for the requirements of POLT 311: Politics and Pluralism in the Middle East and North Africa)

²¹⁷ Sadly, while Spears’ memoir *Fulfillment of a Mission* richly details diplomatic residences and even recounts salacious details of Solh’s arrest such as the fact that he slept in the same bed as his wife, it includes nary a single word regarding the negotiation of Lebanon’s foundational document in which he played a central role.

²¹⁸ Farid el-Khazen, “The Communal Pact of National Identities: the Making and Politics of the 1943 National Pact,” *Papers on Lebanon, The Center for Lebanese Studies* (Oxford, 1991): 37. Part of the” agreement was the proviso that another census would be conducted in two years. Secretary of State Telegram August 2, 1943 (Section Two) in Walter Browne, *Political History of Lebanon 1920-1950 Volume 1* (Salisbury, SC: Documentary Publications, 1976): 397

²¹⁹ Secretary of State Telegram August 2, 1943 (Section Three) in Walter Browne, *Political History of Lebanon 1920-1950 Volume 1* (Salisbury, SC: Documentary Publications, 1976): 397

²²⁰ el-Khazen, 1991: 36-7

months later in the October 7 statement of Prime Minister Riyad al-Solh to parliament²²¹—the general features are well known.

Several authors represent the National Pact as a *détente* between the Maronite community which promoted Greater Lebanon of the 1920 French Mandate and the Sunni community which opposed it. On the eve of independence, an agreement would need to be reached on the parameters and procedures of the polity. Expressing scholarly consensus on the issue, Ziadeh writes, “In a way the limitations of the 1943 formula lay in the attempt to transplant the *mutasaraḥiyya* Maronite-Druze partnership onto the Maronite Sunni partnership of the 20th century republic, thus maintaining the 19th century Maronite ‘national leadership’ and communal primacy. The 1943 *siḡha* (formula) shifted the geography of communal power-sharing from a north-south axis within Mount Lebanon to a west-north Coast-Mountain axis.”²²²

Yet, the National Pact was as much about who was *not* at the table as who was at the table—and who, as a result, would and would not get their share of the pie. Indeed, the language of the subsequent statement includes a tantalizing reference to “a merger of confessions and the minorities”²²³ *لجنة الطائفية والإقليمية* indicating a two-class system among “confessions” and the “minorities.” Conspicuously absent given their role in the Double Qaimaqamate and the *Mutasarifiyya* were the Druze. El-Khazen attributes this to their long-term decline since the *Imarah*. However, the shifting boundaries and the resulting

²²¹ However, this document is very general—containing none of the specific provisions that were hammered out nor a statement of how they were arrived at. Yet, the language is at times illuminating *معالجة الطائفية* such as “the confessions and the minorities” but the document repeats what has become an axiomatic call for the elimination of confessionalism at the same time it is entrenched.

²²² Ziadeh, 2006: 115

²²³ غسان تويني مع فارس ساسين و نواف سلام، كتاب الاستقلال بالصور والوثائق بيروت: دار النهار 1999

Ghassan Tueni (with Faris Sassan and Nawaf Salam) *Book of Independence in Pictures and Agreements* (Beirut: Dar an Nahar, 1999)

demographic-institutional matrix marginalized the Druze. While central on the mountain, they were swallowed up in the massive influx of Sunnis and Shi'as from the North, Beqa'a, and South which were annexed to Mountain in the 1920 creation of Greater Lebanon, moving from a confessional partner to a minor part of the "Muslim" community in the Christian-Muslim balance.

The Shi'a were also the black sheep of the Muslim family: useful for demographic strength, but never allowed to lead. Indeed, although it is often said that the National Pact created the confessional system which today includes the Trokia Presidency (or the الرؤساء الثلاثة Ru'asa al-Thulatha), this is not the case. Until the 1951 ascension of the feudal leader of the Southern Shi'a, Ahmad al-Assad,²²⁴ the position of Speaker of the Parliament was held by Greek Orthodox²²⁵ which now holds the position of Deputy Speaker of the Parliament on an informal basis. Yet, as discussed in subsequent chapters, the Shi'a's time would come.

The National Pact also had a trickle-down effect, raining allocative politics on a variety of political institutions as was the case in the Mutasarifiyya. Kerr notes of the "Common Interests" or administrative offices of the new state such as customs and excise, Beriut Port, and Surete Generale, "No sooner had the National Pact confirmed the principle of dividing the cake than independence set before its authors a second, even larger cake, in the form of the Common Interests, as if Providence were signifying its blessings on the system. L'appetit vient en mangeant. This system continues to operate today. The most conspicuous principle by which executive decisions are governed is that of static equilibrium. Governments are not made to create public policy, nor to chose between clear-cut

²²⁴ As discussed in subsequent chapters his son has sought to resume what the family believes is their rightful (inherited) position among Shi'a leadership as feudal lords have been replaced by some of the few non-hereditary parties in Lebanon: Amal and Hizbullah.

²²⁵ Baaklini, 2006: 200

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alternatives entailing the triumph of one set of demands over another, but to reflect faithfully and adjust the competing interests of various groups."²²⁶

According to Salibi, the 6:5 allocation applied to public sector employment as well. Much like the cabinet posts above them, the top-tier positions were allocated among the confessions in accordance with the formula. However, as was the case since the Ottoman *mutasarifiyya*, some positions were considered the province of particular confessions, such as the Internal Security/Intelligence as Maronite, the *Muhaafiz* (governor of Beirut) being Greek Orthodox and the head of municipality (*Rais al-Baladiyya*) was Sunni.²²⁷ As discussed in Chapter Seven, this contention continues today.

COLONIALISM AND GROUPNESS

There is evidence that the Administrative Council of the Ottoman *Mutasarafiyya* not only established confessionalism as the keystone of the Lebanese polity, *but also generated the confessions themselves*. Apart from the Maronite community that benefited from early French patronage, the confessional composition of Lebanon was not as clearly defined as it is today. According to Akarli, in 1861 "except for the Maronite Church, there was not an organization or a single group of leaders that could speak for a significant number of them...By 1912, however, a political leadership representing the interests of different regions, sects, and dominant social classes had formed in Lebanon. The Administrative Council of the *mutasarafiyya* had come to provide the institutional framework within which the Lebanese

²²⁶ Malcolm Kerr, "Political Decision Making in a Confessional Democracy" in Leonard Binder, ed., *Politics in Lebanon* (New York: Wiley, 1966): 190

²²⁷ Ziadeh, 2006: 118

leadership endeavored to consolidate its conflicting material and moral interests according to preconceived norms and procedures.”²²⁸

Similarly, the imposition of the French mandate had several affects on the relationship of putative groups to the state. First, administrative units were reconfigured which transformed the balance of power at the national and local level. Second, French administered confessionalism further entrenched sectarianism while simultaneously reconfiguring the recognized “groups” and their relationship to the state. Third, these two processes likewise altered the way that groups organized themselves, instigating a hierarchal process similar to the role of indirect rule and decentralized despotism.

Firro calls particular attention to how these changes affected the Druze. He notes that because the Druze were given only two delegates in the new Representative Council/Parliament and the qaimaqam (district head) of only one *qada* (district)—Chouf, their role was truncated. “(T)he Mandatory administration upset the relationship that had existed between the elites of the Maronites and the Druzes on Mt. Lebanon since 1861...as the Druze inhabited the “core” area of the new state and as they believed the French had formed Lebanon under pressure of the Maronite elites, many Druze elites were keenly aware that, whatever its territorial size, the new state would always guarantee the predominance of the Maronites. To this came that the reorganization of the administration in the new state affected the Druze elites on both the regional and national levels as it did other confessional elites”²²⁹

In the smaller unit of Mt. Lebanon, the demography and institutional structure made the major cleavage Maronite-Druze. However, as the largely Sunni and Shi’a areas of the

²²⁸ Akarli, 1993: 82

²²⁹ Kais Firro, *Inventing Lebanon: Nationalism and the State under the Mandate* (London : I.B. Tauris, 2003): 75

North and South were added to form Mt. Lebanon, the primary cleavage became Christian-Muslim—the axis along which the next major institutional reconfiguration (the 1943 National Pact) was to occur. As early as 1930, the communities were coalescing along these lines as evidenced in the 1930 “Great Islamic Congress of the Lebanese Littoral” was held not only among Sunni and Shi’a, but also Druze.²³⁰ This trend continued well into the 1940s, as evidenced not only by the bipolar terms of the National Pact (between Christian and Muslim, Maronite and Sunni) but also by the emergence of the Islamic Bloc that advocated the equal distribution of political power between Muslims and Christians.²³¹ Similarly, other heterodox sects such as the Alawis were likewise brought into the fold with the Alawis of Akkar even being enumerated as Sunnis or Shi’a.²³²

Apart from the physical boundaries drawn by the French, the mandate administration also reconfigured inter-group boundaries and their relationship to the state. The High Commissioner reorganized the religious communities in order to “turn them into independent religious entities” through Decree 60/LR 13 March 1936 and Decree 146/LR 23 November 1938. According to Firro’s interpretation of Rabbath’s analysis, two categories were deployed: “les communautés de statut personnel” (or communities of personal statutes, referring to the different religious codes governing family law) and “les communautés de droit commun” (or communities of common law).²³³ The former were “légalement reconnues en tant que communautés a statut personnel” (or “legally recognized as communities at a personal status”); the later were “les communautés historiques dont l’organisation, la juridiction et la legalization sont fixes par un acte législatif” (or “the

²³⁰ Ibid, 112 This phrase (Sahel ساحل) is also often translated as the Coastal Conference.

²³¹ Ibid, 197

²³² Ibid, 119

²³³ Ibid, 153

historical communities whose organization and jurisdiction legalization are fixed by a legislative act"). Basically, some communities constituted religious groups in a private sense—for matters of family code while other communities were religious groups in a public sense—legally recognized as such by the state. These “recognized communities” were to form the backbone of the confessional system.

Not only were seats to the Representative Council allocated on the basis of the 1921 census, but the “recognized communities” were also allocated seats on the basis of the 1932 census.²³⁴ Although academic work has focused on the fact that a census has not been conducted since 1932, less work has been done on the manipulation of census categories in order to boost claims to representation. However, a recent work has examined the conduct of the 1932 census, the French government colluded with the Maronite population to include three groups to increase numbers and justify continued Maronite hegemony: 1) inclusion of non-Lebanese Christian communities such as the Armenians 2) enumeration of Christian, but not Muslim communities of Tripoli and 3) enumeration of (largely Christian) expatriate Lebanese.²³⁵

This establishment of recognized and non-recognized communities set the stage not only for the emergence of the system of *mubassasa* through the mechanisms of “opportunity hoarding” (discussed in greater detail in Chapter 7) but also for category formation as the relevant organizing line shifted from “Muslim” (vs. Christian) but to a classically sectarian orientation as the Muslim sects saw that Sunni leaders were pursuing “Sunni” (rather than “Muslim” interests) and increasingly did the same. Naturally, this reorganization of the

²³⁴ Ibid, 201

²³⁵ Sonia Roubini, "The Lebanese Census of 1932: A Character of Calculability (Oberlin, OH: Oberlin College, May 2010) Submitted for the requirements of POLT311: Politics and Pluralism in the Middle East and North Africa.

putative communities of Lebanon met with resistance. For example, the Muslims protested as a “division between the different communities of the same nation” and statute was repealed by 53/LR March 1939.²³⁶ Yet, Firo notes, “the “nationalist” Sunni elites in Beirut but also in Tripoli were obliged to acknowledge that they stood to lose if they did not switch the weight of their political activities behind the “confessional” demands of their community within the Lebanese entity. But by thus becoming part of Lebanese politics as “confessional” representatives, they in effect had come around to adapting the Lebanese political system. Even more so, by legitimating their political activities as being in the defense of “Muslim interests,” the communal relations of the country, i.e. to the entrenchment of the “Lebanese system.” Although among the Shi'i and Druze elites some had frequently responded, before 1936, to the call of “nationalist” Sunni leaders, the new situation created that year highlighted where Sunni, Shi'i and Druze zu'ama differed rather than converged in their interests.”²³⁷ Indeed, the Shi'a and then the Alawis followed the logic inherent in the system and likewise transformed from outsiders and opponents (and losers) of the new system to reluctant (and somewhat successful) insider operators in Lebanon's confessional system.

FROM RAFIZI, TO MITWALI, TO AMALI, TO (SHI'I) MUSLIM

Although the rise of sectarianism as an academic concept has suggested the permanence of sectarian disputes often tracing them to the seventh century schism between Sunni and Shi'a, the construction of a separate Shi'a community in Lebanon is in many ways a modern phenomenon tied to institutional developments. Firo notes that Shi'a had

²³⁶ Firo, 153

²³⁷ Ibid, 159

developed an 'asabiyya or group solidarity, a social scientific concept first developed by the fourteenth century North African scholar Ibn Khaldun which Brubaker would likely call the attribute of "groupness." However, by the 20th century, this began to shift in Lebanon. Firro draws on the work of Waddah Sharara whose book, *The Perplexed Community*, examines the evolution of Shi'a identity. He argues at the turn of the century, the Shi'a had three competing sources of identity: Shi'a 'assabiyya, Amili identity (as decedents from a Yemeni tribe) and nascent Arab nationalism.²³⁸ In managing these identities, Firro suggests a switching process he calls polytactic (many-ordered) deployed by intellectuals. While accurate, I argue that the confessional system and deepened Shi'a participation has led to monotactic.

As discussed above, the Shi'a were marginalized and folded into the "Muslim" (largely Sunni) category, overlooked in the institutions of the Mandate as well as the foundational moment of the new republic: the National Pact. Indeed, even the terms often used in colonial—and even some Lebanese documents—indicate their marginality. Two epithets were alternated: rafizi/rafidi/rawafid (rejectionists) and mutawaali/mitwali (dogmatic followers). The term rafizi emphasized the idea that the Shi'a rejected the first three Caliphs: Abu Bakr, Omar, and Uthman. Although succession issues were an important part of the schism, theological divergences developed. However, "rafizi" focuses on the political leadership issue and Shi'a were targeted for persecution by Ottoman authorities especially when the honor of the first Caliphs were in question.²³⁹ This political litmus test is unsurprising given the importance of the Empire in securing assent to its own authority.

²³⁸ Firro, 2009:79

²³⁹ Stefan Winter, *The Shiites of Lebanon under Ottoman Rule, 1516-1788* (New York: Cambridge University Press, 2010): 17

In time, this epithet was replaced by another. Mutawalli (Mitwali in contemporary slang), which originates from matawila or devotees of Ali connotes a passive and obedient stance that has long been used as derogatory nomenclature.²⁴⁰ Unfortunately, as is often the case when prejudice is institutionalized, “mutawaalli” was used in official documents much in the same way that the equally wince-worthy term “negro” was used in documents of the Jim Crow era US. In the 1845 document creating the councils administering the double qaimaqam, includes a “Shi’i” member.²⁴¹ However, the 1861 and 1864 documents outlining the administration of the Mutasarafiyya use “mutawaalli” alongside Maronite, Druze, Rome Orthodox and “Muslim” (meaning Sunni). Indeed, this term was sometimes even adopted by Shi’i intellectuals such as Rashid Rida who wrote “The Shiite Matawila of Jabal Amil” in Shi’i journals in 1908 and 1909. This shows the liminal status of Shi’a—not only were they subject to pejoratives even in official records which were then internalized, but also that they are placed in a category separate from “Muslim.”

After the annexation of Jabl Amil (as well as other Shi’a dominant regions such as Hasbaya, Rashaya, and Baalbak) into Lebanon (to which the feudal lord and aspiring colonial intermediary Kamil al-As’ad assented),²⁴² the sense of identity shifted alongside institutions. By 1921, the leading Shi’a journal *Trfan* frames a broader Shi’a identity in exclusion and grievance: “We have recently seen how the Shiites in southern Lebanon are being deprived of government posts, although they constitute the majority [of the area]...There are no more than twenty Shiite civil servants...The best solution for this situation is...to re-annex greater

²⁴⁰ The etymology of mitwali remains opaque despite extensive research. Indeed, it is a mystery even to the community as apocryphal tales abound. According to one tale circulating in the south, “when the crusaders came, they found the Shiite women of Jabal Amil so stunning that all they could say, when they saw one, was: “mets-toi au lit!”” I am grateful to Annia Cezaldo for reminding me of this tale.

²⁴¹ Section Two of Arabic version reprinted in Ziadeh, 2006: 215

²⁴² Firro, 2009: 91

Lebanon [to Syria]²⁴³ Seeking to court Shi'a support for the French Mandate, the French authorities issued Decree number 3503 in 1926 recognizing the Shi'a as "an independent religious community" and granting them the Jaafari court, established in 1928. Additionally, the communities aspiration for a representative similar to the Maronite Patriarch and the Sunni Mufti was also unfulfilled, in part because of factional battles.²⁴⁴

This inclusion in the confessional system alongside simultaneous political marginalization paves the way in Jabl Amil for what Chalabi calls *matlabiyya* or the politics of demands. Interestingly, Firro notes that during the decade after recognition in 1926 and the 1936 Franco-Lebanese treaty which dampened demands for unification, some leaders simultaneously pursued Syrian unity with *matlabiyya*.²⁴⁵ He suggests that once Lebanon was clearly an irreversible *fait accompli*, that "they should intensify their struggle for 'fair' distribution of the political and administrative posts."²⁴⁶ This suggests the importance of institutions in the construction of Shi'a identity.

Indeed, the politics of demands takes off during this period. While Chalabi focuses on Jabl Amil because "they truly represent the plurality of the Shi'a population of Lebanon, from the depth of their historical and cultural experience as opposed to the other main Shi'i Lebanese group, the Baalbak/Hermel Shiis, who are relatively recent converts to Shiism." She adds, "The sociopolitical organization of the Amili community is based on the traditional Shi'i *muqati'ji* leadership which is supported by a clerical entourage with a sedentarized rural constituency, unlike those of the Baalbek Hermel, where the population is

²⁴³ Firro, 2003: 94

²⁴⁴ Firro, 2003: 161

²⁴⁵ Firro, 2009: 96

²⁴⁶ Firro, 2009: 97

predominantly tribal.” While some Shi'a might challenge this view, it nevertheless represents a perspective which emphasizes the role of Jabl Amil in the Shi'i community, first as an *exporter of clerics to Iran* in the 15th Century and more recently as the heart of the “South” and “the resistance” that has formed an important element in the construction of contemporary Shi'i identity.

Jabl Aml had been largely autonomous prior to the creation of Lebanon. In 1864, it became part of the *Wilayat* of Beirut and its most prominent feudal lord was even a member of the Ottoman Parliament established in 1877 and activated in 1911.²⁴⁷ In 1920 it was incorporated into the province of the South of the new Lebanese mandate. As part of the process, it lost many of its villages to both Palestine and Syria.²⁴⁸ This truncated Jabl Aml entered Grand Liban “paralyzed and beaten.”²⁴⁹ This socio-economic marginalization and political neglect shaped political mobilization and identity during this period, generating *matlabiyya* or the politics of demand.

Chalabi defines her core concept, *matlabiyya*, “which is derived from the verb to ask, *talab*, is an important term in Lebanese Shi'a political usage. In communicating with the state during the Mandate period, the 'Amili Shi'is in particular presented demands, or *matalib*, as a fundamental mode of expression of their political participation. It can indeed be said to be of a mode of discourse. The term has been in common use in social and economic demands but, until this work, has not been defined specifically in terms of a model of political lobbying. *Matlabiyya* is used here to describe a model of patronage-seeking by a

²⁴⁷ Tamara Chalabi, *The Shi'is of Jabal 'Amil and the New Lebanon* (New York: Palgrave Macmillan, 2006): 28

²⁴⁸ *Ibid*, 12

²⁴⁹ *Ibid*, 84

community, namely the 'Amili Shi'is; in a national context, in this instance, Lebanon."²⁵⁰

She goes on to say, "making demands as a form of political participation took hold with the emergence of the Grand Liban and the political/legislative structures that stemmed from it. Through this dynamic, the 'Amilis—political elite, intellectuals, and ulama—generated an approach, *matlabiyya*, that aided the process of integration and institutionalization of this community within the state. The Maronite community served as the model of successful communal development and political power that the Shi'is emulated through their novel use of *matlabiyya*."²⁵¹

Most of these demands were developmental in orientation—schools, roads, water—but had important political implications. The act of *matlabiyya* was not only "affirming allegiance to the Grand Liban,"²⁵² but also a deeper sense of belonging: entitlement within the confessional distribution. As such, developmental demands quickly gave way to political demands, especially representation and employment within the growing state apparatus. It should be emphasized that the politics of *matlabiyya* were performed by the Shi'a *zu'ama* feudal overlords, most particularly Kamal Assad. When he was run out of the country, other individuals from prominent families willing to work with the French stepped in. While not nearly as distastefully feudal in outlook, the other *zu'ama* equally relied on rigid and hierarchal patron-client networks. Indeed, Chalabi credits the Amili *matlabiyya* patron-client network with the recognition of the Shi'a community in 1926 and demands for political appointments.²⁵³ These demands culminated in the 30s and 40s with the request that one of

²⁵⁰ Ibid, 115

²⁵¹ Ibid, 116

²⁵² Ibid, 117

²⁵³ Chalabi 128-9

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the three seats of power be made Shi'a: the Speaker of the Parliament.²⁵⁴ However, this request was repeatedly rebuffed until the 1950s, as discussed in Chapter Seven.

ALAWI: BETWEEN THE SHI'A AND A HARD PLACE

The Alawi are a heterodox sect that was officially recognized as Shi'a in 1973 and given a council in 1999, as discussed in Chapter Seven. However, much like the Shi'a, the Alawis have also gone by other names—mostly bestowed by those outside the sect. The most common term is the Nusairis. While this term's origins has frequently been given a Christian spin due to the similarity of the terms (Nasrani/Nusairi) and the belief in the divinity of Ali, scholarly consensus traces it back to the name Muhammad Ibn Nusayr al-Bakri al-Namiri of Samara, Iraq.²⁵⁵ Ibn Nusair was a contemporary of the eleventh imam and the founder of the faith. However, al-Namiriyya was also used as this was the last name of the sect's founder.²⁵⁶

A heterodox sect that had once been targeted as unbelievers by none other than Ibn Tamiyya, the Nusairi community enjoyed a largely benign neglect through most of the period of the Ottoman Empire. Because they were not recognized as Muslim nor as people of the book (Jewish, Christian), they were not included in the millet system. Therefore their autonomy was not a de jure right established by decree but a de facto reality bestowed upon by their remote mountain region. However, the *tanzimat* reforms brought increased centralization which encroached upon this autonomy in their enclave Jabl al-Nusairiyya.²⁵⁷

As the Sunni Ottoman empire penetrated Alawi areas, the heterodox sect faced not only

²⁵⁴ Chalabi, 135

²⁵⁵ Firro, 2009: 99

²⁵⁶ Matti Moosa, *Extremist Shiites: The Ghulat Sects* (Syracuse: Syracuse University Press, 1987) 261-2

²⁵⁷ Firro 2009, 98-99

increased taxation and military conscription but also religious persecution. As such, the Alawi and the Ottoman Empire were regularly at odds.

In contrast, French rule was welcomed in some respects as a reprieve from Ottoman excesses. Indeed, some authors claim the Nusairi/Alawi actively supported the French while others claim that they merely did not oppose them by sending a representative to Faisal's Syrian conference.²⁵⁸ In turn, the French mandate sought to preserve Nusayri uniqueness because they were more amenable to French rule that replaced Ottoman oppression. As Moosa states, "the Nusairi aspirations for self-rule coincided with the French objective of perpetuating the political and religious fragmentation of Syria in order to facilitate their rule of the country."²⁵⁹

French support for Nusairi/Alawi autonomy was also justified in terms of the "minority protections" that formed part of the Mandate and also the trend in conflict resolution at the time. "Emphasizing the evident differences between the communities—Maronites, Nusayris, Druzes, Antioch Turks, Bedouin—but ignoring their greater fundamental similarities, the French planners could assert that by their policy they were merely yielding to the actual facts of heterogeneous Syrian society: were preventing the subordination, perhaps the ill-treatment of weak by stronger elements: were giving the more backward (or in Lebanon, the more advanced) a better chance of evolution in comparative isolation than they could enjoy as engulfed parts of a Syrian state: and were reserving for them a later day of self-determination when they could, if they wished, join the main body. These were, indeed arguments of considerable apparent cogency: and with them it could be claimed that the French, in defiance of the politicians were rightly carrying out the last words

²⁵⁸ Moosa 1987, 281

²⁵⁹ Ibid, 285

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of Article I of the Mandate: that is, by granting "local autonomy" to the communities which desired it. It has, indeed, been well and often pointed out, by other than the French, that the protection of minorities was the fundamental duties of a Mandatory."²⁶⁰

In French Mandate Syria, the Alawis were special beneficiaries of this protection. The two Sanjaqs of Latakia (previously part of the *wilayat* of Beirut) and Tartus were incorporated as a separate "Territory" in September 1920 and a separate state in July 1922. Consistent with the argument advanced herein that power-sharing and the "groupness" on which it rests has colonial roots, one author has tied the creation of an Alawi state in French Mandate Syria to French application of Indirect Rule. Rabinovich writes, "It has been pointed out that the mandatory administration in Syria was influenced by and bore resemblance to the model of 'native administration' that had been developed by Marshal Lyautey in Morocco. Lyautey's method was based on indirect rule oriented toward the rural population and based on the promotion of rural and conservative elements, the preservation of traditional society and reliance on local troops and administrators."²⁶¹ While this was later revoked, it created an institutional arena in which Alawi identity was cultivated. The Alawi in Lebanon had no similar arrangement in their strongholds in Tripoli and Akkar. They were not counted as Alawi in the census and were not a recognized minority.

The institutional trend was accompanied by an identity trend. In the 1920's the term Nusairi was replaced by Alawi. According to Firro, "By adopting this new name, they stressed their connection to Shi'ite doctrine, claiming that it is related to Ali, the Prophet's son-in-law and the first imam of the Shi'ites. Al-Tawil is probably the first writer to explain

²⁶⁰ Stephen Longrigg, *Syria and Lebanon Under French Mandate* (Oxford: Oxford University Press, 1958): 117

²⁶¹ Itamar Rabinovich, "The Compact Minorities and the Syrian State, 1918-45" *Journal of Contemporary History* 14.4 (October 1979):698

the origin of the new name, although he confesses that the term 'Alawiyya was unknown to outsiders before 1920. According to him, in 1922, the modern 'Alawis restored the original name after 412 years. Al-Tawil considers the adoption of the new name as a first step towards restoring the 'deprived rights' of the sect."²⁶²

While Firro is gracious in his willingness to recount Al-Tawil's narrative with a gentle neutrality often reserved for the topics of politics and religion, other authors feel no such compulsion. For example, in discussing Al-Tawil's account of the Alawi name, Moosa emphatically avers, "The fact is, however, that the sect has always been know as Nusairis, a name that has had a religious connotation since the ninth century. Moreover, it should be pointed out that Alawi is a general term frequently applied to all Shiites who follow Ali and believe him to be the heir and successor of the Prophet in leading the Muslim community."²⁶³ It should also be noted that the Alawi state in Syria was created in 1922—the same year the Alawi name was miraculously resurrected. Here we can see a pattern similar to that in Nigeria where the North and the Middle Belt attempted to create a narrative of timeless—indeed primordial—essence of the group as a means to advance rights in the context of colonial institutionalized group representation.

Within Lebanon, however, the Alawi were institutionally marginalized by the French and did not coalesce as a group. As noted above, in Lebanon's only census—which was used as the basis for the allocation of political power—Alawis were enumerated as "Sunnis" or "Shi'a," a fact protested by the Alawis but vociferously opposed by the Maronite Church as late as the 1940s since it tipped the balance in favor of "Muslims."²⁶⁴ Indeed, Alawi were

²⁶² Firro, 2003: 104

²⁶³ Moosa, 1987: 255-6

²⁶⁴ Firro, 2003: 118-9, 122

allowed to appoint some judges to the Jaafari court to administer to their needs although later the French tried to separate the two.²⁶⁵ Yet, Alawi demographic liminality and the nominal status it codified continued for decades thereafter. By 1956, the Alawi had shifted from being folded into either Sunni or Shi'i populations to being grouped among the residual "other" category which included the Bahai and Nestorians.²⁶⁶ It was only until Taif that the Alawi were recognized as a confession and conferred collective rights, as discussed in Chapter Seven.

CONCLUSION

From this discussion we can see that group representation became a foundation of the Lebanese political system from the outset. It originated in the European colonial intervention into the Ottoman district of Mt. Lebanon. Although this is often traced to the 1861 establishment of the Mutasarafiyya, we can see that it began with an earlier power-sharing formula favored by the British: partition. Once intervention became occupation with the 1920 Mandate and the creation of "Greater Lebanon," the institutions and the groups sanctioned within them changed, but the foundation remained the same: institutionalized group representation. We therefore see that the confessional system emerged from first the Ottoman use of community representatives and protected sects to European refinement of the system. Thus, confessionalism in Lebanon (including the much celebrated cross-confessional voting) emerged from the exigencies of empire.

²⁶⁵ Firro, 2009: 104;109

²⁶⁶ Ralph E. Crow, "Religious Sectarianism in the Lebanese Political System", *The Journal of Politics* 24.3 (1962): 491

Yet, this does not mean that the continued development of institutionalized group representation in confessionalism was the only outcome. Colonial institutionalization of indirect rule and amalgamation was not an original sin—not a single moment in genesis in which Lebanon is forever cast out of the Garden of Eden. However, the post-colonial leadership retained the institutionalized group representation rather than breaking with it. Had Lebanon's nationalist leaders not sought to consolidate these fiefdoms—or if progressive leadership taken power—individual based human rights would have replaced institutionalized group representation. However, this process should be viewed as path dependent, with diminishing opportunities to leave the vicious cycle of conflict and democratic breakdown. Exogenous rupture—such as the end of colonial rule—are essential to provide a radical revision of the system. As such, following independence, institutionalized group representation took hold of the system and the process of three interlocking mechanisms (opportunity hoarding, category formation, certification) drove cycles of conflict and democratic breakdown. Chapter Seven traces the operation of these mechanisms in the most recent cycle.

**PART THREE:
VICIOUS CYCLES OF
CONFLICT AND
DEMOCRATIC BREAKDOWN**

Chapter Six: Nigeria's Vicious Cycle after "June 12"

Chapter Seven: Lebanon's Vicious Cycle after Taif

CHAPTER SIX: NIGERIA'S VICIOUS CYCLE AFTER JUNE 12

INTRODUCTION

This chapter will begin with an examination of the “event” (the June 12 annulment of the 1993 elections and subsequent coup) which set the “start up conditions” for the most recent vicious cycle of conflict and democratic breakdown. Once this is outlined, the chapter will then trace the operation of the four interlocking mechanisms: category formation (imposition), opportunity hoarding, category formation (inscription), and certification. It will detail how these mechanisms derive from institutionalized group representation and lead to periodic communal conflict and interruptions in democratic rule.

In the section “Category Formation (Imposition),” I examine the role of the 1994-1995 Constitutional Conference in acting as a “generative structure” creating new institutional units. I examine unit creation at the supra-state level: Section (North, South) as well as Geo-political Zone (Northwest, Northeast, Northcentral, South-South, Southwest, Southeast); I also examine unit creation at the sub-state level: Local Government Areas (LGAs) were created. This was later codified in the 1996 creation of the Federal Character Commission.

In the section, “Opportunity Hoarding,” I examine the role of informal agreements in selectoral politics acting as “generative structures” in which candidates and appointments are agreed behind closed doors rather than contested through elections or meritocratic appointment. I examine opportunity hoarding on three levels: Section, GPZ and LGA. At the level of Section and GPZ, I explain how the 1999 Gentleman's Agreement and the

subsequent electoral agreements and appointment arrangements hoarded opportunities among Section/GPZ in-groups and out-groups. At the LGA level, I examine opportunity hoarding within the administration of Jos North.

In the section “Category Formation (Inscription),” I examine how the creation of new institutional units in the Constitutional Conference (or Category Formation (Imposition)), led to the new webs of relations binding new groups. In particular, I examine the post-95 emergence of three nested groups: “Northern” groups responding to the imposition of section and the opportunity hoarding that resulted, “Middle Belt” groups responding to the imposition of GPZ and the opportunity hoarding that resulted, and finally the emergence of the Jasawa an LGA-level group responding to LGA opportunity hoarding.

In the final section, I examine the culmination of the process—certification in which the conflicting group claims on institutions compete for certification and power within institutions through elections. At the national level, this occurs through conflicting Sectional and GPZ claims on the rotating Presidency, which resulted in clashes often mislabeled as the “cartoon riots.” At the local level, I examine Jos North LGA elections, tracing how competing group claims for the Chairmanship led to riots often attributed to religious sentiment or land claims. In the conclusion to the chapter, I summarize the concatenation of the mechanisms and trace how they lead to conflict..

THE JUNE 12 “EVENT” AND THE THWARTED THIRD REPUBLIC

In 1986, the President of Nigeria, Gen. Ibrahim Babangida embarked on a long promised transition program for the return of democratic rule. This included the creation of

a Political Bureau and the creation of additional Local Government Areas and their elections in 1991. Indeed, the number of LGAs more than doubled from 301 in 1984 to 774 in 2010. This transition process culminated in the 1993 elections, which were regarded to be the most free and fair in Nigeria's history. Mashod Abiola, a Yoruba Muslim from the Southwest won the election by a significant margin. However, the military stepped in on June 12 and cancels the results. Like many military leaders before him, Abacha began a transition program and, like many transition programs before, the centerpiece was a constitutional conference.²⁶⁷

The motives behind the coup and the abrogation of the results remain foggy—indeed will always remain clouded due to the lack of transparency in military decision-making.²⁶⁸ Yet, what is important is that this crisis (often called “the June 12 problem”) was increasingly given an ethnic—and really sectional—coloration in addition to the civil vs. military dimension. Popular narratives often described the coup as Hausa/Fulani (and increasingly “Northern”) generals stepping in and keeping power from going to a Yoruba (increasingly “Southern.”) However, it is important to note that some self-described anti-

²⁶⁷ As noted in Chapter Three, constitutional conferences have been the primary arena through which intergroup contentions over institutions are resolved in Nigeria. It is important to note that with the exception of the Independence Constitution and the 2005 Sovereign National Conference, all were conducted by military rulers (and Obasanjo's 2005 conference was conducted in a highly dictatorial fashion by a former military ruler).

²⁶⁸In the context of his 2011 Presidential bid, IBB has begun to speak publically about this decision. However, he offers more heat than light and deflects decisions rather than explains their origins. On August 15, 2011 he said: “On the June 12 decision, I have taken great responsibility as a true leader for the action of the military administration that I led. The annulment of the June 12 election is one of the ugly sports (sic) one has to live with. It was a collective decision taken after a series of consultations with several stakeholders. Even though ours was a military regime, yet we governed as a team, majority decisions always carried the day, I know that a day will come that Nigerians will forgive our regime.” Suleiman Bislla and Ayegba Ebije “IBB Offers Apology,” *Daily Trust* (August 16, 2010)

Northern activists present this as a “narrative.”²⁶⁹ This “narrative” is, of course, not difficult to present given the history of military rule headed by generals from the Northern region (during the first republic) and Hausa/Fulani generals thereafter. Although the political crisis of 1993 brought a Hausa General to the Presidency instead of the Yoruba popularly elected (including by Kano), the entire “North” was left holding the tab when the bill came due in 1999. The cancellation of the elections or—the “June 12 Problem” as it came to be known—served as a foundational crisis in the unfolding of the group-institutional dynamic.

The regional dimension became central as the transition program went on, gaining greater institutionalization and thus energizing identities along these latitudes. The cancellation of the elections or—the “June 12 Problem” as it came to be known—served as a foundational crisis in the unfolding of the group-institutional dynamic in the Fourth Republic. This “event” is a key moment in the trajectory of Nigeria’s group-institutional configuration. Like other events in Nigeria’s history, the transformation is negotiated through a constitutional conference and subsequent implementing instruments. The first step was the 1995 Constitutional Conference.

CATEGORY IMPOSITION

Drawing on Tilly’s work on Social Boundaries, broadly speaking, category formation is a key mechanism through which groups form. More specifically, “A social category consists of a set of sites that share a boundary distinguishing all of them from and relating all of them to at least one set of the sites visibly excluded by the boundary.” Yet, in *Identities*,

²⁶⁹ John Dara, General Secretary of the Middle Belt Forum that he describes as an organization and identity in contradistinction to the “North” (although potentially overlapping with the Northcentral zone and geographically inscribed within it). (see discussion below)

Boundaries, and Social Ties, Tilly makes an important distinction between two types of mechanisms: those that *precipitate* boundary change and those that *constitute* boundary change.²⁷⁰ He notes that precipitating mechanisms include: encounter, imposition, borrowing, conversation, and incentive shift. Constituting mechanisms include: inscription, erasure, activation, deactivation, site transfer and relocation. Similarly, in an earlier work, Adam, Tarrow, and Tilly go on to note in *Dynamics of Contention* that category formation has three potential components: invention, borrowing, and encounter. Combining these two works, this dissertation likewise views category formation as divided into two components: one precipitating, one constitutive. The precipitating component is Imposition, when “authorities draw lines where they did not previous exist.”²⁷¹ In this sense, this is the part of the mechanism that restructures the state.

In this section, I examine “Imposition.” I outline how the executive units of Nigeria were reordered between the Third and Fourth Republics from states to an increasingly central role for supra-state units (Section and Geopolitical Zone) as well as sub-state (Local Government Areas). The reorganization was first introduced in the “generative structure” of the 1994-1995 Constitutional Conference. However, these outcomes were codified through the 1996 establishment of the Federal Character Commission.

1994-5 CONSTITUTIONAL CONFERENCE

As discussed in Chapter Three, constitutional conferences are historically the arenas through which institutional and group boundaries are renegotiated in Nigeria. As such, they are the “generative structures” in which mechanisms operate, despite some of the limitations

²⁷⁰ Charles Tilly, *Identities, Boundaries, and Social Ties*, (Boulder: Paradigm 2005):135-146

²⁷¹ *Ibid*, 139

imposed by authoritarian rule. Despite the name “Constitutional Conference,” the 1994-5 Conference was also a tightly regulated affair. This does not mean that the institutional outcomes of the conference were pre-determined. Indeed, they were not. However, it was not a free-wheeling, founding-fathers sort of forum. One scholar notes: “Appearing increasingly adept at the praetorian game, the Abacha regime came increasingly to resemble Babangida’s in its later years of mounting abuse and personalization of power. Like Babangida, Abacha manipulated the politicians and what now passed, very thinly, for a transition process, adjourning the Constitutional Conference (which his own regime had called and organized) for three months in January 1995 when it passed a resolution demanding a return to civilian rule in January 1996; plying the delegates with ‘welfare packages’ and more explicit inducements while reportedly planning to extend the transfer of power until 1998.”²⁷²

The 1994-1995 Constitutional Conference had several tangible results that shaped the unfolding of the politics of the Forth Republic. One was the creation of six additional states in 1996. As noted above, state creation was one of the many institutional issues discussed,²⁷³ and no less than 47 new states were proposed²⁷⁴ and no less than six memoranda received on state creation.²⁷⁵ However, these decisions were not taken at the Conference—only proposals made and discussions held. The final decisions were up to

²⁷² Larry Diamond, ed., *Transition without end: Nigerian Politics and Civil Society Under Babangida* (Boulder: Lynne Rienner Publishers, 1997)

²⁷³ Institutionalizing rotation of public offices (e.g. President, Governor, LGA Chairman) between sections (e.g. North and South, Senatorial Districts, etc) was also discussed during the 1994 conference as well as the 2005 conference. In both cases, decisions were made not to include this provision in the constitution.

²⁷⁴ “Requests for Creation of States and Local Government Areas” *Report of the 1994-1995 Constitutional Conference*, Volume II: i-ii, Appendix

²⁷⁵ “Memoranda on State and Local Government Creation” *Constitutional Review Committee, Report and Recommendations on the 1995 Draft Constitution Presented to General Sani Abacha* (September 1995): 53-55

Abacha and made after the conference in 1996, but the Conference established the framework through which proposals would be evaluated.²⁷⁶

The conference also provided the foundation for a new overall institutional structure not a mere addition of units. The conference introduced the idea of supra-state units (Section and Geopolitical zone) that was later codified through the establishment a Federal Character Commission. Interviews trace its introduction to Alex Ekwueme, the VP in the Second Republic under Shehu Shagari and a presidential aspirant in 2003.²⁷⁷ At the 1994-1995 conference, Ekwueme was a delegate from Anambra state and a member of the "Political Structure and Framework of the Constitution Committee." Although Ekwueme was an ardent advocate of the idea of six federating units at the conference,²⁷⁸ his public

²⁷⁶ First, building on the growing development of GPZ, there would be one state in each of the six zones. Second, factors of intra-GPZ balancing, history of claims, and tenor of calls appears to have played a significant role with length of claims seeming the most important. For example, in the words of one key figure, it was understood that they "had to bring justice to Iwo state" "Gombe was more pressing (than Katanga)" "Nassarawa because Kogi got and Apa lost," and Bayelsa won over three other proposals because of the need to give Ijaws a greater role. Interview, Dr. Auwalu Hamisu Yadudu, January 2007

²⁷⁷ Interestingly a 1997 analysis of rotation in the 1995 constitution traces the *principles* of rotation (or dyadic realpolitik" to a 1972 lecture given by another national Ibo figure: Azikwe. "Since Azikiwe first articulated its modalities in his Mariere Lecture at the University of Lagos in 1972, 3 the volume and intensity with which the dyarchy proposal was debated suggested its vitality. Essentially, it sought to incorporate the three earlier positions, in a bid to forge a degree of ideological consensus of a centrist nature. The proposals taken together reflect five concerns: (i) the overriding need for political stability after a quarter century of intermittent upheaval; (ii) the imperative of rendering the military part and parcel of the state structure in an organic sense, rather than as some alienated watchdog awaiting the moment to "bite"; (iii) the need to institutionalize regional and ethnic social equity in such a manner that no section would feel disaffected on account of being ignored in high-level decision making; (iv) the wish for the same sense of justice to be carried forth to the economic realm, with the prevailing spatial distribution pattern of balanced regional "development" actually institutionalized beyond mere rhetoric; and (v) far more crucially, if the equity balance was to be achieved, for the central political post, the presidency, to be rotational, on a geoethnic basis." Chudi Uwazurike, "Politics and the Search for Accommodation in Nigeria: Will Rotational Consociationalism Suffice?" in *Dilemmas of Democracy in Nigeria* (Rochester: University of Rochester Press, 1997).

²⁷⁸ Alex Ekwueme stated that the geopolitical zones came from the suggestion of 4-7 regions in the pre-amalgamation report Lugard cites in his 1919 report. Interview, Alex Ekwueme, Abuja, December 2006. Likewise, one scholar likewise references early British colonial frameworks and notes "Zonal interactions are a persistent theme through much of Nigerian history." (John H. Paden, "Nigerian Unity and Tensions of Democracy: Geocultural Zones and North-South Legacies" in Paul A. Beckett and Crawford Young, eds., *Dilemmas of Democracy in Nigeria* (Rochester: University of Rochester Press, 1997.) In identifying the zones Paden writes, "A six zone model of political culture in Nigeria includes the following components: (1) emirate states; (2) Borno and environs; (3) middle belt minorities; (4) Yoruba states; (5) Igbo states; (6) southern minorities.

musings on the topic pre-date the 1994-1995 conference. In fact, in the lead-up to the 2003 elections, Ekwueme published a collection of his writings from 1992-2000 called *Whither Nigeria? Thoughts on Democracy Politics and the Constitution*.²⁷⁹ This volume contains several early essays in which he makes reference to the idea of six geopolitical zones.

In the first essay “More Than a Government of National Consensus,”²⁸⁰ he specifies the “six regions” (he does not use the language of Geopolitical Zones) that should be incorporated as the units of a revised national structure: “Northeast, Northwest, Middle Belt, East, West and South.” It is interesting to note two elements of this early conception. First, the term “Middle Belt” is used rather than “Northcentral Zone,” which is significant given the fact that the former category is imbued with a non-(or anti-Northern) Christian connotation whereas the latter contains the prefix “North.” Second, the original formulation equally does not contain the prefix “South” as the geopolitical zones have come to be known (e.g. Southeast, Southwest, Southsouth).

The structure was adopted, although it was reframed to fit within the framework of “Section.” According to General Abacha's announcement on October 1995, the idea of

(The first three are "northern;" the second three are "southern.")” There are therefore gaps between the one long-forgotten British proposal for 4-7 regions, Ekwueme's reformulation, the 1994-1995 Conference understanding, and the increasing convergence of societal interpretations of these categories. On the first, although the idea of a sub-regional grouping was quickly shelved as a colonial organizing principle, it was pulled down, dusted off and became the center-piece of a new institutional reconfiguration nearly a century later. In this sense, the origins become less causally relevant because any number of previously discarded proposals could have been revived. It is the choice to introduce GPZ between the Third and Fourth Republics that has the greatest bearing on the interpretation. The exigencies of the time also determined the shape that GPZ was to take. Indeed, although the constitutional conference is the venue of its first appearance in a public forum, the idea of six regions (or zones) does not appear in the 1995 draft constitution or analysis of it.

²⁷⁹ This book, as well as the accompanying biography were nearly impossible to obtain. No less than 10 bookdealers were unable to locate the volume. Finally, I was able to obtain the book on a research trip to Enugu, in the heart of Ibo land (Ekwueme is Ibo) and the city where the book was published. The bookdealer explained that both volumes had been published as part of the 2003 presidential campaign of Ekwueme and had disappeared from the shelves when it became clear that his political aspirations were not to be realized.

²⁸⁰ Alex Ekwueme, *Whither Nigeria: Thoughts on Democracy, Politics and the Constitution* (Enugu: Nwamife Publishers Limited, 2002)

rotation and a six zone structure was designated in the new constitution announced in 1995 as follows: "The PRC has also endorsed a modified Presidential system in which six (6) key executive and legislative offices will be zoned and rotated between six identifiable geographical groups. In the implementation of this provision, the country has been divided into six zones: North-East, North-West, Middle Belt, South-West, East Central and Southern Minority."²⁸¹ Therefore, in its current formulation, GPZs contain the idea of sections: North and South. This is an important departure from his original idea and reflects the importance of the June 12 problem and the institutional reconfiguration as a result of the 1994-5 conference.

However, the 1995 Constitution was short lived. After the "coup from heaven," in which Abacha died in rather lurid circumstances, Abdulsalam Abubaker called for a review of the 1995 Constitution, which was chaired by Honorable Justice Niki Tobi. According to several accounts of well-placed observers, the record of the 1994-5 Constitutional developments was purged as a result of the antipathy toward Abacha's era in the Southwest. In turn, the 1999 constitution is "almost a replica of the 1979"²⁸² one with the exception of the increase of allocations to establish national judicial council to approve appointments on the basis of states. Some key questions of federalism were left unresolved in the new constitution. These gaps—as well as continued communal contention—set the stage for another constitutional conference in 2005. However, the primary institutional legacy of the 1994-5 conference was not the constitution itself, but the other formal and informal

²⁸¹ Constitutional Report Announcement

²⁸² Interview, Alex Ekwueme, Abuja, December 2006.

institutions that it generated the most important of which was the establishment of the Federal Character Commission.

THE 1996 CREATION OF THE FEDERAL CHARACTER COMMISSION

Although the 1995 constitution was never fully actualized, one important outcome of the Conference was the establishment of the Federal Character Commission.²⁸³ In doing so, “The Federal Character Commission has, therefore, found it necessary and expedient to recognize these three tiers at the Federal level, in its attempt at distributing what should be distributed across the board for the attainment of equity and fairness. These three tiers namely, the thirty-six states and Abuja, the six geo-political zones and the North and South

²⁸³ Federal Character first made a constitutional appearance back in 1979. “The reference to Federal Character was one of the most innovative features of the 1979 constitution”(Bach) The 1979 constitution contains provisions in the 202 regarding “restrictions in the formation of political parties” that parties “reflect” the “federal character” of Nigeria such that “members thereof belong to different states not being less in number than two thirds of all the states comprising the federation.” Although not using the language “federal character” there are two additional features that have been identified as the seeds from which federal character grew. The first is the provision (125, 126) that in order to be duly elected the president must receive “not less than one quarter of the votes cast at the election in two thirds of all the states in the Federation” whether is the only candidate or one of two plus other candidates. Likewise, the final point of section 135 notes “provided that in giving effect to the provisions aforesaid the President shall appoint at least one Minister from each state who shall be an indigene of such state.” Yet, there were no enforcement mechanisms and while federal character was introduced as an idea, it was not enshrined as a principle. The first annual report of the Federal Character Commission goes even further in “Historical Perspective” in suggesting that Federal Character traces to the political crisis of 1956 over self government, “Federal Character or a quota system of representation became an issue and as a part of constitutional arrangement following major serious disagreement following major serious disagreement between Northern and Southern leaders over the issue of self government for Nigerian in 1956.” Indeed, as discussed in Chapter Three, discussions of parity, equity and other foundational principles of allocation in Nigeria’s federalism were a bone of contention as early as 1950 in anticipation of Independence. However, this historical justification is perhaps more a sign of the times than it is historically valid. While certainly the notion of balanced group representation was a key foundational principle of colonial Nigeria, it is perhaps more accurate to say that the seed of “Federal Character” was planted in the second republic, although it did not take root until the Fourth. In the Introduction to the section on the 1994/1995 constitutional conference, the 1996 Annual Report, notes, “Although the 1979 Constitution made specific provision of all states of the Federation to be equitably represented at all levels of the Government of the Federation, it fell short of creating means to enforce compliance. This defect was rectified when the 1994/1995 Constitutional Conference decided to recommend the establishment of the Federal Character Commission.” (“First Annual Report of the Federal Character Commission”) The report goes on to say, “During the deliberations of the Constitutional Conference on the future political arrangement for Nigeria it was quite clear that Nigerians wanted the principle of Federal Character extended to cover the entire economic and social spectra of the nation.”

are concepts that have always formed the underpinnings of Nigeria's geo-political dichotomy. Where practicable and appropriate, therefore, equality of states, zones, and regions will be observed.”²⁸⁴

Decree number 34 establishes the distributional principles behind Federal Character, especially the process of unit aggregation:

“Each state of the Federation and the Federal Capital Territory shall be equitably represented in all national institutions and in public enterprises and organizations...Where the number of positions available cannot go round the States of the Federation or the Federal Capital Territory, the distribution shall be on zonal basis but in the case where two positions are available, the positions shall be shared between the northern zones and the southern zones. Where the indigenes of a State or the Federal Capital Territory are not able to take up all the vacancies meant for them the indigenes of any other State(s) or the Federal Capital Territory within the same zone shall be given preference in filling such vacancies. Provided that where the zone to which the preference is given fails to take up such vacancy the indigenes from any other zone shall be considered for the appointment.”²⁸⁵

Detail regarding distribution is provided with percentage ranges (minimum and maximum) for career posts among the 36 states, six zones, two sections, and within the senate zones and LGAs of each state. No ministry should employ more than 3-3.5% from one state. However, to date, the monitoring mechanisms are better developed than enforcement mechanisms. The Commission keeps extensive statistics and publishes them in annual reports. “If a ministry's distribution is disproportionate, the Commission “admonishes and calls to order.”²⁸⁶

²⁸⁴ "First Annual Report of the Federal Character Commission"

²⁸⁵ "First Annual Report of the Federal Character Commission"

²⁸⁶ Interview, Balarabe Bello. Kano State Representative to the Federal Character Commission. Abuja He adds, Since the Commission's establishment, there has been adjustment process. “There was a time when many states complained about Kano, during the time of Abacha. Then there was a policy shift and now it's at the

It should also be emphasized that Local Government Areas are the building blocks—the fundamental units—of Federal Character. Indeed, Federal Character elevates their role as the foundational units of the federation to which all other claims are reducible. Inclusion in Section is determined by inclusion in relevant GPZ; inclusion in GPZ is determined by inclusion in relevant states; inclusion in particular states is determined by inclusion in relevant LGAs. Despite their centrality in contemporary Nigerian institutional politics, they are a relatively new institution (although they bear some similarities to and overlap with the Native Authority System under British Rule). Elected LGAs were first created under military rule in 1976. “Though seemingly inconsistent with the logic of military rule, the military believed that elected local government would provide a more viable and legitimate form of government at the local level and further weaken the states.”²⁸⁷ Under IBB, LGA creation expanded. As part of the transition process, as discussed above, the significance of LGAs increased.

While there is some variation from state to state, the majority of local governments, have been established on the “presidential model”—“the chairman of the LGA is directly elected by eligible voters in the local government area, and governs with the assistance of commissioners who he appoints to head local government departments.”²⁸⁸ Indeed, according to a World Bank report, “some local government chairmen have seen their autonomy as license to run their local governments as private fiefdoms. The gap between

receiving end.” Even within these adjustments, there is room for “political discretion” as to the distribution of positions within the state, GPZ, and section and allegations of marginalization result (unsurprisingly from the newer states). For example, “Even in SW, Ekiti is marginalized. Bayelsa is marginalized within SS. When we move up North, Zamfara and Jigawa are marginalized.” Likewise, some ministries and institutions are more important than others and are more closely watched for the position allocation. For example, within the Nigerian National Petroleum Company (NNPC) “Northerners as a whole are not well represented.”

²⁸⁷ “State and Local Governance in Nigeria,” *World Bank Report* (2002)

²⁸⁸ World Bank Report, 2002

chairman and local councilors in terms of educational qualifications, experience, and social status is, in many localities, quite wide. Therefore there is very little effective capacity to check executive excesses.”²⁸⁹

Again, according to the World Bank, “LGAs may be established by the state houses of assembly, and over the years the same forces that have lobbied for more states (i.e. demands by minority communities or sub-communities for their own homelands), have created similar pressures for additional LGAs. However, the National Assembly is resisting this tendency and the number of LGAs may stabilize at not much higher than the current number.”²⁹⁰ While the Bank may be correct that the National Assembly is wisely wary of institutional explosion (and the resulting budgetary pressures), there is no indication that the demands are decreasing. Demands have persisted in the Fourth Republic. The postponement of elections for and dissolution of LGAs in 2006 only serve to increase the stakes of electoral contests at the local level. Losers of these contests are only likely to redouble their demands for institutional representation, including the creation of LGAs.

Another way in which LGAs are at the center of institutional and group boundaries is their role in conferring “indigeneity” and thus the rights of citizenship (especially group membership) through the political system. In fact, the “indigene” issue is so contentious that it has been the subject of attention by Human Rights activists. Yet, a recent Human Rights Watch²⁹¹ report correctly points out that “indigene” is not defined in the constitution. It is perhaps telling that merely Appendix C “Report Containing the Guiding Principles and

²⁸⁹ The report also notes that the shorter term than other national elected offices (four years) combined with the unlikelihood of being re-elected in a free and fair election due to the challenges of the work, it is in the interest of LGA Chairman to “enrich themselves as fast as the opportunities to do so arise.”: 43

²⁹⁰ World Bank Report, 2002

²⁹¹ “They Do Not Own This Place”, *Human Rights Watch Report* (April 2005, 2006)

Formulae” of the First Annual Report of the Federal Character Commission provides this keystone to the group rights structure, ranging from the LGA, State, and Federal level leaving no stone unturned. The indigene status of a married woman is even identified.²⁹²

The “indigene” question has become such a central aspect of conflict in Nigerian politics that one Governor has commented “from Jesus Christ, Prophet Mohamed to most leaders of Nigeria, all are settlers who moved from their place of birth to other areas to become leaders.”²⁹³ Indeed, the governor went on to document how Usman Dan Fodio (the founder of the Sokoto Caliphate), Ahmedu Bello (the Premier of the Northern Region), Awolowo (the Premier of the Western Region), Yakubu Gowon (President under the first period of military rule), Shehu Shagari (President of the Second Republic), and Buhari and IBB (both Presidents during the second period of military rule) were “settlers.” As the Human Rights Watch report points out, the proliferation of so-called “settlers” is an inevitable result not just of economic migration but also of institutional fragmentation.

²⁹² "First Annual Report of the Federal Character Commission"

“Section 3. Definitions of Indigenes, etc.

(a) An Indigene of a Local Government

An indigene of a Local Government is a person:-

(i) either of whose parents or any of whose grand parents was or is an indigene of the Local Government concerned; or

(ii) who is accepted as an indigene by the local government concerned

(b) An Indigene of a State

An indigene of a state is a person who is an indigene of one of the local governments in the state, that is to say, an indigene of a state is a person either of whose parents or grand parents belong or belonged to a community indigenous to the state or a person who is accepted as such by a local government in the state. No person should be allowed to lay claim to more than one state in the application of the Federal Character Principle.

(c) An Indigene of the Federal Capital Territory

An indigene of the Federal Capital Territory is a Nigerian citizen, other than by naturalization, who cannot lay claim to any state of the Federation. In other words, the indigenes of the Territory are those Nigerians and their descendants who lived in the area now constitute the Capital Territory before 26th February and decided to continue to reside in the Territory after that date.

(d) Indigenous Status of a Woman

A married woman should continue to lay claim to her own state of origin for the purposes of implementation of Federal Character formula at the national level.” First Annual Report of the Federal Character Commission. (Federal Government of Nigeria, 1996).

²⁹³ (no byline) “Shagari, Buhari, IBB are Settlers-Governor Turaki” *This Day* (June 16, 2004)

These trends indicate that Federal Character is far from on its way out. Despite the relationship of Federal Character to the indigene/settler conflict, there are multiple calls for its increased institutionalization from international scholars and conflict management experts²⁹⁴ to Nigerian actors. As discussed below, proposals for its expansion were offered at the 2005 Constitutional Conference, including developing enforcement mechanisms, adding provisions for women and the disabled as well as offering clarifications since the concept has been under scrutiny. During the 2005 conference, minor alterations to the concept were suggested revolving around a truncated notion of “residency.”²⁹⁵ Likewise, in the wake of the November 2008 Jos riots, the Jasawa representative from Jos North (and former Jos North Chairman), Smaila Mohamed introduced a law removing the concept of indigene and settler from the constitution. However, neither of these initiatives bore fruit and this ambiguous notion of citizenship has only been deepened in Nigerian politics.

As this discussion of the 1994-5 Conference and enabling institutions (such as the Federal Character Commission) has shown, new categories were imposed during the period

²⁹⁴ Richard L. Sklar, Ebere Onwudiwe, Darren Kew “Nigeria: Completing Obasanjo's Legacy” *Journal of Democracy* 17.3 (2006) 100-115 and International Crisis Group, “Nigeria’s Faltering Federal Experiment” Africa Report N°119 25 Oct 2006 Although the ICG report calls for removing references to “indigene,” it supports the Federal Character Principle. Even if “indigene” or origin could be decoupled from “belonging” to a state, Federal Character rests on a sense of groupness. It is therefore unlikely that the two could be uncoupled and if this occurred, “indigene” would likely be replaced by another measure of “belonging.”

²⁹⁵ 1.5.7.iii reads “The right of any Nigerian citizen to be resident or domicile in any part of Nigeria should be recognized. Such a resident shall enjoy rights, privileges and facilities in the place of his choice provided: a) He or any of his/her parents was born in the place concerned; b) That the person is married to an indigen c) The person has lived there continuously for period of not less than 18 years; d) The person is not a seasonal migrant e) The person carries out his/her normal day-to-day activities and business in that Community and does not claim indigenship status in any other community in Nigeria; and f) Has fully integrated in all practical respects in the place where he seeks such indigeneship. iv) Such recognition of residence of domicile shall not apply to any migrant group or mass movement of a body of people a tribal or ethnic group to another community with the view or in a manner to suggest that such movement is intended or would amount in practical terms to the displacement or usurpation of the rights and/or displacement of the original native inhabitants of the area concerned. The Onus is on an intending resident to prove that he/she has no other indigenous home in Nigeria than the Community to which he/she currently wishes to acquire such residency or domicile status.” Federal Government of Nigeria, *Main Report of the Conference*. (July 2005).

following the June 12 event. As discussed in Chapter Three and Four, constitutional conferences are the arenas through which institutional and group boundaries are renegotiated in Nigeria. As such, the constitutional conference was the primary “generative structure” in which the mechanism of “category formation—imposition” operated. During the conference, an idea for the reorganization of the state was introduced, debated, and adopted. However, it was not until the 1996 establishment of the Federal Character Commission that Section, GPZ and LGA began to replace states as significant executive units of Nigeria. Yet, the mechanism of category imposition is linked to three others: opportunity hoarding, category formation (inscription), and culminating with certification. Once categories are imposed, the next step is hoarding among these networks. It is to this the chapter now turns.

OPPORTUNITY HOARDING

In Chapter One, I argued that trust networks remain segmented in polities with institutionalized group representation. Rather than integrating trust networks into a national public sphere, power-sharing sustains separate trust networks created through which resources are selectively directed or the mechanism of “opportunity hoarding.” Drawing on Tilly’s other work on social boundaries, we know that “Opportunity hoarding” occurs “when members of a categorically bounded network acquire access to a resource that is valuable, renewable, subject to monopoly, supportive of network activities, and enhanced by the networks *modus operandi*.” Tilly also elaborates, “opportunity hoarding often rests on ethnic categories, members of which reinforce their control over hoarded resources by means of their power to include or exclude other members with respect to language, kinship,

courtship, marriage, housing, sociability, religion, ceremonial life, credit, and political patronage.”²⁹⁶ This opportunity hoarding occurs within the Categories Formed (Imposed) by the state—in this case the categories of Section, GPZ, and LGA.

If constructivist insights are correct, then every individual has competing claims of groups—or subgroups—that he or she represents. Therefore, any individual identified in a position of political power is potentially a representative of various groups. All of these have a claim to the benefits of their group being represented in office—jobs, money, infrastructure. Also from constructivist insights, we know that actors privilege some aspects of identity over others. Therefore, a representative of group X will distribute the benefits of office to subgroups of X (e.g. subgroups 1, 2, and 3). These could be kin groups, residents of home areas, or co-religionists. The tightest networks of which this individual is a part will be the likely recipients of resources to be dispersed. Inevitably, there will also be losers or those excluded from these patronage networks. These could be pre-existing and fully formed X sub-groups (e.g. 4, 5, 6) or simply all X individuals not members of X sub-groups 1, 2, 3. Because the power-sharing system of group rights is based on assumption of homogeneity of groups, it fails to anticipate the creation of “in-group” and “out-group” categories in the distribution of resources for any one “group.” Indeed, Section, GPZ, and LGA are nested units—divisible along integrated trust networks. Hoarding along these networks this serve to reinforce these categories, with the mechanisms thus reinforcing each other.

This section examines how the distribution of resources through networks of putative groups lead to “opportunity hoarding” and fuel the emergence of in-group and out-

²⁹⁶ Charles Tilly, *Identities, Boundaries, and Social Ties* (Boulder: Paradigm, 2005): 160

group categories through the selective distribution of opportunities along sub-group networks (Section, GPZ). First, it examines the operation of “opportunity hoarding” at the supra-state level through the emergence and implementation of the 1999 “Gentleman’s Agreement” that hoarded the Presidency between North and South. The chapter examines how the perception of sub-group networks in appointment decisions led to application of in-group/out-group categories of “Core North” (Northwestern GPZ) and “Middle Belt” (Northcentral GPZ). Likewise, it examines the operation of “opportunity hoarding” at the sub-state level with the perception of sub-group networks in the appointment decisions in Jos North LGA and how it led to application of in-group/out-group categories of indigene/settler. The mechanism of opportunity hoarding reinforces Category Formation (Imposition) and sets the stage for Category Formation (Inscription) and Certification.

HOARDING THE PRESIDENCY: THE 1999 “GENTLEMAN’S AGREEMENT”

As discussed in Chapter One, “selections” or informal agreements preceding elections that pre-allocate distribution of seats constitutional conferences are the arenas through which institutional and group boundaries are renegotiated. In the period between the Third and Fourth Republic, “rotation” (also called “power-shift”) became an important element in the practice of federalism. Rotation was the foundation of the “Gentleman’s Agreement” within the ruling party, the PDP, that served as the basis for the 1999 transition. Not only was the principle enshrined in the constitutions of all major political parties, it also became an operating principle for various levels of executive office that was further entrenched during the 2005 Constitutional Confab.

While some accounts trace the idea of zoning back to the First Republic²⁹⁷ in order to provide it an esteemed provenance, the incipient idea that the highest office should be “zoned” as first floated during the transition to the Second Republic “as a way of rationalizing the dynamics of the struggle for control within the national party” among the four zones that echoed the regions of 1963: North, West, East and Minorities.²⁹⁸ However, it was not until the period between the Third and Fourth Republic that the idea of rotation of executive office amongst federal units became an organizing principle of politics.

Much like the ruling party during the Second Republic—the NPN—the PDP was also a “mixed bag” of groups. Indeed, it included some of the same politicians, notably Alex Ekweme who also introduced “geopolitical zones” in the 1994-5 conference. According to convergent accounts, members of the national steering committee of the now ruling PDP entered into what has been called a “gentleman’s agreement”²⁹⁹ regarding power rotation

²⁹⁷ One account of the genesis of “rotation” or “zoning” states, “Perhaps it began with the First Republic, when, through a coalition or a working agreement between the Northern Peoples Congress (NPC) and the National Convention of Nigerian Citizens (NCNC), Alh. Tafewa Balewa, a Northerner and a Muslim, was Prime Minister and Nnamdi Azikiwe became president of the Senate and, later, the first—and it turns out—only indigenous governor general. This balancing act was not known as zoning at the time. Indeed, Azikwe might have held the positions he did as a result of the inevitable horse-trading endemic in politics, but there is no denying that it served the same political purposes that zoning does today.” (Anim) In fact, perhaps it was not known as zoning, because it was not zoning. Indeed, the NPC-NCNC agreement was embedded in a context proceeded national grassroots mobilization and allocation of seats among representatives of putative groups. First, was Zik’s nationalist mobilization in the Northern region as an essential component of his nationalist strategy. Second, the NPC-NCNC agreement was proceeded and indeed eclipsed by the stronger and longer standing alliance between the Northern Elements Progressive Union (NEPU) and the largely Ibo, Eastern-based NCNC which, as discussed in the previous chapter, represented a progressive alliance with national (rather than sectional) orientations. Indeed, Tafewa Balewa was among the NEPU leaning NPC members (such as Saadu Zungar) with strong personal ties to NEPU leader Mallam Aminu Kano that was central in this alliance. Therefore, while there was early mobilization across regional borders in nationalist projects, it might be inappropriate to call this “zoning” (“rotation” or other nomenclature denoting a right of rotation among appointed leaders of putative groups) since the foundational principles and practices of the early period appear to be at odds with it.

²⁹⁸ Richard A. Joseph, *Democracy and Prebendal Politics in Nigeria: the Rise and Fall of the Second Republic* (New York: Cambridge University Press, 1987): 138

²⁹⁹ The 1943 National Pact of Lebanon (which distributes power among the religious communities) is also called the “Gentleman’s Agreement.”

between North and South.³⁰⁰ By this time, the group categories of “North” and “South” (rather than the four regions previously or the six GPZ) had become established as legitimate units of Nigerian politics and power-sharing, first through the 1994-5 Constitutional Conference and codified through an implementing institution, the Federal Character Commission in 1996.

The Gentleman's Agreement was an understanding that the presidency would be “given” to the South in 1999 and then “returned” to the North—that power would “rotate” between these two units. Therefore, rather than an integration of trust networks, there is “opportunity hoarding,” or “members of a categorically bounded network acquir(ing) access to a resource that is valuable, renewable, subject to monopoly, supportive of network activities, and enhanced by the networks *modus operandi*.” Just because the prize is tossed between the North and the South does not mean that it is *shared*. It is simply sequentially hoarded.

In response to the “June 12 issue,” various Northern PDP king-makers concluded that a Southern PDP candidate would be necessary in the Nigerian political arena. As one participant in the forging of the arrangement noted, “It was agreed by the entire political class of the North to try as much as possible to get the candidate from the South, and if possible the Southwest.”³⁰¹ Indeed, it was not merely a “southern” candidate that was

³⁰⁰ To date, interviews have been conducted with current as well as decamped PDP members who were part of the agreement as well as the individual who acted as intermediary and reportedly signed on Obasanjo's behalf. A series of interviews with Sen. Jibril Aminu, the central PDP figure who, by all accounts, holds the signed documents was also conducted. He provided an account of the negotiations and the agreements that corroborates other accounts and confirmed the existence of the signed document. Unsurprisingly given the political value of the document, he declined the request to view or make a copy of the document.

³⁰¹ Lawal Kaita, July 2006 Abuja. It should be noted, however, that several accounts by the general public as well as participants in the agreement note former Kano governor Abubaker Rimi's opposition to the agreement. According to one interlocutor, he angrily commented on the idea that the “mood” of the country

required by a Yoruba one since it was widely acknowledged that “the Yoruba had been refused.”³⁰² As the only General who handed-over power to a civilian regime—as well as the only Southerner to hand-over power to a Northerner,³⁰³ Obasanjo was a leading candidate. Obasanjo was contacted to submit his name, interestingly through well-known Northern politician of Yoruba origin, Chief Sunday Awoniyi, who once worked for the Northern Premier, Ahmedu Bello, Sardauna of Sokoto. He was courted as a potential PDP candidate and interviewed along with many others who had submitted their names. However, it appears that the courted soon became the suitor with Obasanjo dispatching the same intermediary (as well as others) to lobby on his behalf.

As part of the selection process, potential candidates were asked to agree to a list of conditions of Northern interests, including the allocation of particular ministerial seats (e.g. Defense and Finance) and particular development projects (e.g. River Basin Authority). It is unclear whether “power-shift” was in the document, but all accounts note that it was agreed that power should shift back to the North. However, it should be noted that accounts differ on whether this would be as early as 2003 or as late as 2007, a matter that will be taken up momentarily. According to various accounts, Obasanjo verbally agreed to the conditions—citing his longstanding support for development in the North. However, Obasanjo refused to sign a document outlining the understanding reached. Accounts diverge when it comes to whether Obasanjo signed the document himself, wrote something explaining why he would

dictated that power must be passed to a Yoruba, he said “What census or gallop poll did you take to know this? You do not hand over power like that. It must be fought for.” Chief Sunday Awoniyi, July 2006. As a presidential aspirant in 1999 and also an heir to the PRP (the successor to the party of Mallam Aminu Kano who whose nationalist orientation was at odds with institutionalized group representation), Rimi's view is not surprising.

³⁰² Former Abacha official, former PDP member, then member of the board of directors of the AC. Interview, July 26, 2006.

³⁰³ Again, the emphasis varies in each account.

not sign, or if an intermediary signed on his behalf.³⁰⁴ Nevertheless, once he acceded to the provisions in either verbal or written form, he was soon anointed the PDP candidate and easily gained the office of Presidency as a result of the 1999 polls. Obasanjo was also reelected in 2003 amid widespread concerns about the electoral process.³⁰⁵ However, expectations were deferred to 2007 with critics willing to abide another Obasanjo/PDP term in order to preserve stability and national unity. However, 2007 was viewed as the culmination of the democratic transition, as discussed in the section on “Certification.”

HOARDING CABINET APPOINTMENTS AMONG GPZs

The “Gentleman’s Agreement” establishes the distribution of resources—in this case the elected office of the presidency—between two established groups: South and North. As will be discussed in the subsequent section, this became a matter of contention during the 2007 elections regarding what expression of the “North” would be “certified.” However, the agreement also centrally dealt with the issue of the distribution of other resources: executive appointments of ministers and the distribution of other executive appointments. This section examines these appointments as opportunity hoarding, which also served to codify the categories imposed by the Constitutional Conference and the Federal Character Commission.

As suggested in the model, the distribution of resources within putative groups is not unproblematic as sub-group networks operate in layered notions of identity. It is therefore

³⁰⁴ The signature appears to be one of the controversial aspects of the agreement with widely divergent accounts given Awoniyi’s change into an outspoken critic of Obasanjo’s third-term bid. Awoniyi’s answer to the question during an interview was revealing but ultimately inconclusive. However, the matter is perhaps best laid to rest as Chief Sunday Awoniyi passed away during a car accident on the Abuja-Kaduna highway in late 2007, one of many victims of Nigeria’s notoriously dangerous roads.

³⁰⁵ See, for example, Human Rights Watch. <http://www.hrw.org/en/node/12129/section/2>

unsurprising that the distribution of Obasanjo's appointments were an arena for group contention of representation. While appointments to "Northerners" was an important part of the "Gentleman's Agreement," it was not specified *which* "Northerners" would receive these appointments. Opportunity hoarding occurred within the GPZ categories imposed by the Constitutional Conference and Federal Character Commission: Northwest (what was to be called "Core North" and Northcentral ("Middle Belt")).

It was not long before Obasanjo was being accused of renegeing on his agreement from various sub-groups. When Obasanjo replied listing the appointments of Northerners with some names of individuals, it became clear that they came from minority tribes (e.g. Koggi, Igala, Igberra) and/or Christians. The reply, coined by Tanko Yakasai, was that they are "not core Northerners,"³⁰⁶ a phrase that he used to refer to those of Northwest. Yet, not only did Obasanjo face criticism for not appointing enough "core Northerners," but he also faced criticism from another sub-group of the North—Northcentral/Middle Belt. In a communiqué issued at the end of their one-day meeting held at Hill Station Hotel, Jos, the forum Chairman, Air Commodore Dan Sulaiman (ret'd) noted that in spite of the massive electoral support given to President Obasanjo in the last election, he failed to compensate the Middle Belt with appointments commensurate with their contributions."³⁰⁷ Therefore, both subgroups were dissatisfied with their share and the beginnings of in-groups and out-

³⁰⁶ This reply is most often credited to Tanko Yakasai. Although an early associate of MAK and a NEPU member of talakawa (lower class) origins, this distinction is a clear departure from the founding ideas of NEPU which sought to generate bonds between the subaltern Hasua Fulani and minority tribes against the predatory elites of the First Republic, the last time when the regional organization of the state was an executive unit of the North. However, it should also be noted that a similar distinction was in operation during this era when the term "far north" was regularly used. Paul Chunun Logams, *The Middle Belt Movement in Nigerian Political Development: A Study in Political Identity 1949-1967* (Abuja/Barkin Ladi: Centre for Middle Belt Studies/Selidan Books Printing Division 2004). It is therefore unsurprising that a variant of "core north" would be revived by a former NEPU activist who was integrally involved in "Northern" political alliances of the time.

³⁰⁷ "Middle Belt Angry with Obasanjo" *African News* (January 11, 2000).

groups started to form around GPZs. However, webs of relations within these groups did not start to gel until organizations formed to advance their interests, as discussed in the next section on Category Formation (Inscription).

Indeed, this appointment dispute is credited with fueling the emergence of the Middle Belt.³⁰⁸ “The move to extricate themselves (M-Belt) from the north started soon after key appointments were announced by President Olusugun Obasanjo in June which attracted lots of discontent from those regarded as Northerners. They had complained bitterly that the North did not benefit from these positions but when government insisted that positions like the Army chief, Defense minister and the likes were given to the North, the Northerners replied that those who benefitted are from the Middle Belt and not from the North and so cannot be Northerners in the zone. From various meetings held thereafter, the leaders came out unanimously that they were not part of the North, we are the Middle Belt and would want to be recognized as such as there is no monolithic North. The Middle Belt Forum for now is the main voice of the people in the Zone.”³⁰⁹ This assertion of a distinct Middle Belt identity within *zonal* bounds is a common feature of the new discourse, indicating the joint role played by appointment dissatisfaction and the legitimizing provided by GPZ boundaries in the creation of a new Middle Belt identity.³¹⁰

³⁰⁸ Many observers have suggested that Obasanjo deliberately engineered this crisis in order to “weaken” “divide” the North given the sectional politics and demands at the time. This research cannot speak to his motivations, but it could be said that only those that astutely manage interests, identities, and institutions survive Nigerian politics and Obasanjo is a survivor.

³⁰⁹“Middle Belt Angry with Obasanjo” *African News* (January 11, 2000).

³¹⁰ One might be inclined to suggest that Shari’a played an important role in activating MB identity. However, this has not come up in accounts of the actions of specifically MB groups that instead seek to get their distributional good. While it forms part of the discourse of CAN activists of the North (and the motivation for the creation of a Northern States CAN), I argue that Shari’a has served to solidify boundary between North and South and is more of a result of the rise of the sectional identity between North and South rather than a cause for GPZ identity.

HOARDING LOCAL GOVERNMENT: JOS NORTH

As noted above, the creation of the Federal Character Commission in 1996 that entrenched the politics of autochthony made LGAs even more significant institutions and more hotly contested spheres as a result. This section examines the intersection of institutions and identity in one local arena: Jos. It is useful to first provide a brief discussion of Plateau, the state of which Jos is the capital. If the “North” exhibits tremendous heterogeneity and fluidity in identities, Plateau state is very much a highly magnified microcosm of this trend in both religious and ethnic terms. Within Plateau state, there is tremendous religious and ethnic diversity. The state is divided between a roughly 60% Christian majority and 40% Muslim minority.³¹¹ Likewise, there are ethnic groups that have both Muslim and Christian populations (e.g. Afizere).³¹² Unsurprisingly, power-sharing has been an important issue at both the state and LGA level. This paper focuses on the LGA level in Jos North, but it should be noted that the Muslim community has also agitated for a Muslim Deputy Governor.

³¹¹ While some Christian interlocutors might want to contest this as an unduly high figure (Yakubu Pam, the Secretary General of the Christian Association of Nigeria, Plateau State, for example gave 20%), this figure has been cited by other sources and appears reasonable.

³¹² The Afizere are a very interested example of the fluid aspect of Nigerian identity. For example, once folded into Berom politics (the historic counterpoint to the Hausa community) and were members in the Berom Progressive Union during colonial rule, (interview, Moses R Wong December 14, 2006, Bukuru). However, the Afizere have distinguished themselves and the claims for representation after being sidelined in Berom politics. Indeed, since 1999, Afizere have also been denied “indigene” certificates by Berom administrations in Jos North (Ostien, 2009) Once considered “Berom” they are now not even considered indigenes! Similarly, as noted above in the discussion of the division between “Middle Belt” and “Core North” there is an irony (or tragedy?) that erstwhile allies have become bitter foes as a result of politics of allocation and divisions into smaller units. During the time of first republic, there was a subaltern identity boundary linking the minorities (ethnic and religious) with the poor Hausa (or talakawa) that was the basis for the coordinated mobilization of NEPU and the MBPP (Indeed, Ijumu a founding member of MBPP was also an early member of NEPU who was encouraged like Tarka (MAK’s former student) to form the MBPP. Now, under a different institutional logic the talakawa have changed into Jasawa and are at odds with the other minority groups that have likewise fragmented much like the Berom as umbrella for Afizere who have now become fractured tribes competing for LGAs and posts at both the state and local level.

In order to advance this goal, Muslims cite their not inconsiderable numbers. Figures are hotly contested, but Muslims are generally considered to be around 40% overall in the state and higher in some areas (e.g. 75% in Jos North and 90% in Wase).³¹³ Yet, making the claim of “marginalization” familiar to all ethnic groups in Nigeria seeking a greater piece of the allocative pie, Muslims note they are “isolated in all activities, even their parties.”³¹⁴ Muslim activists have taken the representative issue head-on. For example, the leader of the Islamic legalist movement Izalah Sheikh Sayyed (head of the Izalah B faction) said prior to the announcement of candidates for Deputy Governor in the state, “Many gubernatorial aspirants will come. They need a Deputy Muslim so they can call all Muslims in Plateau state to vote for him. This is my stand. Whoever comes without a Muslim Deputy, we will not vote for him.” A member of the Council of Ulama also adds that “Plateau is the only state in the North without a Muslim (apart from Benue, which has no Muslims, but a similar representative problem between the Tiv and the Idoma). And Gombe has a Christian Deputy Governor.” This Muslim-Christian dynamic of the state plays out most fiercely in its capital, Jos, as one might expect.

Of particular significance is the emergence of the Jasawa community (taken up in greater detail in the next section on “category formation” inscription) and their calls for increased resources. Indeed, in 1993, the Jasawa formed the Jasawa Development Association in order to advance these goals. Like many other “group” organizations, the objective of JDA was to end the marginalization of the Jasawa in education, political

³¹³ Interview, Sheikh Saeed leader of Izala (Jos faction) was the source for these figures. While important to keep in mind that Muslims might report higher numbers for “Muslim areas” the Jos North figure appears quite reasonable based on extended observations in the area.

³¹⁴ Ibid.

appointment, civil service, and overall employment outlined in the previous chapter on opportunity hoarding. The organization participates in the activities of any other Community Based Organization or CBO (e.g. computer trainings, etc), but an important area of activity is the politics of representation.

A turning point was its proposal in response to the call for proposals for the creation of LGAs in 1991. The JYA submitted a request dated 18 July 1991 for the creation of “Jasawa” Local Government Area along the lines of the Jos North Federal (electoral) Constituency. It states:

In 1989 the hopes of the Jasawa people were raised based on the publications in the National dailies that more local government areas will be created based on the existing Federal constituencies. Alas! Nothing happened and this subsequently deepened the frustration and sense of deprivation felt by Jasawa who, although they constitute about 60% of the total population of present Jos Local Government Area in Plateau State have been neglected with not even a district of their own while the remaining 40% of the population have been given districts. The injustice in this structure could clearly be seen.

In order, therefore, to give the Jasawa people a true sense of belonging like other indigenes of Plateau State and to make the policy of MAMSER a reality, we deserve an autonomous local government area comprising all the ten electoral wards including the district of Gwon in Jos North Federal constituency to be known and called Jasawa Local Government Area.³¹⁵

However, this process was not so simple. On 2 September 1991, the JYA submitted a “Reminder” regarding the previous submission that said:

³¹⁵ Memo submitted by Jasawa Youth Association to General Ibrahim Babangida “Request for the Creation of Two Separate Local Government Areas out of the Present Jos Local Government Area of Plateau State Based on the Existing Demarcation of Jos North and Jos South Federal Constituencies” (18 July 1991): 5-6

Sir, after your speech when the break down of the newly created states and local governments was released and Jos local governments was not included we were highly surprised and shocked. As a matured, peace-loving and patriotic citizens after due consultation with our elders it was unanimously agreed that our grievances with regards to this sensitive issue should be handled as has always been the case with us in a peaceful fashion. We are fully convinced and beyond any reasonable doubt Mr President must have been misled and misinformed by some individuals and group who could best be described as very myopic and unpatriotic.³¹⁶

By several accounts, the creation of Jos North LGA significantly increased tensions between the Hausa and Berom communities, fueling conflict about who “owns” the area. Not only is this a “very sensitive emotional attachment,”³¹⁷ the increased attention to indigeneity in allocation makes for high-stakes contention. Indeed, the LGA of Jos North is comprised of 14 wards and the Hausa are “guaranteed” seven to eight by virtue of demography. This has led to the claim that they have disproportionate electoral influence. The Report of the Judicial Commission of Inquiry into the Civil Disturbances in Jos and Environs, notes, “The complaint that there is an imbalance in the delimitation of Electoral Wards in Jos North Local Government Council came out very strongly in several memoranda. The feeling of many non-Hausa Fulani residents of Jos North Local Government Council, particularly the Afizere Anaguta and Berom who are undoubtedly the founders and owners of Jos, is that the Electoral Wards in the Jos North Local Council are

³¹⁶ Memo submitted by Jasawa Youth Association to General Ibrahim Babangida “Request for the Creation of a Local Government Based on the Demarcation of Jos North and Jos South Federal Constituencies-A Reminder.” (2 September 1991)

³¹⁷ Interview, Civil Society Activist, Jos October 2006.

delineated in such a way as to emasculate them politically and give the Hausa-Fulani group and unfair political advantage in the affairs of the Local Government.”³¹⁸

It is unclear whether this is the case—and the report’s objectivity is called into question given the language used (e.g. “who are undoubtedly founders and owners of Jos”), but it nevertheless points to the perception and the significance of opportunity hoarding. Indeed, the reverse has also been alleged—that the demarcation of other LGAs were done in such a way as to “pre-empt Muslim representation.”³¹⁹ These claims and counterclaims indicate the significance of “Opportunity Hoarding” in the politics of power-sharing. The Berom opposed it as they “felt it was an attempt to dilute their influence over Jos” and to “strengthen the claim of the Hausa people to the city of Jos.” Through the creation of new LGAs and the distribution of appointments in those executive units, we can see that “opportunity hoarding” also reinforces in-group and out-group categories at the local level as well.

As discussed in Chapter One, power-sharing entails “selections” or informal agreements preceding elections that pre-allocate seats. Through the Gentleman’s Agreement, the opportunities were hoarded between the North-South categories formed during the constitutional conference and Federal Character Commission. However, resources are often selectively distributed among sub-group networks leading to in-group and out-groups—and this dynamic served to reinforce the GPZ categories. At the supra-state level, the selective distribution of appointments to Christians and/or minority tribes leading to Core North (Northwestern) and Middle Belt (Northcentral). At the sub-state

³¹⁸ “Report of the Judicial Commission of Inquiry into the Civil Disturbances in Jos and Environs, Main Report: Volume I”, (September 2002): 89

³¹⁹ Interview, FOMWAN representative, Jos, March 2007.

level, opportunity hoarding in Jos North LGA sub-group networks led to the application of indigene and settler.

The next section will address the other half of category formation—the constitutive component—“inscription/activation.” This chapter will examine the inscription of North/Middle Belt/Jasawa based on the imposition of categories (Section, GPZ, LGA) and the hoarding of opportunities among them. After mechanism of inscription/activation is traced, the chapter then proceeds to examine the mechanism of “certification” through which these new political categories seek recognition through the ascending to elected executive office.

CATEGORY INSCRIPTION

As discussed in Chapter One, group-based polities institutionalize categorical inequalities rather than seek their removal. Similarly, segmental separation of polities ensures inequality despite their intent of equalization. Although this allocation may be designed to reduce inequalities by preventing a single group from dominating, there are inevitably other groups or sub-groups left out of the practice. Drawing on Tilly’s work on Social Boundaries, broadly speaking, category formation is a key mechanism through which groups form. More specifically, “A social category consists of a set of sites that share a boundary distinguishing all of them from and relating all of them to at least one set of the sites visibly excluded by the boundary.”

Yet, in *Identities, Boundaries, and Social Ties*, Tilly makes an important distinction between two types of mechanisms: those that *precipitate* boundary change and those that

constitute boundary change.³²⁰ He notes that precipitating mechanisms include: encounter, imposition, borrowing, conversation, and incentive shift. Constituting mechanisms include: inscription, erasure, activation, deactivation, site transfer and relocation. Similarly, in an earlier work, Adam, Tarrow, and Tilly go on to note in *Dynamics of Contention* that category formation has three potential components: invention, borrowing, and encounter. Combining these two works, this dissertation likewise views category formation as divided into two components: one precipitating, one constitutive. In the first section of this chapter, I traced the operation of “imposition” explaining the emergence of Section, GPZ and LGA. In this section, I take up the constitutive component, “inscription/activation.”

Tilly writes, “Inscription and activation sometime operate simultaneously, as do erasure and deactivation. Inscription heightens the social relations and representations that comprise a particular boundary, while activation makes that same boundary more central to the organization of activity in its vicinity. Thus religious zealots often create extensive webs of relations within their faiths, guarded relations to nonmembers of the faith and powerful representations of those non members: high inscription. Most of the time, zealots continue to participate in professions, political parties, neighborhood associations, and investments of their capital that involve other us-them boundaries: low to medium activation. Yet, if a threat to the religious community’s survival arises, members begin organizing their activities around the religious boundary alone: rising activation. In combination, Inscription and activation provide a basis for sustained, costly collective action.” The dissertation emphasizes the inscriptive component (especially attention to “webs of relations” and “powerful representations”) but does examine increases in activation (treated differently than

³²⁰ Charles Tilly, *Identities, Boundaries, and Social Ties* (Boulder: Paradigm, 2005):135-146

“activation” in instrumentalist terms which is used as a switching between two separate categories). This is the part of the mechanism that restructures the group.

Tilly also elaborates on this idea through his concept of “categorical organization” which includes “all sorts of well-bounded clusters of social ties in which the occupants of at least one position have the right to comment collective resources to activities reaching across the boundary. Organizations thus include corporate kin groups, households, religious sects, bands of mercenaries, and many local communities.”³²¹ Tilly likewise notes the relational configurations of these categorical organizations: “chain, hierarchy, triad, organization, and categorical pair.”

In this section, I trace the emergence of “webs of relations” with the aim of “powerful representations.” Given the power-sharing environment in which these mechanisms are operating, the collective action for which these categories are inscribed is to obtain representative status within the institutional framework. The “imposition” component of the category formation variable generated Section-GPZ-LGA institutional boundaries during the 1994-5 Constitutional Conference and the 1996 foundation of the Federal Character Commission as discussed in Chapter Four. In the previous section, I outlined how the “opportunity hoarding” mechanism generated in groups and out groups of categorical pairs based on the categories formed (imposed) in the 1994-5 Conference and the Federal Character Commission: North/South, Northwestern (Core North)/Northcentral (Middle Belt) at the national level and indigene/settler in groups and outgroups at the local level in Jos. In this section, I focus on the inscription of sectional, GPZ, and local categories in hierarchal categories of: “Northern,” “Middle Belt” and “Jasawa” categories.

³²¹ Ibid

INSCRIBING THE NORTH

As discussed in the previous section on “opportunity hoarding,” the 1999 “Gentleman’s Agreement” established that power (the presidency) would rotate, it “go” to the South in 1999 but “return” to the North in the next election and, in the mean time, the “North” would be well resourced through executive appointments. The previous section examined the selective distribution of appointments among categories formed by the 1994-5 Conference and showed how opportunity hoarding reinforced them. The imposition of this sectional category as well as the promise of allocated resources (indeed *the resource of the Presidency!*) led to the inscription of webs of relations with the objective of obtaining political representation. Moreover, it led to activation because organizations were mobilized around this boundary.

As such, in the period between 1999 and the end of Obasanjo’s second (and final term), several “Northern” groups emerged. The first two—Arewa Consultative Forum and Arewa Media Forum were high “activation” groups as indicated by the use of the Hausa term “Arewa” meaning North. These organizations had the twin aims of ensuring the next presidency went to the North (and identifying who represented “the North” in the case of the ACF) and developing a Northern constituency and agenda in the case of Arewa Media Forum. The other—Northern Members Forum—was a low activation inscription. Founded later, it explicitly included both sides of the categorical pair of the North (Core North and Middle Belt) and sought to pursue economic and developmental interests of the

area (especially derivation or the distribution of oil income) and also pursue the 2007 presidency from a “Northern” agenda.³²²

Arewa Consultative Forum: ACF was a result of the 2000 merger of three other existing organizations that were “forced by the traditional rulers to come together:” Northern Elders Forum (NEF, consisting of “true elders of 90 years or so old” from colonial rule and First

³²² Although it is beyond the scope of this essay, in addition to the emergence of these organizations, it should also be noted that the main Christian and Muslim organizations also reorganized along sectional and GPZ lines, leading to an increasing overlap between sectional and sectarian identities. The Christian Association of Nigeria (or CAN) re-organized along those lines. “The latest constitution passed into USAGE on 17th June 2004 provided for the Zonal formations of CAN for purely administrative convenience.” Administrative Speech by CAN National Secretary South/South Zone CAN Inauguration 8 July 2006 10AM Port Harcourt. The importance of the new zonal orientation is evident in several sections of the 2004 Constitution. Not only are the Zonal Branches of CAN detailed in 6.b (NOTE), but in section 9 makes it clear that zonal branches are second only to the national executive, including stating “The Zonal Assembly shall be the highest organ of the Association in the Zone.” This reorganization is clearly framed within the context of unity with the announcement notice containing the motto at the top: John 17:21 “That they may all be one.” However, although GPZ were adopted as the organizing principle, it should be noted that the concept of section (North-South) has also been entrenched. It should also be noted that there were two inaugurations—one in the South (Port Harcourt) and North (Jos). Indeed, in late 2006, CAN created a “CAN Northern States.” It should also be noted that this organizational innovation also entrenches other institutional developments at the national level, including the emphasis on “indigenes” CAN Northern States CAN constitution emphasizes importance of “indigenes” in leadership roles. Interview with Saidu Dogo. November 2006 This controversial provision was justified on the grounds that “indigenes” have greater credibility in pursuing agendas with local (state and LGA) authorities. The Muslim Students Society and its offshoot of previous members, Ummah which started to take shape as the members of the Muslim Student Society of Nigeria began to age and become “cedars and timbers” (as the Nigerian expression goes) of various elements of the country. According to the foundational 500-page tome on the MSSN by Siraj Abdelkarim, MSSN was founded on April 18 1954 in Lagos by approximately 20 primarily Yoruba male and female students at missionary schools. The objective of the organization was to assist the students in preserving their Islamic faith within the educational environment in which they found themselves. In addition, Abdelkarim notes that the society was cultivated a “non-tribal” stance with a range of patrons from Yoruba and Hausa Fulani origins. Moreover, they even invited Obafemi Awolowo, a Christian Yoruba leader whose stance on Islam and the North made him a controversial figure. In the second decade of the MSSN, which Abdelkarim writes was called the “decade of consolidation,” the MSSN became established in the North. In addition, as the federal structure of Nigeria changed, so did the MSSN. Originally, the Northern zone was divided into three zones: “near-northern,” “far-northern,” and “Bauchi-Adamawa.” Then, as the states were created and increased, the MSSN followed suit. However, the MSSN was later divided the organization into two zones: A (North) and B (South). In fact, former MSSN professionals are now extremely well positioned in their various professions—ranging from academia, to medicine, to media, to politics. In order to maintain the collective reflection and consultation across sectarian, ethnic, and state lines that characterized the MSSN at the University level, former MSSN members have organized two movements based on the earlier Zone A and B within the movement since the 1999 transition. The northern counterpart is called Ummah and includes many former MSSN members from various age cohorts and professions that are politically active. Thus, there are now also emergent Southern Christian, Southern Muslim, Northern Christian, and Northern Muslim categories. It is perhaps no surprise that one now hears of “sectional sentiments” a Nigerian play on words of “sectarian” sentiments.

Republic when the North was a regional unit), Turaki Commission (“Shagari and old political North” from the First Republic) and the Unity and Development Forum (UDF, “with more of a technical orientation”).³²³ The original ACF leadership was “very selective about who” came in.³²⁴ As for the mission, “they said it was to look after the interests of the North within Nigeria. To make sure the North is not cheated in sharing the national cake.”³²⁵ The minutes of the first several meetings lament the loss of “Arewa” (which is used to symbolize the unity under Sardauna and the First Republic). Similarly, the Constitution of the ACF focuses on fostering Northern identity in its aims and objectives: “to foster and strengthen the foundation of Northern unity in the context of one Nigeria...to co-ordinate efforts to build bridges, confidence, and strengthen relationships among all the people of the North and of Nigeria as a whole.”³²⁶

Arewa Media Forum: This organization grew out of the Afro-Projects Consortium that started in 1994/1995 funded in large part by PTF (Petroleum Trust Fund (African Projects)). They met for two to three years, but within time they lost interest. However, around 2000 riots, they were re-energized in an effort to address the coverage of the 2000 riots in which “Muslims were painted as arch villains.” Their activities focused on two areas. The first were public forums in which key Northern politicians and political actors were invited and covered a range of issues including an August 2005 “planning seminar” in which northern development was discussed. Through the second, they also decried a “media gap”

³²³ Interviews, Hamid Ali, Kaduna July 2006; April 19 2006.

³²⁴ A review of the minutes of the first years of ACF indicates an exponential growth of membership although many attendees are traditional titleholders and/or have held office at some point. The process of membership expansion was difficult to ascertain from a variety of founding participants.

³²⁵ M.D. Yusefu—first head of ACF. He left the ACF following disagreements around his own candidacy with the MRD in 2003. This break may enable candor, but also color perspective.

³²⁶ Amended Constitution of the Arewa Consultative Forum: 2/3 (double paginated)

within the country through which the North was disadvantaged and misrepresented through anti-Muslim stereotypes. AMF therefore set out to determine how more newspapers could be established in the North, such as the *Daily Trust*. These papers have been central in forging a Northern identity.

Northern Members Forum (NMF): In 2002, a bill was introduced to the National Assembly that made a distinction in revenue allocation between littoral states and non-littoral states. This stratification would have left the North at a disadvantage and was one of the reasons for the creation of the organization.³²⁷ However, the Secretary General's welcome address at the 2005 Inauguration also makes specific mention of the Gentleman's Agreement and the role of the North in producing the next president, "As 2007 approaches, we must begin the arduous process of weaving, colouring, and laying out this carpet for our next President." He goes on to say, "carpet making, especially the cultural type, made from hides and skins is an old traditional and cultural export of the North to the whole national and the world. The process is not a one-man challenge. Those who weave will acknowledge that is a process that requires care, unity, consolidation and focus. The hides can come even from communities where the final weaver doesn't agree with historically or culturally."³²⁸ Indeed, the Inauguration was a who's who of Northern Politicians ranging from ardent advocates of "Middle Belt" identity to avid "Core North" actors.³²⁹ The Secretary of the

³²⁷ Interview, Victor Lar, Secretary General of NMF, Abuja August 2006

³²⁸ "Full Text of the Welcome Address of the Chairman of the Northern Members Forum of the House of Representatives, Rt. Honorable Victor Lar at the Occasion of the Inauguration of the Forum on the 21st November 2005, Congress Hall of the Nicon Hilton Hotel, Abuja": 4

³²⁹ Much like Chief Sunday Awoniyi acted as an important node between different identity networks, it could be argued that Victor Lar does as well. As a Christian minority from Plateau state, he fits well within the "Middle Belt" political mold. However, his party is ANPP and he is close to Buhari—the party associated with "Core North" activities (winning Kano, Bauchi) and being associated (rightly or wrongly) with Shari'a in the North. Likewise, he did his NYSC in Kano, which he noted was a formative experience.

NMF (himself a minority from Benue state but active in Buhari's party, ANPP) emphasizes this overarching aspect to the organization saying "why not form a body free of religious and ethnic bias."³³⁰ The instrumental allure of this organization can also not be overlooked. As the secretary noted, the NMF number 189 of 360 members, an unavoidable reminder of the power of representative parity that emerged in 1950.

From this discussion we see the inscription of a category of the "North." Yet, while the leaders of these organizations wish to present this identity as fixed, natural, and continually enduring since the First Republic when the regions of North, East and West dominated the political geography of the country, this is not a revival or an awakening of a dormant identity. Indeed, the most compelling argument for a fixed "northern" identity is the fact that the northern states are non-littoral and largely Sahelian. However, even this most "predetermined" aspect of identity is very much subject to institutional dynamics and definitions of identity. These "northern" organizations are a post-99 phenomenon.³³¹ Presumably, these areas did not suddenly become landlocked or primarily agricultural and animal husbandry-based economies. Something else changed—national institutions. As discussed in the previous section, there was a transformation of organization at the state level, resulting in societal reconfiguration: category formation (imposition), opportunity hoarding, and certification. However, by weaving together different individuals into one entity, it transformed the relational networks and boundaries.

³³⁰ Interview, Mohamed Jannah Kano, Abuja, August 2006

³³¹ Indeed, a similar phenomenon occurred among other groups as well. As discussed in the section below on "traditional leaders" there was an explosion of organizations such as the Yoruba Elders Forum whose post-99 origins is belied by its seemingly colonial name. There was overall an explosion of group organizations such as MASSOB (99), as well as Ohaneze and Afenifere. While one might expect an explosion of organizational life under the new democratic dispensation, it is noteworthy that these organizations have all emerged as organized identity-based group interests around Section and GPZ, not economic or issue-oriented.

Others might be tempted to point to the pre-colonial institutional legacy between the seven Hausa states and the Sokoto empire. This perspective suggests that the “North” is somehow an organic—almost primordial—entity with a real history and defined nature. Yet, most of what is considered “the North” was never part of the Sokoto Empire, which included only portions of the current NW (and Northcentral, such as Kwara). Moreover, as constructivists would anticipate, there has been considerable diversity during the colonial period even within one city Kano as John Paden has documented through his discussions of the Qadriyya and Tijaniyya sects.³³² In later work,³³³ he has also discussed the difference between civic, Emirate, and Nigerian Muslim cultures operating in the North historically. A homogenous given entity of the “North” with fixed and hermetically sealed boundaries is therefore a construction, a post 1999 construction, resulting from the interaction of “category formation (imposition)” and “opportunity hoarding.”

Still others might wish to explain the re-emergence of the “North” by fact that the “North” was ruled as a whole during the colonial era, unlike the South that was broken apart in 1954 into East and West. However, this “institutional continuity” legacy is ill founded. Social networks are transformed by institutional change such as state creation, as discussed in Chapter Four. Institutional continuity can be broken—severing social ties. The reverse is also true—the creation of institutions can generate social ties, as is the case with the Category Formation (Imposition), resulting hoarding among these categories, and Category Formation (Inscription).

³³² John Paden, *Religion and Political Culture in Kano* (Berkeley: University of California Press, 1973)

³³³ John Paden, *Muslim Civic Cultures and Conflict Resolution: The Challenge of Democratic Federalism in Nigeria* (Washington, DC: Brookings Institution Press, 2005)

INSCRIBING THE MIDDLE BELT

Through the “imposition” of the Geopolitical Zone as well as opportunity hoarding in executive appointments, there has been an inscription of the category of the “Middle Belt” with the objective of increasing political representation. However, much like the “North” this should not be viewed as a mere revival or activation of a pre-existing or given identity. As one might expect, groupings started to gel in the preparatory months prior to the 1994 Conference. As part of the “Hausa/Fulani dominance” discourse surrounding the “June 12 problem,” the Middle Belt emerged. “Mr. Danjuma has formed the Middle Belt Forum representing an area of mainly Christian minority tribes who have formed the backbone of the armed forces but have been deprived of political power by the more numerous Hausa and Fulani in the far north.”³³⁴

However, while there was a “Middle Belt” category operating in the late colonial period through the first republic—in large part pushed through outside Christian intervention rather than internal ethnic solidarity as discussed in Chapter Four—this inscription should not be viewed as merely an awakening of a dormant identity. Logams notes that the creation of states in 1967 broke apart Middle Belt identity and instead mobilized the operation of more localized ethnic groups that could mobilize for states.

(A)fter seventeen years of political struggle (1950-1967) to achieve the approximate of the M-Belt Region in the creation of Benue-Plateau State, it took less than a decade (1968-1976) for the M-Belt minorities to show that they were politically incompatible in living together in the demanded unit of their own. Tribal and Provincial political identities resurged and submerged the conceptions of the M-Belt political identity in Benue-Plateau State. The creation of states therefore took effect from 1st April 1968, and governments enabled them quickly to become the force for new loyalties as well as effective administrative

³³⁴ Paul Adams, “Nigeria’s Military Rulers Try a Unifying Tactic” *Christian Science Monitor* (June 27 1994)

units. The sense of the Northern political identity was therefore, reduced, but not entirely extinguished from the State creation exercise. *The sense of M-Belt political identity received at the same time, its fulfillment and its eclipse...*As BP state was seen to fail to become the nucleus for the M-Belt Region, which Joseph Tarka had hoped for and as its aimed unity came under threat from increasing rivalries of Benue and Plateau provinces, the sense of a M-Belt Regional unity became increasingly overlaid with local loyalties to smaller units.” (emphasis added)³³⁵

Indeed, in his epilogue, Logams goes on to document the local rivalries that resulted in the 1976 division of BP state. “In barely two years from its creation, Benue Plateau state was therefore faced with tribal divisions which polarized the state on the political lines of the abolished Provinces, in which, on the one hand, the groups on the Plateau united to grumble and expose the domination of the Idoma and Tiv on the Plateau and on the other, the Benue groups openly began to point to the lopsidedness of the government in the administration of the state with bad socio-economic and political policies.”³³⁶

Nevertheless, Logam’s unwavering faith in the Middle Belt remains resolute. He notes that the Middle Belt will rise again. “Although the M-Belt identity seems to be quite fluid and illusive in maintaining political unity over the groups who had claims to it, the political identity assumed a crucial role in always resurfacing to balance the centrifugal Northern forces in Nigerian politics within the federal system.”³³⁷ Indeed it did, as evidenced by the creation of the very center that published his labor of love in 2004, discussed below. However, this re-emergence is not because of a permanence of “Middle

³³⁵ Paul Chunun Logams, *The Middle Belt Movement in Nigerian Political Development: A Study in Political Identity 1949-1967* (Abuja: Centre for Middle Belt Studies/Selidan Books Printing Division, 2004)

³³⁶ Indeed, the infinite—almost fractal—pattern of group-institutional interaction is reflected in the fact that it was surprising to read of Idoma as a dominant group. Following the creation of Benue state, they have cried “marginalization” within the state against the more numerically and politically powerful Tiv also calling for their own state.

³³⁷ Logams, 2004

Belt Identity,” but is a result of “category formation (imposition) and opportunity hoarding which propel “category formation (inscription)”. The emergence of GPZ thus led to the redrafting of Middle Belt identity, along different cultural and geographical lines.

Indeed, the MBF beachhead established around the 1994 conference soon opened into the proliferation of Middle Belt groups and the construction of a new Middle Belt identity. Although the lead-up to the conference saw the emergence of the Middle Belt Congress, the proliferation of organizations, conferences, and centers has accelerated. Given the politics of “opportunity hoarding,” it is unsurprising that the real Middle Belt identity push occurs in the period immediately following 1999 and the beginning of the new administration. Like the “North” as a whole, the Middle Belt organized as “Northcentral” likewise had aspirations for the plumiest of Nigerian posts: the Presidency. Indeed, it should be noted that the Secretary General of the Middle Belt Forum was not only gubernatorial aspirant himself (using the sub-state logic of “rotation” to argue for a Yoruba governor of Kwara) but also the campaign manager for Jerry Gana, who was the leading non-Hausa candidate from a Northern state within the ruling PDP.

During April 2000, the same year when Arewa Consultative Forum and Arewa Media Forum were created, the Middle Belt Forum announced the allocation of 5 million Naira for a “liberation campaign,” including the development of media houses “to embark on serious propaganda to see that the zone is free and have nothing to do with the North anymore.”³³⁸ Another stated goal was development of a counterpart to Arewa House (this is the research center housed in the former residence of the Sardauna, the Premier of the Northern Region, named “Arewa” for North in Hausa). Indeed, the Center for Middle Belt

³³⁸ (no byline) Middle Belt Indigenes Vote N5b for Liberation Campaign” *Post Express (Lagos)* (April 28, 2000)

Studies (that published Logans book on the origins of the Middle Belt) can be viewed as the actualization of this goal. It should also be clearly noted that the creation of the Center for Middle Belt Studies and the publication of the 800-page M-Belt bible should be viewed as a tremendous accomplishment in the construction of Middle Belt identity.

This has been complemented by other efforts,³³⁹ such as the 2001 Ford Foundation-funded conference “Constitutionalism and the Rights of Linguistic, Cultural, and Religious Minorities in Nigeria” which has been noted by many as a touchstone of the contemporary M-Belt movement.³⁴⁰ This conference was organized by the Plateau-state M-Belt activist, Nankin Bagudu and his organization, the League of Human Rights. Apart from their work on the conflict in Jos, they have also reprinted other documents of historical significance to the M-Belt movement, including the Willinks Commission report and proceedings. All of these activist and academic efforts are works in Category Formation (Inscription) that serve to reinforce “category formation (imposition)” justify “opportunity hoarding” and lay the foundation for “certification.”

The proliferation of Middle Belt organizations in 2000 was noted by many observers as part of a general trend. On example states, “Of late, the media have been awash with reports of various groups of political elite in the North who are championing the cause of a new identity for their people known as the Middle Belt. The pith of this identity is the

³³⁹ Other examples include the remembrance organized for Joseph Tarka, legendary Tiv politician and leader of the UMBC. “Notwithstanding the remembrance of Joseph Tarka provided a platform to articulate further the call for a separate identity, to expose the atrocities committed against the Middle Belt by the North and to set the tone for the battle ahead.” “Troubled Marriage”

³⁴⁰ Nankin Bagudu, *Constitutionalism and the Rights of Cultural and Religious Minorities in Nigeria* (Nigeria: League of Human Rights, 2003)

repudiation of the Far North and a desire to weld the distinct religious and ethnic minority groups in the near North and encourage them to fancy themselves as one people.”³⁴¹

Yet, like proponents of the “North,” proponents of the Middle Belt attempt to give it a timeless, permanent quality. “These are geo-political expressions that house the indigenous people of Nigeria called the Middle Belt. These are the original people of Nigeria who have not been so much influenced and recognized like other areas. As to the question of whether the Middle Belt could stand on its own, I will say yes, it can because it is the caucus of production as far as the North is concerned. In fact, the Middle Belt from time immemorial has been the producer while others benefit.”³⁴² The primordialist—indeed in the “original” meaning—subtext of the language used (e.g. “indigenous people of Nigeria called the Middle Belt” “since time immemorial”) to describe (indeed construct) a geographical expression should not be lost on the reader. Much like the development of the organizations, conferences, and academic works there is an effort to present a natural and continual existence of a category that has reformed as a result of institutional reconfigurations. Indeed, this claim to “naturalness” is part of the inscription component of category formation as was the case with the “North” as is the case with the Jasawa as we will see in the next section of sub-state Category Formation (Inscription).

³⁴¹ Farooq A Kperogi in Ilorin, Okene, and Abuja, “Middle Belt: One ‘Region’ Many Voices” *Weekly Trust (Kaduna)* Others examples include: (no byline) “Nigeria Politics; Middle Belt’s Cravings for Separate Identity” *This Day* May 17 2000; Sunday Dare, “Nigeria Politics; Troubled Marriage” *The News (Lagos)* May 17 2000 which speaks of the “recent upsurge of activities in the Middle Belt to give a clear identity to the area” noting that “Though the agitation for a Middle Belt” political region separate from the North is not entirely new, the new wave of agitation seems to have gained an unusual velocity and broad based support from the people of region.” The article also notes the emergence of a variety of Middle Belt organizations: “Middle Belt Forum, Middle Belt Progressive Movement, Middle Belt Patriots, Middle Belt Youths Association and Association of Middle Belt Academics.

³⁴² (no byline) “Nigeria Politics; ‘Middle Belt Leaders are Weak’ *The News (Lagos)* (May 17, 2000)

INSCRIBING THE JASAWA

Adapted from the Hausa suffix meaning those from an area (e.g. Kanawa are from Kano), the term “Jasawa” term has become an ethnic category in the last two decades.³⁴³ The term is used to refer to people of Jos of Hausa and Muslim origin. As the population “orphaned” with the creation of states in 1967 from the North, this “group” has emerged and asserted local representation. However, it is interesting to note that while those who refer to Jasawa as “non-indigenes” consistently use the term “Hausa” the Jasawa separate themselves from this group. Speaking of the community, Ado Jasawa said although “all trace their history, their footprints are whipped because their religions are not recognized. The common objective is that they need identity so they fight as one...the association was advanced for identity. There is not any tribe called “Hausa Fulani.” Jasawa “recognized that we are part of this area. This is why people outside Jos also call us Jasawa—we have our own way—Jasawa are cosmopolitan and refined. Even if our grandparents or parents are from Kano, they call you Jasawa.”³⁴⁴

In a more organizational and less interpretivist vein, the student organization from which they emerged was called the “Hausa Fulani Student Association” in 1983³⁴⁵ and

³⁴³ Attahiru M. Jega, "The Nigerian Federal System: Problems and Prospects "Paper Presented to the Conference on 'Federalism and Decentralisation in Africa: The Multicultural Challenge" (University of Fribourg, Switzerland, October 23-25 1997). Jega's discussion of pre-colonial identity formations in the area that came to be Northern Nigeria suggests that the Jassawa conceptualization is rooted in previous traditions (even before Jos existed), “People in the area in Northern Nigeria where the so-called Hausa Fulani now are, did not perceive themselves as Hausa, or Fulani, not to talk of Hausa-Fulani, but as Kabawa, Gobirawa, Zagezagi, Katsinawa, Daurawa and so on, in accordance with the names of the precolonial states under which they lives, such as Kebbi, Gobir, Kano, and so on.” (He then goes on to discuss similar patterns among the localized communities of what came to be known as Yoruba and Ibo): 10 This discussion likewise suggests that the governing institution/state-identity formation pattern extends well beyond the period under consideration in this dissertation.

³⁴⁴ Interview, Ado Jassawa, Jos December 2006.

³⁴⁵ It was part of the MSSN and the development of HFSA, JYA, and JDA reflect similar trajectories among other MSSN affiliated organizations and individuals.

became the Jasawa Youth Association in 1987.³⁴⁶ During the political transition to the Third Republic in which LGAs gained a greater role, the organization evolved (and the members aged), it became the Jasawa Development Association in 1993. The 1993 Constitution's specification of membership also provides the parameters of "Jasawa" identity, indicating the fluid nature especially of the tribal notions:

ORDINARY MEMBERSHIP

Ordinary membership shall be open to individuals who fulfill all of the following requirements:

- (a) He or either of his parents must have been born or lived in Jos**
- (b) He must be of a Hausa/Fulani descent (i.e. Hausa, Fulani, Nupe, Kanuri, and their likes)**
- (c) He must be not less than fifteen years of age.**³⁴⁷

The intersection of Jos residence and "decent" is the most compelling part of this definition. Indeed, although "Hausa/Fulani" has become an amalgamated concept in discussions inside and outside Nigeria due to the historic intermingling as a result of Fulani rule of largely Hausa areas, Nupe is often distinguished (and sometimes treated as a Middle Belt group). Most interestingly—Kanuri—the ethnic group of Borno the historic rival to Sokoto (the seat of Hausa/Fulani Empire) indicates "Jasawa" is a very broad ethnic tent indeed. To use the reformulation of Posner introduced in Chapter Two: this is exactly how a ace moves from being an 11 to being a 1 when paired with an entirely different set of cards.

This account of the emergence of identity within the fluid context of Nigerian politics stands in stark contrast to the primordialist perspective inherent in the "indigene"

³⁴⁶ Interview with Ado Jassawa, founding member of JYA and its successor organization, JDA.

³⁴⁷ Constitution Jasawa Development Association (JDA) as amended and adopted August 1993: 2

emphasis of “Federal Character” in particular. Indeed, in referring to the above definition, the Report of the Judicial Commission of Inquiry into the Civil Disturbances in Jos and Environs, says the Jasawa “is not a tribe or community as is arrogantly referred to in certain quarters.”³⁴⁸ However, non-Jasawa sources have used it.³⁴⁹ There is therefore a tension between the fixed institutionalist understanding of identity which rests on primordial understandings and the actual institutionally driven dynamism of identity. These two notions of identity and citizenship are in tension, theoretically and politically.

During this period, new categories were imposed as a means of resolving the political crisis of June 12. As a result, opportunities were hoarded within these categories—North, Northwestern/Northcentral, and LGA, serving to reinforce the categories. Alongside the

³⁴⁸ Report of the Judicial Commission of Inquiry into the Civil Disturbances in Jos and Environs, Main Report (Volume I), September 2002:198 In another section, the report notes, “When Mukhtar appeared before the Commission he impressed us as a very intelligent youngman and this bears eloquent testimony to the very impressive education and public service credentials displayed in his Response Exhibit 534. However, the Commission found it strange that when he was asked the name of his tribe, he answered “We are regarded as Hausa.” It was only after he was questioned on the place of origin of his great-grandfather and his father that he finally admitted that he was Kanuri by tribe. It turned out that the reason for his evading the question in the first place was that he was anxious to impress upon the Commission that he is an indigene of Jos North Local Government Area knowing that the Kanuris come from Borno state and not Jos”: 235-6 Defining identity on the basis of one’s great grandfather’s home town is fundamentally primordialist in the approach to identity and is strictly at odds with a constructivist understanding of fluid identities such as the “Jasawa.” The report goes on to determine Mukhtar’s identity by ruling, “Having admitted that his great grandfather, his grandfather and his father are all Kanuri by tribe from Borno state, it follows that Mukhtar is a Kanuri. His initial attempt to impress the Commission as a Hausa man was made in a bid to emphasize his consistent claim to the indigenship of Jos North Local Government Area, a concept or practice which we have said, is not supported by any existing law. Our laws however recognize tribal groupings, the claim to which is always patrilineal. His hesitation in the first instance to admit that he was Kanuri shows that he had something to hide regarding his tribal origin. That was why he was equivocal when he said “We are regarded as Hausa.” Belonging to a tribe is a clear cultural matter depicting a social group made up of people of the same race, belief, custom, and language and not one of choice. It is therefore flabbergasting for Mukhtar to say that he is regarded as Hausa. *A person cannot be regarded as belonging to a tribe. A person belongs to a tribe as a matter of birthright.* (emphasis added)”: 238-9

³⁴⁹ Indeed there are many reports which use this term as a distinct identity marker, from within and without the area. These include: “House Accused of Insensitivity” *This Day* (April 27, 2002); “Suit Against AG Begins July 9 over Jos Indigenship Tussle,” *This Day* (July 5, 2002); “State Government Imposes Dusk-to-Dawn Curfew in Jos,” *Guardian* (September 8, 2001); “President Condemns Religious Violence; Approves Army Deployment,” *Guardian* (September 9, 2001); “Plateau Crisis: Between Mantu and Dariye,” *Daily Champion* (May 21 2004), although some also indicate skepticism such as “the so called JASAWAS” (caps in original) “Fresh Tensions in Jos,” *Daily Champion* (December 5, 2008).

operation of these mechanisms, categories were inscribed as “webs of relations” developed with the objective of increasing political representation along the North, Middle Belt, and Jasawa lines. These mechanisms are interlocked with the final stage—certification—which escalates competition among the categories and leads to conflict. It is this mechanism to which I now turn.

CERTIFICATION

As discussed in Chapter One, power-sharing regimes entrench rather than remove autonomous bases of power by allocating particular ministries, offices or other positions to specific “groups.” This allocation is the holy grail of group contention in power-sharing—and the reason why “certification” is not only the reverse mechanism of “removal of autonomous bases of power,” but also the culmination of previous processes. Drawing on Mc Adam, Tarrow, and Tilly in *Dynamics of Contention*: “Every polity implicitly establishes a roster of those political actors that have rights to exist, to act, to make claims, and/or draw routinely on government controlled resources.”³⁵⁰ In power-sharing states where state wealth, ministries and resources are distributed categories, to exist is to be certified.

However, the national cake is finite. Additional slices (or larger slices) mean less cake for others. The “selection” process of pre-electoral agreements and the announcement of results are the means through which groups obtain certification. It should be noted that I do not identify “voting” per se as the culmination of the process. Indeed, as discussed above, in many cases the elections are neither free nor fair. Yet, this does not render the results irrelevant. The operation of agreements among elites about the results still “certifies”

³⁵⁰ Doug McAdam, Sidney Tarrow, Charle Tilly, *Dynamics of Contention* (Cambridge: The University of Cambridge Press, 2001)

groups in giving them control of resources; the collusion of government officials to rig results still “certifies” groups in giving them control of resources; and the show of force of supporters (in physical, financial, terms) that often accompanies electoral malfeasance is likewise an integral part of the mechanism of “certification.” In this way, we are better able to understand the political implications of elections in countries where they are neither free nor fair. Yet, this very manipulation of electoral outcomes leads to democratic breakdown through the collapse or suspension of electoral institutions.

In this section, I examine the culmination of the process—certification in which the conflicting group claims on institutions compete for certification and power within institutions through elections. At the national level, this occurs through conflicting Sectional and GPZ claims on the rotating Presidency, which results in clashes often mislabeled as the “cartoon riots.” At the local level, I examine the Jos North LGA election, tracing how competing group claims for the Chairmanship led to riots often attributed to religious sentiment or land claims.

CERTIFICATION AND THE PRESIDENCY

In 2007, Obasanjo's second (and final) term would end. This moment would inaugurate another transition—an even more important one. While previous transitions had been from military to civilian rule, this would be Nigeria's first civilian-to-civilian transfer of power. In 2005, in the lead-up to this period, Obasanjo called a National Political Reform Conference, also called the Constitutional Confab (or just Confab). As with all the previous constitutional conferences in Nigerian history, this one appears to be a

combination of response to societal demands and Machiavellian attempt to manipulate the system to the ruler's own ends.

Since the early 1990's there have been calls from various sectors for a "Sovereign National Conference." Similarly, activists both inside and outside the Niger Delta were calling for a resolution of natural resource issues and political power. However, as the Conference unfolded, it became clear that the Confab was also a forum focused more on the 2007 transition. The stated objective of the Conference was described this way in the Chairman's opening remarks to the Report:

"It was obvious that apart from legislation which is essentially the preserve of the Legislature, a forum of representatives of various segments of the Nation should be devoted to analytical appraisal of the system and suggest solutions which would reduce the level of doubts, fears, uncertainty and anxiety of Nigerians and their genuine fears." He also quotes the President's Inaugural Speech of the Conference, "The purpose of the Conference is to discuss and to reach consensus on any aspect of governance arrangement for reinforcing the unity, cohesion, stability, security, progress, development, and the performance of the Nigerian Federation."³⁵¹

In contrast to the 1994/5 conference in which the majority of the delegates were elected, in the case of the 2005 conference, all were appointed by a combination of national and state governments.³⁵² Many civil society activists bitterly complained that the Conference convened by President Obasanjo was less democratic than that convened by General Abacha. It should likewise be remembered that Obasanjo was a General—indeed

³⁵¹ Nigeria, *Main Report of the Conference*: .xxii-xxiii

³⁵² A complete list of delegates (including short bios) was published in a two-part series in *Vanguard* in February 2005. A review of the list reveals a number of old political hands and bureaucrats, although there are a number of academics among the mix.

one close to IBB. It is therefore unsurprising that his management of the conference and other constitutional transitions had many of the hallmarks of military rule.

Within the committee tasked with Rotation, one of the bones of contention was the issue of whether rotation should move North-South or among the GPZ, reflecting the growth of the GPZ as a result of previous institutional reconfigurations. The Chairman of the Committee was an Ibo from the SE, Dr. Chicome Izeffe. Like the other GPZ and Ibo godfather himself (Alex Ekweme), Dr. Izeffe shared the dominant Ibo perspective that after 45 years, the SE should have a chance in 2007 especially since the six-month regime of Ironsi (an Ibo leader of the 1966 coup) was not a true turn at the table. Likewise, the South-South contended that they have never been chanced despite the fact that they are the oil (and revenue) producing region. On the other hand, on the basis of the Gentleman's Agreement, the North contended that power-should "shift back" to the North (although it was as-yet-undetermined which GPZ would represent the North, a deeply contentious issue as discussed below). Based on this agreement, the SS and SE delegates feared it "would be long before they are chanced" and that they needed a constitutional guarantee to ensure their turn. As a result, there was a lack of agreement on rotation.³⁵³

However, the discussion made its way into the recommendations of the report, but short of a recommendation to change the constitution. "The Office of the President, Governors, and Local Government Chairmen should rotate in such a way that all the geographical zones in the Federation, States, and Local Governments, as the case may be, should have the chance to produce a President of the Federal Republic of Nigeria, Governor or

³⁵³ Dr. Haruna Salihi. Likewise, there was a disagreement on "reverting to regions" in a formal sense beyond power rotation. If there was a true return to regions of the First Republic, the North would face revenue problems

Local Government Chairman alternating between the Northern and Southern parts of the country and geo-political zones in the States and Local Governments, respectively. Because of the emotive nature of rotation, it should not be included in the constitution. It should, however, be given legal backing below the Constitution to ensure that political parties are enjoined to apply the rotation principle in order to provide for equity and justice in putting forward people for electoral offices.”³⁵⁴ Thus, rotation became further legitimized in advance of the 2007 elections.

The next section of the report—on power-sharing—provides greater specificity on the issue. First, it begins by providing a definition of power-sharing, which “includes the distribution of power among the peoples, groups or components of a country. This involves: (a) power sharing among political parties or proportional representation. (b) the sharing of power positions to ensure a fair and equitable distribution of power positions at all levels of government. (c) rotation of leadership which involves rotating the offices of President at the national level, Governors at the state level, and Chairman at the local government level among those qualified to hold such offices in every section of society.”³⁵⁵

It also goes on to suggest the form “below the constitution” that this should take: “There should be legislation by National Assembly to ensure that the office of the President should rotate between the north and the south as well as amongst the geo-political zones of the country on the basis of equity, justice, and fairness. The rotation principle should also be applicable to states and local governments, on Senatorial basis for the position of Governor and at Ward or District level for the position of Chairman of Local Governments.”

³⁵⁴ Nigeria, *Main Report of the Conference*: 154

³⁵⁵ Nigeria, *Main Report of the Conference*:156-8

The idea of rotation was also reflected in other committees. For example, in the Section/Committee on Human Rights and Security, rotation is proposed as a measure to protect the “political rights of minorities.” It says, “Marginalization of ethnic minorities is often at the root of communal crisis and the agitation of the creation of more states. The principle of power rotation should be enshrined in the constitution so that executive positions rotate at federal, state, and local governments.”³⁵⁶ Also, as noted above, Federal Character was endorsed and proposals for its expansion offered. One such provision was that “The principle of Federal Character should be reflected in all elective and political appointments at all tiers of Government. Political offices should also be rotated to carry every section of the country along i.e., North and South and further rotated among the Zones, States, FCT, and Local Governments.”³⁵⁷

In the end, there was a very strong preference for making this an internal party matter, especially among the Northern politicians who were organized through the “Northern Delegates Forum” of the conference. According to several convergent accounts, members chose Adm. Nyako as their leader because he was younger and more versatile than the official conveners for the “North,” the more senior Dikko and Turaki. Thus, the NDF was a bottom-up reorganization and coordination of representation within the North on key issues. During the Confab, NDF worked closely with ACF (and affiliated scholars), which provided data and background papers for them. On the question of whether “rotation” should be constitutionally enshrined, there was support for rotation in the short

³⁵⁶ Ibid, 73

³⁵⁷ Ibid, 212

term (i.e. next election) but such that it be binding in the long term (i.e. subsequent elections).

It is difficult to determine whether this is a principled or instrumental stance. Explanations of positions ranged between advocacy of “one man, one vote” to perspectives that as a “young democracy” such interim measures were necessary but should not be set in the stone of the constitution. Other arguments included the idea that political parties need provisions to coalition build. There were also more blunt assertions of the demographic power of the North—with suggestions that such a constitutional measure could only serve to weaken their long term role. It is difficult to adjudicate the intention of an individual—which may shift over time—much less a “group.”

Indeed, the leadership expressed the ambiguity. Adm. Nyako stated the principles on the one hand: “It negates the principle of fairness and the quality of voting. We should not restrict to North or South and we can’t tolerate that in the constitution and rejected the notion of rotation.” On the other hand was the pragmatic argument: “When look at it, concessions on the part of the North for Nigeria stabilizes (a reference to the 1999 Gentleman’s Agreement). But we don’t like to entrench advantage. North has the numbers.”³⁵⁸

Overall, rotation gained ground but failed to get the constitutional nod. The Conference report rightly noted, “At the heart of the volatility that has come to characterize the Nigerian state is the crisis around power-sharing. Nearly every segment of the polity

³⁵⁸ Admiral Nyako. Yola, October, 2006. After the conference, the NDF also met and served to create a forum for northern intellectuals and civic actors to meet. However the NDF has become moribund in large part due to the third-term controversy discussed in greater detail below. Being a core PDP member (in the anti-Atiku camp closely allied with Sen. Aminu in Adamawa state), Adm. Nyako was supportive of the Third Term agenda. This split has had a lasting effect on the continued operation of the NDF.

continues to express a genuine feeling of powerlessness and exclusion. This is due largely to the lack of a sound policy mechanism for ensuring equity and justice. Conference noted that despite the provision of such clauses as the Federal Character or Zonal principles there were still fears of domination across the board. The vociferous quest for rotation of power at Local, State and Federal levels is viewed as major symptom of this crisis.”³⁵⁹

The report goes on to state, “Dictatorship in any shape or form focuses on the individual dictator. As he strengthens his hold on the state, there is always the temptation for the identity of the state to be collapsed into that of the dictator. With all the threats of power in his hand, the dictator sees governance as presiding over a distributional agency. This naturally opens the doors for the abuse of power. However, it is these rather raw and negative traits that have reinforced the abuse of human rights and entrenched corruption across all the levels of society. This leads inexorably to the politics of exclusion. Indeed, it is at the heart of the ubiquitous claims of marginalization by the various segments of the Nigerian society. It is these anxieties that have led to the cries for rotation of power, a claim one member of the Conference referred to as rotation of corruption. Thus, in a democracy, the urgency of clarifying the role of the Executive Arm of Government becomes a great challenge as it is fundamental to the survival of other arms of government.”³⁶⁰

However, the confab (as it was also known) was conceived as a comprehensive conference. It was only until well after the conference that the full agenda was known. Although there was considerable praise for this “courageous move,” there was also suspicion about the political motives of the conference. When the conference entered the committee

³⁵⁹ Nigeria, *Main Report of the Conference*.: xxi

³⁶⁰ Nigeria, *Main Report of the Conference*:.xxiii-xxiv

stage, there were rumors that the president had smuggled in a constitution—the most contentious part of which was a provision for “tenure elongation” that would allow Obasanjo to stand for another term. Tenure elongation was also equally contentious and colored by inter-group considerations. Unsurprisingly delegates from the SW (and even SS) supported and there were allegations of “subterranean” Presidential pressure on delegates. Generally speaking, the idea garnered support in the SW and lacked support elsewhere.³⁶¹ Tenure elongation was put to a vote and as a result the SW walked out.

CONSTITUTIONAL CERTIFICATION AND THE SO-CALLED CARTOON RIOTS

After the Confab, Obasanjo continued to pursue tenure elongation through most of 2005 and into 2006. The international community offered a tepid response. While it would violate the constitution, the US and UK were amenable to Obasanjo's continued rule, especially given his ability to position himself as a peacekeeping leader on the continent and a champion of economic “reform” in Nigeria. After contentious deliberation between Washington and Abuja State Department officials, the US stated that it would not accept any extra-constitutional measures to extend tenure.³⁶² In this sense, US response was more of a yellow light than a green one and Obasanjo duly proceeded cautiously through constitutional avenues.

In order to pursue the idea constitutionally, political allies of Obasanjo created a Senate Committee that made a number of constitutional recommendations, most notably a

³⁶¹ This should, of course, be viewed differently than the public support of Governors. Obasanjo had support from PDP governors from all GPZ. However, it should be noted that Governors who opposed tenure elongation were also subject to selective and politicized anti-corruption prosecution by the EFCC. Likewise, it should be noted that he even faced opposition to tenure elongation from principled proponents of rule of law (as well as political opponents) within the SW.

³⁶² Interviews: US Embassy Political Officers, Abuja, April 2006

change in the length of office from four years to six. This provision retained the two-term limit but effectively extended Obasanjo's duration of office to 12 years. Sen. Mantu, a loyal PDP Muslim Senator from a minority group in the Central Senatorial Zone of Plateau state, was tapped.³⁶³ His Committee produced a report with a bill containing constitutional "reforms" including a change in the length of the term from four years to six. Thus, Obasanjo could have 12 years divided into two terms rather than three divided by four years.

Mantu decided to hold "public hearings" in the six Geopolitical Zones to sell the report. Originally, this was planned for cities that are either former regional capitals or considered epicenters for the GPZ: Kaduna (NW), Bauchi (NE), Jos (NC)³⁶⁴, Port Harcourt (SS), Ibadan (SW), Enugu (SE). However, all but Port Harcourt were subsequently moved to: Katsina (NW), Maiduguri (NE), Lafia (NC), Osogbo (SW), Abakaliki (SE) ostensibly to locations with governors more amenable to the Third Term Project. This was on top of the fact that hearings were originally to hold in all 36 states (and potentially all 774 LGAs) instead of only six GPZ. This contraction of the consultative process was viewed as an end run around opposition. Unsurprisingly, these moves were as unpopular as the report itself—especially in the North whose "turn" at the Presidency would be denied through tenure elongation. Indeed, the committee's work was already so controversial that even Mantu himself and his deputy publicly declared their abstention over a week prior³⁶⁵ and reports of

³⁶³ Mantu became so despised that he faced impeachment and ended up being a PDP member who actually lost their seat in the 2007 elections after a popular campaign so widespread that the costs of rigging for even a loyal foot soldier made a PDP extra electoral re-instatement of Mantu prohibitive. Because of the "protect your vote" dynamic discussed in greater detail below, the calculations of rigging increasingly take into account public displays of support.

³⁶⁴ One January report of the original Hearing schedule gives Lafia as the original destination.

³⁶⁵ (no byline) "As Public Hearings Begin Next Week, Mantu and Okpara Exempt Themselves," *Africa News* (February 12, 2006)

an injunction against the hearings were reported as early as Friday, February 17.³⁶⁶ ANPP Senators pulled out with even Obasanjo and Mantu's own PDP opposing but not preventing members from participating.³⁶⁷ Similarly, the Arewa Consultative Forum³⁶⁸—an organization formed to pursue Northern unity—as well as former delegates from the NE to the 2005 Conference also boycotted.³⁶⁹

This political opposition to tenure elongation—rather than the Danish cartoon—is the backdrop for the tensions that fueled the riots in Katsina and Maiduguri. Thus, the so-called cartoon riots were in fact constitutional riots that took religious coloration. Indeed, demonstrations protesting the Danish cartoon of the prophet Mohamed had already been held two weeks prior on Friday February 3 throughout Africa with sporadic violence³⁷⁰ and peacefully in Kano,³⁷¹ the epicenter of Nigerian Muslim activism without incident or escalation. While it is theoretically possible that Katsina and Maiduguri could be behind-the-scenes and initiate protests to keep up with the Joneses (Jibrils?)—but this would occur the following week, February 10th. Yet, the February 17 riots erupted only after the venue change sometime between February 8 and 13^{th372} and the court injunction on February 17th.

³⁶⁶ (no byline) "Protests Wont Stop Public Hearing," *Daily Trust* (February 21, 2006), (discussion of interview with Mantu on injunction on (February 17, 2006)

³⁶⁷ (no byline) "Tension Mounts Over Public Hearings," *This Day* (February 31, 2006); (no byline) "Constitutional Review: PDP Shuns Hearings," *This Day* (February 20, 2006)

³⁶⁸ (no byline) "Constitutional Review: Public Hearings Illegitimate, Undemocratic—ACF," *Daily Trust* (February 13, 2006)

³⁶⁹ (no byline) "Northeast Leaders Condemn Hearings: As Dansadou Pulls Out," *This Day* (February 21, 2006)

³⁷⁰ Rodrique Ngowi "Thousands Demonstrate Across Africa," *Associated Press World Stream* (February 10, 2006); Nico Colombant "VOA News: Protests over Cartoon are Peaceful in Africa" *Fed News* (February 6, 2006)

³⁷¹ (no byline) "Muslims Demonstrate Against Cartoon Blasphemy," *Daily Trust* (February 6, 2006)

³⁷² (no byline) "As Public Hearings Begin Next Week, Mantu and Okpara Exempt Themselves," *Daily Trust* (February 13, 2006; (no byline) "Constitutional Review: Public Hearings and the Politics Within," *Vanguard* (February 21, 2006; (no byline) "Committee Members Move to Change Hearing Venues," *Daily Trust* (February 8, 2006)

According to one detailed account, “since it became known that Katsina would host one of the constitutional review hearings, there had developed an under current of tension fueled by the people’s resentment of the alleged third term agenda.” While the cartoons “further fueled the tensions” “what incensed many people the most is governor Umar YarAdua’s alleged role in “smuggling” Katsina as one of the centers for the constitution review hearing.”³⁷³ The account continues that a lecture regarding the cartoon was advertized at the JNI secretariat and was discussed, but the main focus of the lecture (and the fury) was the public hearing. Then, protesters departed to present a letter of protest to the government house chanting “We Don’t Want Third Term” “To Hell with Third Term” “We Don’t Want Constitutional Review,” “We Don’t Like Umaru” “We Don’t Like Obasanjo” This is supported by other reports that describe the “third term riot” and quote members of the “Concerned Citizens Against Third Term, co-sponsors of a protest march.”³⁷⁴

The story of these riots was picked up in the international media as “cartoon riots” not only due to a lack of information about events on the ground in these remote locales, but also because “constitutional riots” is far less catchy and sensational. “Cartoon Riots” is a headline-friendly narrative; presumably illiberal Muslims’ rage about a Danish cartoon is a simple (simplistic?) narrative to communicate, whereas popular (and largely Muslim) protest against extra-constitutional machinations of a (Christian) President goes against widely held assumptions. However, although once the North-South sectional PSP-ANPP political

³⁷³ (no byline) “Why the State Nearly Burned,” *Daily Trust* (February 20, 2006)

³⁷⁴ This account was confirmed in conversations with operatives of Katsina-based politicians.

conflict began, it quickly took on a sectarian coloration and spread elsewhere taking on Muslim-Christian dimensions.

In Maiduguri—another Northern city for the “public hearings” riots have been traced to the scene of a cartoon lecture after the police used excessive force around the arrest of a pickpocket. However, neither Muslim nor Christian leaders believe this is the cause. Borno’s Catholic Bishop attributes the conflict to political stirrings, “the campaign for the 2007 presidential election has de facto been underway for months.”³⁷⁵ Similarly, both the Muslim JNI and the Christian CAN noted in reference to Katsina and Maiduguri that “in the north, politics of third term is finding violent outlet through religion.”³⁷⁶ Also, while clearly politically motivated by his own presidential bid under the opposition ANPP, Gen Buhari also made public statements blaming the third-term agenda for the violence.³⁷⁷ Likewise, the sectional dimension would account for the targeting not just of Christians, but of Ibos.

This increased religious tensions, instigating clashes in Bauchi, which in fact had nothing to do with the cartoons and instead related to a classroom disagreement between a student reading the Quran and her teacher.³⁷⁸ Likewise, when bodies returned to the south—especially Onitsha—the conflict reinforced the sectional (and sectarian) coloration of the conflict. Attacks focused on Hausas and those who “looked Northern.” A sort of “mishap” narrative—where Northern Christians were mistaken for Muslims and attacked—

³⁷⁵ BBC “Bishop Plays Down Religious Aspect,” *BBC* (February 21, 2006)

³⁷⁶ (no byline) “Muslim Leaders, CAN Condemn Riots,” *Daily Trust* (February 20, 2006)

³⁷⁷ (no byline) “Buhari Blames Riots on 3rd Term Plot,” *Daily Champion* (February 25, 2010)

³⁷⁸ Interviews, Bauchi residents, Abuja, February-April 2006; informal conversations about events, Bauchi, October 2006. Press and interview accounts differ on whether the Quran was mishandled or not.

emerged in the press and among the Onitsha and Northern populations.³⁷⁹ This mishap narrative also shows the extent to which sectional identities were becoming more entrenched.

After its ignominious origins in the 2005 Confab, the Third Term agenda, tenure elongation, (called *taz̄arve* in Hausa, and also the title of a popular song in the North), was finally and conclusively defeated in the Senate after a publically televised debate where individual members of congress would be held accountable to for their support of the unpopular agenda. This moment represents one of the triumphs of Nigerian democracy—and the triumph of the Fourth Estate in the Fourth Republic. Despite allegations and rumors of large sums of money being paid for supporting the vote, many PDP stalwarts were even forced to take the podium against tenure elongation while their constituents watched on state-owned TV, the NTA, Nigerian Television Authority. Many observers have speculated that the outcome would have been different if Obasanjo could have privately exerted pressure. With third term defeated, the contest and resulting conflict moved to the arena of the 2007 selection.

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With his third term ambitions finally dashed, Obasanjo had to address the issue of his successor. Ordinarily, this might have been his Vice President Atiku Abubaker but the two had a falling out at least a year prior.³⁸⁰ The search for the PDP candidate began soon

³⁷⁹ Conversations, Kaduna, Abuja, February 2006; Conversation, former Chief of the Onitsha market (a key socio-political position), Enugu, September 2006.

³⁸⁰ The details are beyond the scope of the paper, but included a split in the PDP through which party members were required to “re-register” an exercise which many contended favors the President’s side over the

after the congressional amendment was defeated and culminated in the December 16, PDP convention which was also the party primary. However, the results were forgone conclusions to the extent that the convention has been variously called by the Nigerian press: a con (vention), a fait accompli, a coronation, election 419 (referring to the popular phrase for false based on the section of the Nigerian criminal code for fraud),³⁸¹ bastard primaries, cattle herding, charade, and anointment. It should also be noted that the process through which the AC and ANPP presidential candidates were determined were no more participatory or transparent than the ruling party—the field was simply narrower and the stakes lower.

Like candidates in 1999, they were all submitted to the review of a screening panel headed in Chief Bayo Akinola in order to “make the presidential convention more orderly and rancor-free.”³⁸² The criteria was not an examination of adherence to legal eligibility but rather: “integrity, performance record, acceptability to the party as well as the programmes and policies of the aspirants.”³⁸³ In the lead up to the presidential elections, various Geopolitical Zones were contending that it was “their” turn. Indeed there was considerable

VP's side. For his part, the VP and his supporters began to register a series of shell parties in various regions into which they could then defect—including ACD which eventually amalgamated into one of the shell parties, Action Congress (or AC). However, this was only completed at the last minute. Due to Nigeria's history of party decamping (or “carpet crossing”), the constitution states that any individual decamping forfeits the office into which s/he was elected through that party (unless the party is factionalized, which many argued the PDP was). If he (or some of his allies) were removed from office, they would lose their immunity and could face prosecution for corruption, which would then make him ineligible to stand for election. The shell parties are also a shell game with the administration. Given INEC's capricious application of electoral provisions, leaving the final decampment destination unclear for as long as possible was also a political strategy to prevent debilitating regulatory harassment.

³⁸¹ For more on corruption, the 419 phenomenon, and linguistic extensions (e.g. to romantic cheating—“he 419ed me.”) see Daniel Smith, *A Culture of Corruption: Everyday Deception and Popular Dissent in Nigeria* (Princeton: Princeton University Press, 2007)

³⁸² (no byline) “PDP Prunes Aspirants, ANPP Goes for Consensus,” *Africa News* (December 1, 2006)

³⁸³ According to PDP leadership, Bukola Saraki according to Sufayan Ojeifo and Oke Epia “PDP Narrows List of Presidential Hopefuls,” *This Day* (December 5, 2006)

disagreement as to whether rotation was between Section or GPZ in the 1999 “Gentleman’s agreement.” The Ibo dominated SE claimed that except for the short period following the 1966, they had never been “chanced.” The South-South GPZ (in which the Niger Delta is located) countered that they had never once been president and launched a campaign along these lines.

For their part, the North contended that rotation was sectional and thus should only go to the North, but there was no agreement on which North. Much like the “opportunity-hoarding” disagreements over ministerial-level appointments to the “North” between the “Middle Belt/NC” and the “Core North/NW,” the Northern GPZ’s vied for the prize. Therefore, appearance of Southern candidates was a slap in the face to some sections of the party. The “zoning” policy was perfunctorily determined only 24 hours before the primaries and held that all GPZ but Obasanjo’s SW were eligible to contest—a meaningless ruling since Obasanjo’s golden boy and presumptive winner was from NW. It was Umaru YarAdua, who had obediently hosted the third term hearing in Katsina, which lead to the clashes so frequently mislabeled “cartoon riots.”

From this process, reportedly only six candidates emerged from both the North and the South. Reports vary on some candidates but they were: Donald Duke/Peter Odili/Mike Akhigbe (SS), Adamu Muazu/Jerry Gana (NorthCentral/Middle Belt)³⁸⁴ Umar Yaradua/Ahmed Makarfi (NW), and /Sam Egwu/Rochas Okorocho. (SE) The elimination of approximately 15 other candidates for opaque reasons caused an outcry and the PDP was forced to let them stand. The leadership then prevailed upon several candidates to remove

³⁸⁴ It should be noted that his campaign manager, John Dara, was also the Secretary General of the Middle Belt Forum and his is thus clearly associated with the Northeastern GPZ and the Middle Belt sense of groupness.

themselves including Ahmed Makarfi and reportedly David Duke and Aliyu Gusau. Yet, it was clear early on that the process had only one possible outcome: the ascent of YarAdua, Obasanjo's hand-picked successor. Indeed, the other candidates were not even allowed to address the delegates, with one, Sarah Jibril, fully genuflecting before Obasanjo begging that they be chanced to speak.

With the President hailing from the North, group exigencies meant that the VP must come from the South. Given the group zoning contentions, the PDP's choice was clear: it has to be candidate from the South-South. The presidential candidates from the SS were passed over for Goodluck Johnson, a decision likewise determined by the PDP leadership (including the soon to be Chairman, Obasanjo). Much like in the Second and Fourth Republic, the executive office was not a team that emerged from the electoral process, but a forced marriage between two communal groups. It is therefore unsurprising that the presidency moved haltingly from leadership crisis to leadership crisis. The office has fully stalled out during the recent conflict over the constitutionality of President YarAdua's extended absence. Moreover, the "rotation" debate resurfaced in advance of 2001 and threatens to bring the country to an irresolvable crisis.

From November 23, President YarAdua, whose health (especially kidney) problems were already a significant campaign issue was in declining health and sought treatment in Saudi Arabia for inflammation of the heart lining. Until Yaradua's death on May 5, 2010, the VP conducted some affairs of the state with YarAdua is also working with his staff from Saudi Arabia. There were at least three court cases calling for the President to step down, but the Supreme Court ruled that there is no constitutional requirement for the President to step down. Nevertheless, various politicians, civil society activists and media outlets called

for the President to formally step down. However, this was not as simple as it sounds. If the President stepped down, the North would “lose its turn” at the Presidency. This is not merely a power-struggle between two individuals, even two factions in a party, or indeed two parties. It is a power-struggle between the two constituent units of the nation. Nevertheless, in February 2010, Jonathan was named acting President.³⁸⁵ Opposition to this act³⁸⁶ portended increased dissent in the North and fissures within the nation.

It soon became clear that Jonathan intended to stand for re-election. As early as June 2010, he stated that he was considering running. Around the same time, senior PDP officials close to the new President began making statements questioning the validity of the declaring the Gentleman's Agreement, suggesting it was not “sacrosanct”³⁸⁷ and some even prosaically suggesting it is “a mere mortal arrangement” not “the Bible or Koran” adding, “Only these books are rigid as far as I know.”³⁸⁸ However, much like these holy texts are subject to multiple interpretations often subject to the political aims of the exegesists, so too is the Gentleman's Agreement.

Several former and current PDP Chieftains cried foul. The PDP National Executive Committee (NEC) took an ambivalent stance. On the one hand, it declared the Gentleman's Agreement valid. On the other hand, it affirmed Jonathan's ability to stand based on a continuation of the Yaradua/Jonathan ticket, as well as the ability of other candidates from all GPZ to stand in the primaries (thus contradicting zoning as well).³⁸⁹ This move only

³⁸⁵ Adam Nossiter, “Nigerian Parliament Names Acting President,” *New York Times* (February 9, 2010)

³⁸⁶ Mudeen Olaniyi “Yakasai's New Group Picks Holes in Resolution,” *Daily Trust* (February 9, 2010)

³⁸⁷ Sulaiman Bisalla, “Between 2002 and 2010: Anenih flip-flops on Zoning,” *Daily Trust* (June 28, 2010)

³⁸⁸ Mohammed Shehu “Gov Aliyu: PDP Zoning Neither Bible nor Quran,” *Daily Trust* (July 6, 2010)

³⁸⁹ Muideen Olaniyi, “PDP Exco Okays Zoning,” *Daily Trust* (August 13, 2010)

intensified outcry, with some even filing a lawsuit.³⁹⁰ However, Jonathan forged ahead, officially declaring his intent to stand on Facebook on September 14, 2010. However, almost all of the other presumptive candidates within the PDP and other parties are Northern Muslims: Atiku (former PDP, decamped to AC, returned to PDP), IBB, and Buhari. PDP primaries—slated for late September—have now been delayed indefinitely as the National Assembly debates pushing back the electoral time table in response to a request by INEC Chairman, Attahiru Jega. This will only delay what will likely be an ugly showdown within the party and within the country.

This dissertation has argued that institutionalized group representation leads to conflict and interruptions in democratic rule. The Gentleman's Agreement promoted a contest between North and South. Yet, the only thing worse for stability and democracy in Nigeria than institutionalized group representation is a violation of the system. The PDP has retained rotation, arguing that it is consistent with both the party constitution and the Nigerian constitution. The party has neither rejected the principle nor moved to revamp the entire system of institutionalized group representation on which the polity rests. However, in supporting Jonathan's candidacy in the face of widespread opposition, it is inviting conflict on all levels of the country in advance of the January-April elections. With voter registration yet to begin (or scheduled) at the time this dissertation was filed in mid-November 2010, there are indications that the elections (originally scheduled for January and now potentially shifted to April) will be entirely derailed. This would set the stage for a coup and sectional and sectarian conflict at the center.

³⁹⁰ Akila Balal and Muideen Oaniyi "PDP Sued for Dumping Zoning," *Daily Trust* (September 21, 2010)

LOCAL CERTIFICATION: CHAIRMAN OF JOS NORTH LGA

Unfortunately, the best way to determine “who owns Jos” or establish a sense of belonging is who is the Chairman of Jos North LGA. The first elected Chairman of Jos North LGA was Smaila Mohammed, a Jasawa. Given the already emerging divided between the Jasawa and other groups (especially the Berom) over the post, the position the first Chairman of the newly created LGA was bound to encounter controversy, ranging from opposition to a Jasawa Chairman to discontent with the allocation of counselor seats. As one well-placed Jasawa activist notes, “We made one mistake during the time of Smailas. All leadership—3/4 counselors—were Hausa. This was a big strategic mistake. Jos is a cosmopolitan city with many tribes. If we had consulted and interacted with other tribes and each tribe had a representative, we would not have sent a fearful signal to other tribes.”³⁹¹ While these frank self-reflections on the part of the Jasawa community reveal the costs of opportunity hoarding, it is not clear if the tone would have been set differently with a different allocation. The logic of power sharing and the national cake is that everyone wants a piece and no one is ever satisfied with the size.

Despite the controversy, Mohammed held the post until LGAs were dissolved in November 1993 following the reinstatement of military rule. Soon, the LGA saga began anew in 1994 when another Jasawa was appointed, Alh. Aminu Mato. Higazi also points out that at the time the military governor of the state was also Muslim, Col. Mohammed Mana. Riots and continued protests from the Christian community meant that the appointment was

³⁹¹ Interview, Jos, December 2006 (Although individual agreed to on-the-record interview, I have withheld the name due to the controversial nature of the subject matter and risks that might involve for the individual's leadership position).

soon reversed.³⁹² Once elections were held again, another Jasawa won office, Mukhtar Mohammed. Yet, his term was also short lived. His opponent contested his eligibility successfully and Mohammed served only a few months before the results were overturned.³⁹³ However, the tide turned in 1999 when Nigerian electoral politics resumed. Then, Jos North elected an Anaguta Christian whose election was conducted peacefully but whose administration was marred by allegations of non-issuance of indigene certificates to Jasawa.

In examining the 2001 riots, it is perhaps helpful to identify underlying and proximate causes, or the dry underbrush and the match that sets it alight. Certainly, the underlying cause was the structural confrontation between the newly emergent “group” “category” and its claims to “certification” through not only the creation of Jos North LGA but also the system of entitlements it opened. Competition between the various putative groups claiming the LGA Chairmanship and its spoils continued. The match was lit with the appointment of Alh. Mukhtar Usman Mohammed to the National Poverty Eradication Program. But the conflagration came on September 7 during Friday prayers when Muslims and Christians clashed in and around the contested space of roads closed for prayers.³⁹⁴ The match then ignited the ragged underbrush of grievance and Jos was again ablaze.

Nevertheless, after the conflict, Tardy completed his three-year elected term, but the LGA elections were not held in 2003. Clashes erupted following the surprise movement of a polling station from a Muslim to a Christian election during the PDP primaries.³⁹⁵ Nor were

³⁹² Adam Higazi, “The Politics of Urban Violence in Jos, Nigeria, from Colonial Rule to the 2007 Elections/Violence Urbaine et Politique a Jos (Nigeria), de la periode coloniale aux election de 2007,” *Politique Africaine* (2007)

³⁹³ Philip Ostein, “Jonah Jang and the Jasawa: Ethno-religious Conflict in Jos, Nigeria,” *Muslim Christian Relations in Africa* (August, 2009)

³⁹⁴ For an extraordinarily richly detailed account of the conflict’s unfolding see Higazi, 2007.

³⁹⁵ Higazi, 2007

they held in 2006, although this should be seen in the context of the national delay in LGA elections (scheduled for Spring 2006) followed by the dissolution of LGAs in many PDP controlled states (including Plateau) so that the ruling party could appoint seven member advisory committees that controlled the LGA resources could exert control over the local political terrain. In the mean time, a series of Afizere (under Dariye) then Berom (under Botmong and Jang) caretaker chairmen (and one chairwoman) were appointed.³⁹⁶

During this period, competition for certification continued through other open institutional venues, such as the National Assembly seat and the LGA Offices. The seat in the national legislature for Jos North is also regarded as a particularly valued prize for the Jasawa community and the ANPP, leading some to suggest that the winner of the 2007 election refused a ministerial appointment in order to keep the seat in the Jasawa family.³⁹⁷ In an unmistakable assertion of authority (if not ownership!), the building for the Jos North LGA was moved to a largely Berom area in November 2007 to make room for the Gbong Gwom (Berom Chief)'s palace.³⁹⁸ Yet, these were just opening acts for the main show. The most important institutional prize for contending groups seeking "certification" remains the LGA Chairmanship which was again up for grabs in the 2008 elections.

³⁹⁶ Interestingly, this has been described as "rotation" by the first appointed Berom Chairman, B.T. Bingel. He said, "in the contemporary period, the Berom, Afizere, Anaguta, rather than fighting we rotate" the Chairmanship. This is in contrast to the "earlier conspiracy against the Berom, which is the largest group...there was a conspiracy that the Berom had too much then they should not have anything." Given the increasing conflict between the Berom and the Afizere who were once both included in the Berom Progressive Union, this sort of "rotation" does not seem to mitigate the inherent winner take all aspect of institutionalized group representation, whether rotated shared proportionally or otherwise: everyone always wants their piece of the pie and it is never a large enough slice. Naturally, Bingel also adds to his formula, "but the leadership is a no-go area for other groups like the Hausa." Interview, Jos, March, 2007.

³⁹⁷ "Dasuki's Sack and the ANPP in Plateau," *Daily Trust* (November 11, 2008). Likewise, I was able to observe the Smaila Mohamed campaign and the reaction of ANPP activists after the results were declared. It does not appear an exaggeration to note the importance of this district for the Jasawa community.

³⁹⁸ "Dust Over Jos North LG Relocation," *Daily Trust* (November 4, 2007)

Given the history of the Chairmanship, it was abundantly clear that the 2008 LGA elections would be contentious. At the start of the year, they were off to an inauspicious start with a lack of preparedness and high level of concern. Indeed, the Plateau-based League for Human Rights³⁹⁹ issued a press statement, calling “on all stakeholders to guard against the acts of selfish politicians who are out to gain political power by all means during such elections and often consider local government elections and local government allocation as their booty. We must also guard against the acts of godfathers/mothers and their desire to impose candidates at all cost—a case of politics of selection at the party level and not election” and also calling on “the state government, the State Independent Electoral Commissions (SIEC), the police and other security agencies, politicians, traditional and opinion leaders and political appointees to ensure that this election is not marred by fraud, ballot box snatching and massive rigging which often result or lead to political crisis.”

The League of Human Rights weren't the only ones with concerns. PASIEC, the Plateau State Independent Electoral Commission, cancelled the elections first in January then again in March due to a lack of preparedness. With these misfires, tensions were already high as voting approached in the high-stakes ballot. As discussed in Chapter Three, in Plateau state generally but especially in Jos North LGA, there is a clear party affiliation along identity lines with Muslim support for ANPP (especially after Dariye's mismanagement of the conflicts) and Christian support for the PDP. The ANPP nominee

³⁹⁹ League for Human Rights “The Need for a Free, Fair, and Transparent Election at the LGA Level” January 5, 2008. It should be noted that the League for Human Rights is associated with the Middle Belt movement, which seeks increased autonomy for non-Hausa, non-Muslim Minorities and even organized a series of conferences asserting this position. It should also be noted that Nankin Bagudu, the former Director of the LHR is the Environment and Transport Minister in Jang's government. If the League of Human Rights is expressing grave concern, this is clearly not restricted to the Hausa community and reflects well-founded fears of electoral malfeasance.

would clearly be Jasawa, Aminu Yousef Baba. Especially with Jang making the decisions, the PDP nominee would certainly not be. In fact, he was Berom; moreover he was Berom from Jang's hometown of Du (which is located in Jos South LGA, not Jos North LGA).⁴⁰⁰

Leading up to the elections, there were grave concerns about their conduct, not just in Jos but in other LGAs in the country.⁴⁰¹ As part of the practice that emerged in various states in the country around the 2007 elections, the Jasawa opted to follow their ballots throughout the counting process to ensure transparency.⁴⁰² The unfolding of the next 12 hours is retold by Phil Ostien in detailed fashion:

As the polls closed and the votes began to be counted, this is what they did, or tried to do: follow the ballot boxes and results sheets from the polling places and the wards to the central collation centre to make sure no hanky-panky went on there. In fact partisans of both sides were doing the same. But where were the returning officers? Where was the central collation centre? People waited for the returning officers to come collect the ward results. They didn't come. This at least was the experience in the Muslim-dominated wards. So they went

⁴⁰⁰ Ostien, 2009

⁴⁰¹ See, for example, Raheem Akingbolu "Interests Class as Ekiti Holds Council Poll," *This Day* (December 12, 2008). It appears to be a similar scenario—members of the regional opposition party (AC, heir to AD) claim that the state electoral body, Ekiti State Independent Electoral Commission (EKSIIEC) were not neutral and instead serving PDP interests leading to physical and legal confrontations. Similarly, there have been calls for polls to be cancelled in Jigawa with the opposition party there—AC—claiming that the JSEIC is not organizing the elections impartially.

⁴⁰² While some observers have given this a nefarious coloration implying that this was a uniquely Jasawa practice with a hostile/threatening intent, "The Jasawa had said that they would —vigorously resist any attempt of manipulation by the ruling party. In fact they have a slogan: *A kasa, a raka kuma a tsare*, meaning —cast your vote, escort it and guard it." Indeed, the slogan "protect your vote" was a common one promoted by various civil society actors around 2007 throughout Nigeria in several languages. The idea being that you should stick around until all the counting had been completed and then follow the ballots to the next step to ensure that the figures were accurate and properly reconciled. In private conversations, many observers and civil society activists were individually concerned that the physically following and "protecting" one's vote was inconsistent with a program of preventing electoral violence. While "protecting one's vote" is an effective means of guarding against electoral malfeasance during the counting process (since party agents can be bought off—indeed some become party agents just for the payday!), the practice did lead to mass demonstrations/riots in April 2007. Some of these riots—such as in Bauchi—are credited with being one of the reasons why the "results held," thus further illustrating the tension between campaigns to "protect ones vote" and preventing electoral violence, especially in contexts highly charged with group contention. The answer does not seem a simple one—especially in the absence of international diplomatic will to take a stand against the outcome of the 2007 elections which nearly all domestic and international observers agreed were fraudulent. Without the international protection of Nigerians' votes, Nigerians are left with no option but to protect it themselves.

looking for the collation centre. This had always been in the Jos North local government headquarters [recently moved out of the Hausa quarter to another location downtown]. So they went there. But there was no sign of any activity there. Nobody – not only the Muslims – knew that the collation centre had been moved. They didn't know where it was.

It should be noted at this point, that this is a grave breach of vote counting protocols.⁴⁰³

Counting should proceed from publically listed polling station to collation center to LGA office. Party agents should be informed and present at all stages of the process. The fact that this was not the practice lends credence to allegations of electoral wrongdoing by PASIEC and perhaps also to ANPP/Jasawa claims that the Jos North LGA election was rigged. When placed in the context of widely reported rigging in the 2007 elections, there is substantial reason to doubt the validity of the election. There is also substantial reason to think that even the appearance of wrongdoing of this election would precipitate violence.

Around 12 midnight, the Muslims finally learned where the collation centre was: at one primary school located in Kabong, a Christian-dominated area of Jos, heavily Berom. Muslims went there. Bala Muhammad went there. Results started coming in from various wards. Large numbers of youths from both sides gathered outside to —defend their votes. (interview 6 Feb. 09)...Results came in to the collation centre from fifteen of the twenty wards, and were successfully collated by 3 a.m.. With those, according to the Jasawa, ANPP was ahead in the chairmanship election by more than 30,000 votes (or was it 13,000? – accounts differ). In their view the total possible votes from the remaining five wards could not have made up the difference. So the Jasawa thought they had won. Perhaps PDP supporters feared the same. Outside the collation centre, the PDP supporters among the youths began chanting —PDP must win! PDP must win! From the Jasawa came back: —*Ba za mu yarda ba!* —We won't agree! As the

⁴⁰³ While there is the possibility that the counting center can be moved if provided for in the legal framework of the country, this is not the case with the Nigerian Electoral Act of 2006. Indeed, given the history of rigged elections, the emphasis was on transparency with the greatest concern about conflict stemmed from fears of rigging. The move of the counting station appears to have escalated (if not precipitated) the crisis. At the very least, the clandestine nature of the move (without, it seems the knowledge of the ANPP party agents as well) is at odds with the paramount principle of transparency. On vote counting, including transparency and the rare provisions for movement of counting centers see: <http://aceproject.org/ace-en/topics/ei/eif/eif10/default/?searchterm=counting%20center>

results from the missing wards were awaited, the situation became tense. Several PDP officials, more than the one representative they were allowed (although they may have been there in their capacities as state officials not party officials), appeared inside the collation centre, conferring together. At some point the police came. The people inside the collation centre were told to leave: —your safety cannot be guaranteed. Outside, people began throwing stones. Fighting started. People – Jasawa polling agents, a policeman – may already have been killed at the collation centre, this is disputed. The police finally succeeded in dispersing the crowd. All those angry youths went out into the town, talking on their cell phones. Before long the looting and burning and killing started, exactly where, and who started it, and how it spread, are all disputed.⁴⁰⁴

And the election remains unresolved. According to Ostien, “It seems that the vote totals from the five missing wards have never been announced. What was announced, on Friday, 28 November, as the conflict raged, was that the PDP candidates had won all seventeen local government chairmanships in Plateau State, including Jos North. Only total numbers of votes were given, not breakdowns by wards. This announcement of course only intensified the violence in Jos.” Indeed, a number of Ward Chairman refused to accept their certificates in accordance with ANPP policy of not recognizing the results of the election, although later it appears six of the seven later defected from the ANPP position not to join the Buba administration.⁴⁰⁵

While several analysts⁴⁰⁶ and various media outlets have emphasized the indigene issue in generating conflict, it must be viewed within the larger context of the politics of new group claims. The indigeneity certainly plays a role, but it is merely a base unit in the system

⁴⁰⁴ While all deaths in Jos are tragic, the death of NYSC volunteers has rightly been viewed as particularly tragic given the irony of death during a communal riot for a participant in a program that is designed to build inter-group bridges. This will also serve to reinforce emerging sectionalism and sectarianism within the NYSC. Already there is an unwillingness of Southern graduates to serve in the North and vice-a-versa. Also, organizations have formed along sectarian lines such as Christian Corpers and Muslim Corpers.

⁴⁰⁵ Mahmud Lalo “Jos North—ANPP Disowns Councilors,” *Daily Trust Nigeria* (March 27, 2009)

⁴⁰⁶ HRW, Higazi 2007, Ostien 2009

of institutionalized group representation. It is thus a system not a cause. While the freezing of indigene certificates was certainly an escalating factor, the significance of the Chairman's office itself becomes more clear if we engage in a counterfactual: had Tardy (or another administration) given indigene certificates widely—let's say even profligately—would the LGA Chairmanship ceased to be an issue? Most certainly yes—for four reasons. First, the indigene certificate issue did not escalate until 1999⁴⁰⁷ when military rule ended and the selectoral politics floodgates opened. Second, as the first LGA Chairman himself noted—it's an important means through which to access Nigeria's oil wealth.⁴⁰⁸ Second, the Chairman also controls many appointments. The fact that the appointment of Alh. Mukhtar Usman Mohammed to (NAPAP) ignited the 2001 conflict is telling. Finally, and most importantly, the achievement of LGA Chairman also legitimizes the Jasawa identity, groupness and claim on institutions.

It is helpful to examine the emergence of the Jasawa as a “group” not merely by adopting the settler/indigene dichotomy while either try to resolve it through historical adjudication or legal revision. We must understand the contests over Jos North LGA not merely as fights for documentation that provides access to rights—although these rights certainly matter. They are an institutional claim to belonging. Some observers have noted that the Jasawa are more restive than the Yoruba or Ibo⁴⁰⁹ with the Ostein noting “the city's settler problem is a Jasawa problem.” In some senses, this is unsurprising since unlike the Jasawa, no one tells the Ibo or the Yoruba that they do not exist as a group—that the idea of

⁴⁰⁷ Ostein, 2009

⁴⁰⁸ It is important to note that during this conversation he in no way made a personal admission or implication of chopping money, lest the quotation be taken out of context as an admission of wrong doing. It merely situates the import of the contest over LGA.

⁴⁰⁹ Higazi 2007, Ostein 2009

“Ibo” or “Yoruba” is a fabrication. It is a claim to belonging emerging from a system of institutionalized group representation that fuels an interlocking dynamic of the three mechanisms operating in the political and “selectoral” system: opportunity hoarding, category formation and certification.

CERTIFICATION AND COMPETING COMMISSIONS

The underlying political issues likewise remain unresolved in large part because of the interaction of group politics at both the national and local level. At least four competing commissions were established in the wake of the 2008 Jos riots (and a fifth after the 2010 riots). Two—the governors panel headed by Adm. Nyako and the House of Representatives Commission headed by Umaru—are less significant. The other two—one initiated by President YarAdua headed by Maj. Gen. Abisoye and the other by Gov. Jang headed by Justice Ajibola—are in a prolonged face off of institutions and group identities. Due to disagreements over jurisdiction, Jang has taken YarAdua to court calling for an injunction to prohibit the President’s panel from investigating claiming that his Commission oversteps federal bounds whereas YarAdua claims that the scale makes it a broader security matter. They also have different emphases on the causes of the conflict: the Ajibola Panel emphasizes IBB’s creation of Jos North LGA;⁴¹⁰ the Abisoye Panel faults Dariye and Jang mismanagement. Therefore, the Christian-created state panel blames a former Muslim President whereas the Muslim-created national panel blames Christian governors. The divide is clear.

⁴¹⁰ Seriki Adinoyi “IBB—Jos North Legally Created,” *This Day* (July 29, 2009); BBC “Ex President IBB to Appear before Jos Crisis Inquiry Panel,” (21 July 2009)

One also cannot ignore the obvious electoral implications despite the fact that YarAdua and Jang are both from the ruling PDP, which has stepped in to mediate.⁴¹¹ It should not be forgotten that during the previous administrations, President Obasanjo and the Plateau State Governor Joshua Dariye were also both in the PDP but had an infamous falling out. It could be argued that this is a structural dynamic of owing not to federalism per se, but the organization of ethnic federalism in Nigeria and the selectoral politics that dominate at all levels. The president and the Governor have different constituencies. The demographic composition of Plateau state means that the Governor tends to need to attend to that population; the demographic dynamic at the national level (combined with sectional imperatives of the Fourth Republic) means that he can ill afford to ignore Muslims. The groupism that is enshrined in the Nigerian system and entrenched through selectoralism means that the Governor is not just the representative of the state, he is the advocate of the Berom/Christian population. Likewise, Yar'Adua is not the head of the nation; he is the advocate of the North in "their turn." Moreover, fears that he will be replaced by a Southerner fuels fears that Muslim concerns will not be addressed: within the logic of institutionalized group representation, the evisceration of state institutions through groupism means that recourse to the state requires having a "brother in the villa." The desperate possibility of this loss may escalate the situation further. The polarization is not a typical federal dispute about jurisdiction, it is a polarized groupist confrontation. It is therefore unsurprising that these Commissions have been unhelpful, to say the least.

Even as early as January 2009, observers were noting "the danger, therefore is that YarAdua's move could be claimed and supported by a section of the Jos, or indeed, the

⁴¹¹ (no byline) "Jos Crisis—PDP Wades Into YarAdua, Jang Feud," *Africa News* (January 1, 2009)

entire Plateau society, while Gov. Jang could also gather supporters of his action into another camp. Such a situation could not make for reconciliation and peace.”⁴¹² It is perhaps even fairer to say that the competing commissions have not only failed to bring resolution, *but they have also escalated the crisis*. In this sense, we see the intersection of intergroup competition at both the national level discussed above with local intergroup competition discussed herein.

It was therefore just a matter of time before hostilities re-erupted. However, like so much else, there were competing accounts—or different trails back to the match that lit the underbrush. On the one hand, there the Commissioner of Police made early statements that Muslim youths had attacked St. Michael's Church. In response, the Inspector General removed and berated him for making preemptive remarks prior to the completion (indeed, the initiation) of an investigation.⁴¹³ On the other hand, the Daily Trust, local civil society leaders and regional/international press report that it began when a Muslim man Alh. Kabiru of Dutse Uku was prevented by Christian youths from rebuilding his house.⁴¹⁴ The truth might lie somewhere in between, with ground zero being the house rebuilding and then expanding outward where churchgoers and people moving from the original point began to clash. Each side—locally and nationally—emphasize different elements and it is difficult to assess from whence the spark blew.

As one might expect, yet another panel has been created—and this by the former Vice President (acting in the President's absence) one just as lacking in credibility as the

⁴¹² (no byline) “YarAdua, Jang in Plateau Tango,” *Africa News*, January 3, 2009

⁴¹³ http://www.news.dailytrust.com/index.php?option=com_content&view=article&id=13377:-jos-onovoslams-former-cp&catid=19:city-news&Itemid=26

⁴¹⁴ For one detailed description of this account of the start of the crisis see: http://www.news.dailytrust.com/index.php?option=com_content&view=article&id=12875:how-jos-crisis-began-by-man-on-the-spot&catid=46:lead-stories&Itemid=140

rest.⁴¹⁵ While it includes broad representation at the local level, including Christian and Muslim godfathers such as Lar (PDP) and Kwande (AC), it does not include any ANPP leadership and also falls far short of a committee comprised of disinterested actors and is likely to again result in deadlock. Moreover, this panel escalates the North-South dimensions to the panel creation since it is intertwined with the Presidential issue. President Jonathan's recent October visit to Plateau and meeting with Berom representatives could be viewed as a cynical bid to manipulate local sectarian tensions for his sectional aims. Continuing divergent accounts and interests at both the national and local level have led some to despair of a Nigerian solution and instead call upon the ICC to rule.⁴¹⁶ There appears to be some basis for this possibility.⁴¹⁷ It is likely that the conflict will continue to escalate in advance of the national elections, especially given the way that the competing commissions has intertwined the LGA inter-group contest in Jos with national inter-group conflict.

CONCLUSION

⁴¹⁵ http://www.news.dailytrust.com/index.php?option=com_content&view=article&id=13556:lar-heads-panel-on-jos-crises&catid=46:lead-stories&Itemid=140

⁴¹⁶ <http://news.bbc.co.uk/2/hi/africa/8491012.stm>

⁴¹⁷ "With the communication to the prosecutor, he has the obligation to consider whether crimes under the ICC's jurisdiction appear to have taken place. Nigeria has acceded to the ICC Statute, so it is technically subject to the Court's scrutiny. The crimes that the Prosecutor can investigate are war crimes, crimes against humanity, and genocide, so the crimes in Jos would have to be characterized under those definitions. Additionally he would have to find that there is a good reason to believe that the appropriate state authorities are either unwilling or unable genuinely to prosecute. The Prosecutor has articulated some guidelines about what kinds of "situations" to pursue (situation is an ICC term meaning a conflict situation, as opposed to a case -- cases take place within situations, so for instance, Darfur is a "situation"). The situation must include crimes that appear to be of significant "gravity" to warrant ICC involvement." Ben Schiff (author of *Building the International Criminal Court*), email communication February 1, 2010. Competing commissions call into question the willingness to prosecute. The patterns of violence on both sides also could approach the crimes that fall under the ICC purview: "crime against humanity" means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack..." where these acts include: murder, extermination, enslavement, deportation, imprisonment in violation of fundamental rules of international law, torture, rape and other gender crimes, persecution, disappearance.

During this period, new categories were imposed as a means of resolving the political crisis of June 12. The 1994-5 Constitutional Conference and the 1996 Federal Character Commission established categories at the supra-state and sub-state levels. At the supra-state level, Section (North-South) and Geopolitical Zone (NW, NE, NC, SS, SW, SE) were established. At the sub-state level, the LGA was expanded as the building block of federal character with new LGAs created as part of the political transition.

With these new categories imposed by the state, opportunities were hoarded among networks in these categories, creating in-groups and out-groups. The 1999 Gentleman's Agreement determined that the Presidency would rotate between North and South and, moreover, that the economic interests of the "North" would be protected through cabinet appointments and contracts. However, controversy soon erupted as sub-groups of the "North" claimed they were not getting their fair share. Opportunities were thus hoarded among sub-group networks, reinforcing categories of Section and Geopolitical Zone.

Opportunity Hoarding also led to Category Formation (Inscription) as webs of relations became denser as groups sought to establish more powerful representations. Although represented as timeless identities, North, Middle Belt, and Jasawa are all constructed groups that have emerged following the 1993 political transition. Rather than being the awakening of dormant identities, their formation is directly tied to institutional change driven by the logic of institutionalized group representation. Not only did Category Formation (Inscription) serve to reinforce Category Formation (Imposition), but it also facilitated Opportunity Hoarding. Similarly, the interaction of these three mechanisms set the stage for certification, the culmination of the process.

In the final section, I traced the operation of “certification” at both the national and local level. At the national level, the interaction of Category Formation and Opportunity Hoarding led to a crisis regarding whether the Presidency would remain in the South and if it would “shift back” to the North, which North it would shift to. Conflict over the power of the presidency led to the clashes mislabeled as the “cartoon riots.” At the local level, the interaction of Category Formation and Opportunity Hoarding led to a crisis over the Jos North LGA Chairmanship. Conflict around the local elections has periodically erupted, from 1994 to 2008. Although these clashes are commonly attributed to Muslim-Christian tensions, they are rooted in the far less sensational arena of institutional design. In tracing how the operation of these interlocking mechanisms lead to conflict in the most recent cycle in Nigeria, this Chapter finds support for the model presented in the introduction. However, it does not only hold in Nigeria, but also in Lebanon. It is to this case we now turn.

CHAPTER SEVEN: LEBANON'S VICIOUS CYCLE AFTER TAIF

INTRODUCTION

This chapter will begin by describing the “event” (the end of the civil war) which set in motion the “start up conditions” for the most recent cycle of conflict and democratic breakdown in Lebanon. Once this is outlined, the chapter will then trace the operation of the four interlocking mechanisms: category formation (imposition), opportunity hoarding, category formation (inscription), and certification. It will detail how these mechanisms derive from institutionalized group representation and lead to periodic communal conflict and interruptions in democratic rule.

In the section “Category Formation (Imposition),” I examine the role of the 1989 Taif Accord in acting as a “generative structure” creating new institutional units of the Triple Presidency. In contrast to the largely Christian-Muslim balance that existed before, Taif's provisions balanced power among the “Three Presidents:” the President of the Republic (Maronite), the President of the Cabinet (Sunni) and the President of the Chamber of Deputies (Shi'a). I also examine the allocation of seats to sects previously unrecognized, such as the Alawi. Finally, I examine the principles enshrined in the accord regarding allotment and decision-making.

In the section, “Opportunity Hoarding,” I discuss the hoarding of opportunities along newly formed categories through cabinet appointments, the allocation of public sector positions, and the pre-determination of elected office in the Parliament. The hoarding of

opportunities among these categories imposed by Taif reinforces these in-group/out-group categories and set the stage for Category Formation (Imposition) and the post-2005 certification contest and ensuing communal conflict.

In the section “Category Formation (Inscription),” I examine how the prior category of “Muslim” dissolved in the post-Taif period, especially following Syrian withdrawal. I argue that it was replaced by webs of relations among Sunni and Shi’a groups. Following Taif, but especially in the post 2005 period, a “Shi’a bloc” emerged as a concentrated web of relations that sought representative power. In addition, I examine the emergence of the Alawi as a group seeking to claim control of the two seats newly established for their community in the Taif Accord.

In the final section, I examine the culmination of the process—“certification” in which group compete for recognition and power within state institutions. I do so by examining national debates regarding the electoral law and cabinet composition. I argue that, in contrast to the religious and regional explanations given, differences over control of political resources of Parliamentary and Cabinet positions led to government breakdown and clashes in the street. The Doha Agreement and the ensuing 2009 elections was the culmination of the process of “certification” through which the Shi’a received partial certification in their cabinet demand, the Christian community received certification in greater control of their allocated seats, but the Alawi did not receive certification in control over their seats. As a result, conflict at the national-level has abated whereas it continues to periodically erupt in Tripoli and Akkar between Sunni and Alawi communities.

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THE "EVENTS" OF THE CIVIL WAR

The use of the term “event” comes from the discussion in Chapter One which combines Lichbach’s method of measuring mechanisms with Sewel’s approach to “eventful sociology.” However, when it comes to Lebanon, “event” has another meaning. The civil war is often referred to in Arabic as “*ahdatb*” الاحداث or “the events” much like the protracted and brutal civil war in Northern Ireland has been reduced to the equally unassuming “the troubles.”

While it is beyond the scope of this dissertation to provide an even partial recounting of the Lebanese civil war, it is nevertheless important to provide a brief summary.⁴¹⁸ Explanations of the war vary in emphasis, but many accounts converge on the increasing demographic and political imbalance in Lebanon between the power allotted to the Maronite community and its population size. Moreover, the 1968 Cairo Agreement permitted the operation of Palestinian armed groups within Lebanon. After Black September in 1970, Palestinian fighters were expelled from Jordan and became increasingly active in Lebanon. These two factors combined to widen the rift between two groups in Lebanon, which have been called the “Muslim Progressives” and the “Christian Conservatives” by Picard or some variation thereof.⁴¹⁹ The war broke out on April 13 1975 with a Phalangist attack on a bus carrying Palestinian civilians. The war—which continued for 14 years—had many phases as well as a dizzying array of international and domestic actors, many of whom switched allegiances during the war.

⁴¹⁸ Several studies exist on the subject, including: Elizabeth Picard, *Lebanon: A Shattered Country* (New York: Holmes & Meier Publishers, 2002); Robert Fisk, *Pity the Nation: The Abduction of Lebanon* (New York: Thunder's Mouth Press/Nation Books, 2002); Farid El-Khazen, *The Breakdown of the State in Lebanon: 1967 - 1976* (London: I.B. Tauris, 2000); Theodor Hanf, *Coexistence in Wartime Lebanon: Decline of a State and Rise of a Nation* (London: The Centre for Lebanese Studies, 1993) among many.

⁴¹⁹ Elizabeth Picard, 2002

Throughout the civil war, a variety of proposals sought to bring about an end to hostilities through a reformulation of the political system, focusing especially on the distribution of authority and recalibrating the confessional balance in parliament. These ranged from the Constitutional Document (1976), the Principles of Entente (1980), the Lausanne paper (1984), the Policy Statement of the National Unity Government and finally the Tripartite Agreement (1985).⁴²⁰ The Tripartite agreement was negotiated by the Arab Tripartite High Commission—Algeria, Saudi Arabia, and Morocco—among the various participants in the civil war. It also formed the basis for the negotiations when the Tripartite powers later convened a new effort in Taif Saudi Arabia at the nadir of Lebanese institutional collapse in 1989.

TAIF CATEGORY IMPOSITION

Drawing on Tilly's work on Social Boundaries, broadly speaking, Category Formation is a key mechanism through which groups form. More specifically, "A social category consists of a set of sites that share a boundary distinguishing all of them from and relating all of them to at least one set of the sites visibly excluded by the boundary." Yet, in *Identities, Boundaries, and Social Ties*, Tilly makes an important distinction between two types of mechanisms: those that *precipitate* boundary change and those that *constitute* boundary

⁴²⁰ Apart from these agreements, there were a number of proposals. Among them was Berri's idea of a presidential council of six leading sects: Maronite, Sunni, Shi'a, Druze, Greek Orthodox and Greek Catholic. The presidency would rotate on a yearly basis among the sects. This proposal of a shared presidency bears striking resemblance to the zoned presidency proposed for six GPZ by VP Alex Ewueme. While it is unlikely that there was diffusion, it should be noted that there is a substantial Shi'a population in Nigeria, including the Amal Public Affairs office (and right hand man to Nabih Berri), Ali Hamdan who resided in Kano for many years. Indeed, Hamdan is quoted saying "In Lebanon, every religious community thinks of itself as a nation. Every nation is trying to have the biggest control" which is a paraphrase of the Awolowo quote at the beginning of Chapter Four on Nigeria, with a sprinkling of the Gibran quote from the beginning of Chapter Five on Lebanon. Michael Slackman, "Hizbollah Uses Influence to Jockey for Power in Beirut" *NYT* (November 6, 2006)

change.⁴²¹ He notes that precipitating mechanisms include: encounter, imposition, borrowing, conversation, and incentive shift. Constituting mechanisms include: inscription, erasure, activation, deactivation, site transfer and relocation. Similarly, in an earlier work, *Dynamics of Contention*, McAdam, Tarrow, and Tilly go on to note that category formation has three potential components: invention, borrowing, and encounter. Combining these two works, this dissertation likewise views category formation as divided into two components: one precipitating, one constitutive. The precipitating component is Imposition, when “authorities draw lines where they did not previous exist.”⁴²² In this sense, this is the part of the mechanism that restructures the state.

In this section, I examine “Imposition.” I outline how the central governmental institutions of Lebanon were reordered through the generative structure of the Taif agreement between the Second and Third Republics. This reorganization included two components: the creation of the “Three Presidents” and a new allocation of seats among newly recognized confessional communities. I also examine the power-sharing principles enshrined in the Accord. Much like the 1994-5 Constitutional Conference and the ensuing Federal Character Commission in Nigeria, Taif and its governing principles imposed new institutional categories.

TAIF IMPOSITION OF THE THREE PRESIDENTS

According to Norton, “against the background of the collapse of the Lebanese economy, accelerated emigration from Lebanon, especially by Christians, and a near-total

⁴²¹ Charles Tilly, *Identities, Boundaries and Social Ties* (Boulder: Paradigm, 2005): 135-146

⁴²² Doug McAdam, Sidney Tarrow and Charles Tilly, *Dynamics of Contention* (Cambridge: The University of Cambridge Press, 2001): 139

breakdown of public services, 62⁴²³ members of the Lebanese parliament met in Taif, from September 30 to October 22, 1989.”⁴²⁴ While the components of the agreement were roughly similar to those of previous agreements (plus provisions for Syria's role), this was Taif's primary distinction: it gathered lawmakers rather than warlords. In contrast to the Tripartite agreement which focused on the primary combatants and sought to negotiate peace among warlords (Berri, Jumblatt, and Hobeiqa),⁴²⁵ Taif brought together all but ten⁴²⁶ of the remaining 73 of the 99 MPs elected in the 1972 election—the other 26 MPs had since deceased.

Not only did Saudi Arabia send three planes to collect the 33 Christian and 30 Muslim MPs from Lebanon, France, and Cyprus, but it also placed them in a tightly controlled political pressure cooker, which has variously been called a “conclave,”⁴²⁷ “mountain resort” and “luxurious palace that has become their gilded cage.”⁴²⁸ The MPs met over a tumultuous three-week period, leading a Saudi official to exclaim in exasperation, “You have often said you would solve your country's problems in 10 hours if left alone with no external forces. But we see you have spent 10 days here without achieving results.”⁴²⁹ The primary work was done by an 18 member drafting committee, comprised equally of Christians and Muslims and chaired by Speaker of the Parliament Hussein Husseini. However, Husseini recounts that most of the work had been done previously, “We started

⁴²³ Observers give both 62 and 63 as the number of MPs attending. Confessionally disaggregated data totals 63, which is the figure used in the rest of the text.

⁴²⁴ Richard Norton, “Lebanon after Taif: is the civil war over?” *The Middle East Journal* 45.3 (Summer 1991), 461

⁴²⁵ *Ibid.*, 461

⁴²⁶ Three Shi'i and seven Christian MPs didn't attend in large part due to Berri's opposition and call for Shi'i boycott and Aoun's oppositional call for a Christian boycott.

⁴²⁷ Theodor Hanf, *Coexistence in Wartime Lebanon: Decline of a State and Rise of a Nation* (London: The Centre for Lebanese Studies, 1993): 583

⁴²⁸ Nora Boustany, “Lebanese Meet in Saudi Town,” *The Washington Post* (October 1, 1989)

⁴²⁹ Abdullah al-Shehri, “Lebanese Peace Talks Reported Going in Vicious Circles” *AP* (October 10, 1989). Another variation on this quote used 24 hours and gave Faisal as the source.

the Taif journey long ago, around 1976-7, we started preparing for an agreed national formula when I was elected Speaker of the Chamber and the position completed and the idea discussed with all sides.”⁴³⁰ As one might expect, there was considerable wheeling and dealing around the institutional redesign in this committee. Although the broad contours of the Tripartite Agreement was adopted, there were additional proposals. One was to make the Prime Minister elected by the Parliament, which the Sunni MPs rejected. Another was the creation of a Vice Premier position, which was rebuffed by the Shi'i MPs.

Taif is divided into three sections: principles, political reforms and other reforms. While the principles section emphasizes Lebanese nationalism and unity, the political reforms section contain the bulk of the institutional changes brought about by Taif. Taif was not a radical transformation of the political system. It merely updated the National Pact, imposing new categories of membership and claims on the pie and redistributing the sizes of the slices among the different confessions.

The political reforms can be broken down into the three primary political institutions of Lebanon, each headed by a president: President of the Republic, *Rais al Jumhuriyya* رئيس الجمهورية, President of the Council of Ministers/Prime Minister, *Rais Majlis al Wuzara'* رئيس مجلس الوزراء and President of the Chamber of Deputies/Speaker of the Parliament, *Rais al Majlis an-Nanwab* رئيس مجلس النواب. Since Taif officially called for the abolition of sectarianism, it did not assign these positions to confessions. However, as discussed above, they are traditionally reserved for the Maronites, the Sunnis and the Shi'a respectively. Taif reallocated authority among these three positions in order to equalize power among them.

⁴³⁰ بدأنا مسيرة الطائف منذ أعوام كثيرة في 1976 و1977 فعليا" بدأنا باعداد صيغة للوفاق الوطني وفعليا" الخطوات بدأت عند انتخابي رئيسا" للمجلس. وعند ذهابنا الى الطائف كانت الرؤية مكتملة والأفكار مناقشة مع كل الأطراف Interview, Beirut, June 2007

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President of the Republic

While the President of the Republic—a position traditionally held by a Maronite—had been the most powerful position in the period following the 1943 National Pact, Taif removed many of his powers of authority. Section B of the Taif Accord states, “the President of the Republic is the head of state and a symbol of the country’s unity. He shall contribute to enhancing the constitution and preserving Lebanon’s independence, unity, and territorial integrity in accordance with the provisions of the constitution.” In addition, it specifies the following powers: head the cabinet meeting without voting, head supreme defense council, promulgate laws in close coordination with the Chamber of Ministers and the Chamber of Deputies, name the Prime Minister in binding consultation with parliament, issue decrees forming the cabinet in consultation with the Prime Minister, appoint ambassadors, and negotiate treaties in consultation with the cabinet. Powers which the President had previously exercised unilaterally as the supreme authority were now either transferred to the Prime Minister and Speaker or exercised in consultation. As such, the greatest changes in Taif related to the Prime Minister (as well as the cabinet, the Council of Ministers, of which he is President) and the Speaker of Parliament (and the Chamber of Deputies, of which he is President.)

President of the Council of Ministers/Prime Minister

According to Maïla, “the position of the President of the Council of Ministers (which was almost non-existent in the Constitution and whose role was at the center of a heated debate and an insistent claim on the part of the Sunni community), becomes, according to the terms of the Document of National Understanding, essential. The President of the Council does not directly benefit from the loss of the powers of the

presidency, but rather from the fact that he is the head of the authority which has inherited executive power, i.e., the Council of Ministers.”⁴³¹

The scope of executive authority ranges widely. The list begins with the role of introducing and implementing laws, which had previously been conducted jointly between the Presidents of Republic and Chamber.⁴³² The Council also “supervises the activities of all the state agencies without exception including the civilian, military, and security departments and institutions.” Similarly, the Council—a confessionally mixed institution—controls the military. The Council also has the authority to “appoint, dismiss, and accept the resignation of state employees in accordance with the law.” As discussed in further detail below, this poses particular challenges for administrative appointments since political polarization can block agreement on appointments. In the polarized political environment of post-Syrian Lebanon, it has been difficult to identify depoliticized officials that can garner the support of both blocs. As a result, many top-level posts were empty even following Doha in the run-up to the Parliamentary elections, hampering their effective administration.

The method of decision-making of the Council is ambiguous in the document, which has proven to be a point of contention among groups. On the one hand, the document states that consensus is the preferred decision-making mechanism, but a minimum of 2/3 approval is required for “fundamental matters,” including: “state of emergency and its abolition, war and peace, general mobilization, international agreements and treaties, the states general budget, comprehensive and long-term development plans, appointment of top-level civil servants or their equivalent, reexamination of the administrative division,

⁴³¹ Joseph Maila, “The Ta’if Accord: An Evaluation” in Deirdre Collings, ed., *Peace for Lebanon?: From War to Reconstruction* (Boulder : Lynne Rienner Publishers, 1994): 42

⁴³² Joseph Maila, “The Document of National Understanding: A Commentary” (Oxford: Centre for Lebanese Studies, 1992): 46

dissolving the Chamber of Deputies, the election law, the citizenship law, the personal status laws, and the dismissal of cabinet ministers.”⁴³³ As discussed below, tensions between consensus and majoritarian decision-making (coupled with the importance of the 2/3 majority), has given rise to the post-Taif demand for a “blocking third” in the allocation of cabinet seats, as discussed in greater detail below.⁴³⁴

President of the Chamber of Deputies/Speaker of the Parliament

Increasing the power of this position has long been an important political demand for the Shi'i community in throughout the negotiations. At the start of the war, the Higher Shi'i Council included it in its November 1975 project, Amal's proposals in the November 1983 Lausanne negotiations, and in the Tripartite Accord in 1985. Indeed, it became such standard fare that it was recognized in the Christian response to the Tripartite Accord in 1986, although the term increase was to two years rather than four.⁴³⁵ Unsurprisingly, an increased term and power was advocated by Hussein Husseini during Taif, at which he was the chair of the drafting committee. Yet, the power of the speaker is not only increased by

⁴³³ The translation of this list is mostly taken from the Le Monde Diplomatique Translation. However, I use “fundamental matters” rather than the term “major issues” since it is a more accurate translation. Also, the former term indicates the centrality to the functioning to the republic whereas major issues can fluctuate over time.

⁴³⁴ Previous proposals were mixed on the role of the Prime Minister. The National Movement was minimalist Maila, 37, with an almost night watchman role in managing the state. The Higher Shi'a Council proposed moving executive authority from the President of the Republic to the Council of Ministers, alongside proposals to strengthen the President of the Chamber of Deputies. However, the position became clearly developed in subsequent agreements including the Tripartite Agreement which closely mirrors the authorities outlined in Taif. Significantly, Maila notes that Taif is silent on potential conflicts regarding the formation of a government, especially between the President of the Republic and the President of the Council of Deputies regarding the President of the Council of Ministers and the selection of the Ministers themselves. Maila, 34. Indeed, he notes that this contrasts with previous agreements such as the 1985 tripartite accord which gave the parliament the tiebreaking vote with a 55% majority.

⁴³⁵ Maila, 1992: 19

increasing the term limit, but he also plays a more central role in convening Parliament and selecting the President of the Council of Ministers.⁴³⁶

The Taif Accord also restructured Parliament by increasing the number of seats and redistributing them. The largest to date, the 1972 parliament included 99 deputies. However, it was clear that any agreement would need to increase the number of seats so that more groups could get a piece of the pie without anyone losing their slice. The Tripartite Agreement proposed doubling the number of seats to 198, but the draft Taif document suggested 128. This higher figure of 128 was supported by the Arab negotiators, Syria, and the Muslim deputies but opposed by many Christian deputies. An increase in the number of seats decreases the power of each seat, a particular concern for minorities, even larger ones like the Maronites. As part of the last minute negotiations, a final figure of 108 seats was adopted to get Christian MPs to agree, particularly given that they were forced to accept provisions for Syria's role in the country, which they vehemently opposed. However, this compromise proved to be a bit of a bait and switch: as discussed below, the number was increased to 128 in advance of the rushed 1992 elections.

It was also agreed that the ratio among the seats would be reduced from 6:5 Christian: Muslim to a 1:1 parity. While Maronite-Sunni-Shi'i parity was supported by the two latter communities⁴³⁷ and even incorporated into the Damascus Accord/Tripartite Agreement, Christian-Muslim parity won in the end. However, the distribution of seats within these communities was not specified apart from "proportionately between the confessions of each group." "تسبيلاً بين طوائف كل الفئتين" Nevertheless, it was understood that the seats would be allocated among Muslims to achieve this parity, with it being understood

⁴³⁶ Maila, 1994:32

⁴³⁷ Maila, 1992: 21

that Sunnis, Shi'as, Druze, and Alawi would get the new seats.⁴³⁸ However, Sunni and Shi'a allocations were made equal for the first time since 1922.

Equally significant was that the *Muhaafazah* (or the governorate) محافظة would be the constituency rather than the smaller constituency of *qada* in the 1960 law. While the conflict management literature often spins confessionally mixed districts as promoting cross-confessional electoral alliances, this element of the system actually translates into ethnic hegemony rather than accommodation, particularly in larger constituencies. In larger constituencies, majority communities determine outcomes—by also determining minority representatives. In practice, in post-1920 Greater Lebanon, the larger constituencies favored the Muslim communities. In the North, Sunnis were the majority; in the South, the Shi'a. Maronites dominate in Mt. Lebanon, but not to a degree that they can determine outcomes. As discussed in greater detail below, the *Muhaafazah* was not faithfully used in post-Taif elections, with Mt. Lebanon especially subject to subdivision in ways that weakened the power of Christian communities to elect their own representatives.

However, the text of Taif is extraordinarily spartan in its treatment of the electoral law, one of the central and points of contention in Lebanon. Indeed, a vague call for a new electoral law is not unique to Taif. Its precursor agreements likewise lacked specificity. For example, the Tripartite Accord (Damascus Agreement) specifies a doubling of deputies to 198 with Muslim-Christian equality as well as “equality among the three bigger sects” (Section V) but remains a general framework “a new electoral law will be drafted to secure the broadest and best representation on a national basis and to consider each province as one electorate in order to safeguard national unity and express the will to coexist.”

⁴³⁸ Maila, 1992: 22

To fill the vacant seats of the 108 member parliament, additional deputies would need to be appointed. Of the 99 from the 1972 legislature, 73 were alive in 1989; Mouwad was killed in 1989 and Hrawi became president. Therefore, as outlined by the May 1991 electoral law institutionalizing the general electoral provisions of the Taif Agreement, nearly forty MPs needed to be appointed. After a 10 day nomination period, 384 candidates were proposed. They were “elected” by the government, with Syrian influence favoring its domestic allies. Indeed, Saloukh contends that these deputies were “handpicked” by Ghazi Kan’an,⁴³⁹ Syria’s head of intelligence who ran the show in Lebanon. Of those selected by the government, 13 were sitting ministers; one quarter were staunch Syrian supporters and half were scions of political families who claimed the seat previously held by a relative.⁴⁴⁰

One sect had not been represented in Parliament before. The Alawis received two of the nine additional seats in the 1991 appointed parliament. While this 20% share was slightly diminished when the number of seats was increased by 20 in 1992, this increase nevertheless represents an important gain. Although the patronage of Syria and its Alawi ruling elite played a role, this seat allotment is part of the unfolding—and largely internal—story of Alawi efforts to gain recognition and representation within Lebanon’s confessional system. While recognized in the parliament, they have been excluded from the post-Taif division of spoils and failed to exert any influence over the election of the seats which are supposed to be “theirs.” Far from being “the only community never that complains,” the Alawi are actively calling for control of the seats and corrections increased allocation of the spoils.

⁴³⁹ Bassel Salloukh, “The Use and Abuse of Cross-Confessional Alliances: Elections in Post-War Lebanon” (Paper delivered to the conference on Crossing Ideological Divides, Bellagio, Italy, August 2005.)

⁴⁴⁰ Hanf, 1993: 619

TABLE 7.1 TAIF AND THE THREE PRESIDENTS⁴⁴¹

	Pre-Taif	Post-Taif
President of the Republic (Traditionally Maronite)	<ul style="list-style-type: none"> • Governed the Council of Ministers • Controlled Army • Controlled legislation 	<ul style="list-style-type: none"> • No vote, no authority over Council of Ministers • Convenes Supreme Defense Council • Cannot block legislation
President of the Council of Ministers (Traditionally Sunni)	<ul style="list-style-type: none"> • Appointed by President after non-binding consultation with Parliament • Joint creation of government with President of Republic, with President wielding most influence • PM acted as occasional check on Presidential power, which was the locus of executive authority 	<ul style="list-style-type: none"> • Appointed by President in Binding Consultation with Parliament • PM forms government in nonbinding consultations with parliament • Executive Authority transferred to Council of Ministers, including Army, hiring of senior officials
President of the	<ul style="list-style-type: none"> • One Year Term 	<ul style="list-style-type: none"> • Four Year Term

⁴⁴¹ This table is based in part on the Table provided in Norton, 1991: 462.

Chamber of Deputies (Traditionally Shi'a)	<ul style="list-style-type: none"> • President controlled introduction of legislation • 99 MPs • 6:5 Christian-Muslim Ratio 	<ul style="list-style-type: none"> • Ability to control introduction of legislation • 108 (as agreed) • 1:1 Christian-Muslim Ratio
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ORGANIZING PRINCIPLES OF THE POST TAIIF CATEGORY ORDER⁴⁴²

Apart from these institutional changes, we can discern several principles—much like the Federal Character Principle which governed Nigeria's transition to the Fourth Republic. However, some of these principles are ambiguous, especially whether decision-making is to be consensus or majoritarian.⁴⁴³ As discussed below, this has created an opening for inter-group contention regarding the distribution of decision-making power within institutions.

Al-Aish al Mushtarak or Coexistence: ⁴⁴⁴العيش المشترك This principle is derived from the text which state: “Any authority contradicting the Pact of Coexistence is illegitimate”⁴⁴⁵ This

⁴⁴² An Arabic version of Taif is available on the Lebanese Parliamentary Website at: <http://www.lp.gov.lb/SecondaryAr.aspx?id=13>

⁴⁴³ Leenders, 154

⁴⁴⁴ Interestingly, although “aish mushtarak” is the most quoted, the full phrase in Taif is “shared living, singular in land, people and institutions.” “العيش المشترك ووحدة الارض والشعب والمؤسسات”

⁴⁴⁵ Translation by Author from I, Part 1 of the Taif Agreement. This section is variously translated as: “Power cannot be lawful if unless it is in agreement with the pact of coexistence” (Hanf, 1993)) and “No authority

phrase literally translates as “shared living” but is generally translated as “coexistence” or “conviviality.” While coexistence carries the connotation of “live and let live” rather than the melding implied by “mushtarak” (derived from the same root as ishtaraakiyy اشترائي or socialism, and thus suggesting totalizing collectivity and participation). Yet, conviviality connotes the festive breaking of bread, not the mundane sharing of public institutions.

This idea of shared lives contrasts starkly with the notion of التعددية الثقافية “al-ta’adudiyya al thaqafiyya” (cultural pluralism)—an idea which suggests segmental autonomy rather than sharing, which was popular in the Christian communities in which solutions emphasizing separation (e.g. autonomy for the Mountain, federalism) have long been popular.⁴⁴⁶ Similarly, Ziadeh contrasts this with the idea of ta’ayush⁴⁴⁷ تعايش that was first used by Khatami and then endorsed and advocated by Christian leaders. Although commonly translated also as co-existence, a more accurate and nuanced translation is joint life,⁴⁴⁸ the word lacks the unitary idea of aish mustarak or the connotation of “co-existence.” Here we see two contrasting ideas of power-sharing: unity and separation.

violating the common coexistence charter shall be legitimate” (Paul Salem, *Remaking Lebanon: The Persistence of an (Imperfect) Arab Democracy* (Draft Manuscript: June, 2004)

⁴⁴⁶ Maila, 1992: 7. It should also be noted that Taif includes provisions for administrative decentralization. Maila calls this “developmental” decentralization which he suggests emphasizes territorial unity and contrasts sharply with the idea of cantonization. Decentralization has also long been a goal of technocratic reformers such as Ziad Baroud and Paul Salem. Interview, Ziad Baroud, Beirut, July 2007; Interview, Paul Salem, Beirut, February 2007. The campaign for municipal elections culminating in 1998 and the 2000 incorporation into the Ministry of Interior is part of this effort. It has recently gained center stage following the municipal elections under the leadership of Minister Baroud.

⁴⁴⁷ Hanna Ziadeh, *Sectarianism and Inter-Communal Nation Building in Lebanon* (New York: C. Hurst & Co., 2006): 157

⁴⁴⁸ Since it uses verb form VI (which can be both cooperative or competitive joint action)

توافقياً⁴⁴⁹ which Leenders translates as “amicably” and Hanf translates as “mutual agreement” but the term also suggests concordance or consensus and suggests harmony and synchronicity and thus a collectivity beyond the good will implied by “amicable” and “mutual agreement.” However, it is important to note that oft-cited statement is qualified by the dependent clause: فإذا تعذر ذلك فبالتصويت. تتخذ القرارات بأكثرية الحضور “if that is impossible/impractical,⁴⁵⁰ then by vote⁴⁵¹ by a majority of those present” The implication here is that a “majority” here is a simple majority (e.g. over 50%) since the requirement of 2/3 majority is spelled out in other cases, such as on “major issues,” as discussed above in the section on the Cabinet. This tension in Taif is fundamental and becomes a central aspect of the political debate in the post-Syrian period, as discussed in the final section of this Chapter.

It should also be noted that, Leenders’ discussion of Taif highlights language which suggests a theme of collectivity, in contrast to what he calls the individualism of the powerful presidency. He argues that Taif specifies a transition to “institutional government” or *hukm mu’assasi* حكم مؤسسي. Indeed, Leenders discusses the governing principle which then emerged: “collegial government” or “*sirat al hukm al-jama’iyya*” سيرة حكم جماعية which could also be translated as “the spirit of collective governance.” Therefore, there is a pronounced conflict

⁴⁴⁹ ويتخذ قراراته توافقياً،

⁴⁵⁰ Taazur means both impossible as well as impractical, both of which are appropriate in this context.

⁴⁵¹ While tasweet تصويت can be translated as vote (and shares the same root as the word for vote “sawt” or voice), it also carries connotations and additional meaning of reconciliation (as in the reconciliation of bills between the house and senate, not in terms of *maslaha* مصلحة or grass-roots conflict resolution) in terms of correcting and leveling. When tasweet is used in voting, it is often appended with “*iqtiraa’a*” (vote) اقتراع or other qualifications.

Chapter Seven: Lebanon's Vicious Cycle after Taif
in Taif between two approaches to decision-making. On the one hand, the use of *tawafuqiyyah* توافقياً suggests a spirit of collectivity and consensus. On the other hand, a majoritarian vote by those present and as opposed to majoritarian decision-making or veto enshrined in the underlying principles of the document.

Ru'asa al-Muthalatha/Three Presidents/Troika: الرؤساء الثلاثة Taif uses the language of “President” for the head of each of the three institutions: republic, cabinet, and parliament. However, it is not until later that the idea of the three presidents or troika emerged as these three presidents began to consult among themselves directly as a means of governance. Leenders argues that the troika made its first appearance in 1991 over the selection of Lebanon's ambassador to the UN, although he notes the three presidents had already been meeting regularly to coordinate.⁴⁵² He adds “the troika increasingly began to marginalize and even replace the cabinet and parliament by drawing the real locus of the debate and decision-making to itself.” In this sense, the evolved practice of the troika is at odds with the institutional governance enshrined in the text of Taif. Here, there is a tension between “institutional government” and the personalization enshrined in the Three Presidents.

Muthalatha or Divying Up Into Thirds: INARABIC Unlike the National Pact which was an informal agreement between the Maronite and Sunni leadership, the underlying principle of Taif is “muthalatha” or a tripartite arrangement of the newly recalibrated institutional triad. Ziadeh has called this an Orwellian “first among equals” in which the smaller minorities are not included among the Presidents, yet receive a share in the Parliament, Cabinet and

⁴⁵² Reinoud Leenders, *Spoils of Truce: The Politics of Corruption and State-building in Post-War Lebanon* (Working manuscript, 2009): 169

Chapter Seven: Lebanon's Vicious Cycle after Taif increasingly in public sector employment.⁴⁵³ As will be discussed in the subsequent section, this principle lays the foundation for opportunity hoarding.

Mubassasa/Allotment: محاصصة Apart from the Muthalatha or divvying up into thirds, there is a general *mubassasa* among all groups. While article 95 was revised in 1990 in accordance with Taif provisions such that only Grade One government positions would be allocated on the basis of confession (equally between “Christian” and “Muslim”) as part of the transition to a non-confessional system, the Taif order has emphasized *mubassasa*.

Taif imposed new categories. As such, Taif was the primary “generative structure” in which the mechanism of “Category Formation (Imposition)” operated. The Christian-Muslim binary was replaced with the Triple Presidency and seats for previously unrepresented sects were created. Yet, the mechanism of category imposition is linked to three others: opportunity hoarding, category formation (inscription), and culminating with certification. Once categories are imposed, the next step is hoarding among these in-group/out-group categories. It is to this the chapter now turns.

OPPORTUNITY HOARDING

In Chapter Two, it was argued that under politics organized around group rights, trust networks remain largely segmented. Rather than integrating trust networks into a national public sphere, power-sharing sustains separate trust networks through which resources are selectively directed through the mechanism of “opportunity hoarding.”

⁴⁵³ Ziadeh, 2006: 141-2

Drawing on Tilly's other work on social boundaries, we know that "Opportunity hoarding" occurs "when members of a categorically bounded network acquire access to a resource that is valuable, renewable, subject to monopoly, supportive of network activities, and enhanced by the networks *modus operandi*." Tilly also elaborates, "opportunity hoarding often rests on ethnic categories, members of which reinforce their control over hoarded resources by means of their power to include or exclude other members with respect to language, kinship, courtship, marriage, housing, sociability, religion, ceremonial life, credit, and political patronage."⁴⁵⁴

If constructivist insights are correct, then every individual has competing claims of groups—or subgroups—that he or she represents. Therefore, any individual identified in a position of political power is potentially a representative of various groups. All of these have a claim to the benefits of their group being represented in office—jobs, money, infrastructure. Also from constructivist insights, we know that actors privilege some aspects of identity over others. Therefore, a representative of group X will distribute the benefits of office to subgroups of X (e.g. subgroups 1, 2, and 3). These could be kin groups, residents of home areas, or co-religionists. The tightest networks of which this individual is a part will be the likely recipients of resources to be dispersed. Inevitably, there will also be losers or those excluded from these patronage networks. These could be pre-existing and fully formed X sub-groups (e.g. 4, 5, 6) or simply all X individuals not members of X sub-groups 1, 2, 3. Because the power-sharing system of group rights is based on assumption of homogeneity of groups, it fails to anticipate the creation of "in-group" and "out-group" categories in the distribution of resources for any one "group."

⁴⁵⁴ Charles Tilly, *Identities, Boundaries, and Social Ties*. (Boulder: Paradigm, 2005): 160

This section examines how the distribution of resources among the newly created categories imposed by Taif led to “opportunity hoarding.” It examines the operation of “opportunity hoarding” at the national level through the distribution of state resources and positions among the Maronite-Sunni-Shi’a triad in the cabinet, public sector and parliament through selectoral politics. The distribution of these resources along Taif categories set the stage for the inscription of group boundaries, culminating in certification claims and conflict in the post-2005 period.

OPPORTUNITY HOARDING AND CABINET APPOINTMENTS

Neither the Taif Accord nor the Constitution stipulates a confessional allocation of Cabinet positions, but there is an informal post-Taif formula. Sunni and Maronite seats would be equal. In addition, Shi’a and Sunni seats are equal but the Druze should be 1/3 of Sunnis. Among the Christians, Maronites should be equal to Catholics and Orthodox and there must always be at least one Armenian. Therefore,

$$\begin{aligned} & \text{Maronite}=\text{Sunni}=\text{Shi'a}=1/3 \text{ Druze} \\ & \text{Maronite}=\text{Catholic}=\text{Greek Orthodox} \\ & + \geq 1 \text{ Armenian} \\ & = \\ & \geq 14 \text{ Cabinet Members} \end{aligned}$$

While the minimum requirement under this formula is 14, post-Taif cabinets regularly swell to over twice that. However, unlike Nigeria with 36 ministries to match the 36 ministers, many of Lebanon’s ministers are without portfolio.⁴⁵⁵ Similarly, because Nigeria is a Presidential system, a large cabinet is not as unruly as in Lebanon’s Parliamentary

⁴⁵⁵ Leenders, 2009: 167

system. Compounding this, ministers regularly used their veto powers and thus frequently deadlocked government. While some have argued that Nigeria's cumbersome power-sharing institutions have been ineffective due to redundancies and multiple decision-making loci as some have argued,⁴⁵⁶ Lebanon's cumbersome power-sharing institutions have been ineffective due to decision-making lacuna.⁴⁵⁷ More to the point, as argued in this dissertation, these institutions are inherently unstable, grinding and contracting like tectonic plates leading to periodic eruptions of political crisis.

However, much like the independence cabinet was a confessionally shared good hoarded by a coterie of elites, the post Taif cabinet was similarly hoarded among a handful of confessional representatives. According to Leenders, in the period from 1989-2003, 177 posts were shared among the same 49 individuals whom he calls al- thawabet الثوابت or "the constants."⁴⁵⁸ While these elites owe their role to business, militia, hereditary, and Syrian connections, their competition reflects inter-group competition over state resources.

OPPORTUNITY HOARDING IN THE PUBLIC SECTOR

Although article 95 of the 1926 Constitution calls for "equitable" distribution of seats of government, this *mubassasa* (or division of the spoils) محاصصة has become an increasingly important feature of the Lebanese political system with each successive political settlement. First with the National Pact and the creation of the first cake, the second division of the Commons after 1958, and most recently under Taif. The Taif order has institutionalized the

⁴⁵⁶ See, for example, LeVan.

⁴⁵⁷ Leenders, *Spoils of Truce*.

⁴⁵⁸ Reinoud Leenders, "In Search of the State: The Politics of Corruption in Post-War Lebanon", in Barbara Roberson and Nadin Shehadi, eds., *Post-War Reconstruction in Lebanon* (London: 2004): 4

division of the pie to such an extent that one observer describes the process as the “*Spoils of Peace*.”

In his meticulously researched manuscript, former International Crisis Group analyst Reinhold Leenders examines the impact of the post-Taif order on political and economic development. His work is situated also within the study of corruption as he seeks to move from an emphasis on individual access to opportunities for public graft to an explanation of “where do these ‘opportunities come from, how and why did they change, and which factors can be ultimately held responsible for creating them?”⁴⁵⁹ In answering the question, he offers an institutional analysis—one that examines the way in which the post-Taif state was constructed.

“Most new employees that swallowed the ranks of officialdom were all appointed according to their links to the three ru’asa’ or presidents and their allies. The troika members openly bargained for each of their shares in the appointment of high ranking public servants and struck numerous deals, mostly following long and complex negotiations. In some cases, such deals bordered on the ridiculous, as in 1996-7 when disagreements within the troika over the appointment of ten deals for the state-owned Lebanese University led to the creation of a new college.”⁴⁶⁰

In his in-depth—and indeed exhaustive—study, Leenders makes a distinction between institutions that existed in 1975 and thus predated the civil war, post-civil war institutions, and post civil war institutions specifically tasked with reconstruction. In all these institutions, he finds an element of corruption as a result of deepened *mubassasa*.

⁴⁵⁹ Leenders, "Public Means to Private Ends: State Building and Power in Post-war Lebanon," in Eberhard Kienle, ed., *Politics from Above, Politics from Below: The Middle East in the Age of Reform* (London: Saqui Books, 2003): 318

⁴⁶⁰ Leenders, 2004: 8

Because his argument rests on the degree of bureaucratic institutions, with those “public institutions that scored relatively higher on the variable of bureaucratic organization sustained lower levels of corruption,”⁴⁶¹ the extent to which these institutions were built on solid bureaucratic foundations matters. However, those post-war institutions appeared particularly frail and thus porous to graft.⁴⁶² Leenders thus focuses on Post-Taif Institutions, such as the Council for Development and Reconstruction, the Ministry and Fund for the Displace and Solidare. Although he does not include a discussion of the Council of the South, it is also an important element of public sector power-sharing. These post-conflict reconstruction institutions are widely regarded as patronage mills and are controlled by the three Muslim sects: Sunni (CDR/Solidare), Ministry for the Displaced (Druze) and Council of the South (Shi’a).

⁴⁶¹ Leenders, 2009: 100

⁴⁶² However, Leenders offers an institutional argument of degree, not of type. Building on Tim Mitchell’s argument that state-society boundaries should be considered more porous and the state should be problematized, he argues that corruption is possible because of a fusion of the public and private sector, made necessary not simply by the destruction of state institutions during civil war, but also a structural dilemma of a divided society: no one wants permanent institutions. “In a fragmented society like that of Lebanon these characteristics make institution building particularly difficult because a highly heterogenous group of elites fails to produce this ex-ante agreement every time institutional frameworks have to be reshaped or specified or when a new layer needs to be added to the state. Furthermore, because institutions are so sticky the very process of creating them risks solidifying the political clout of one’s opponents on a quasi-permanent basis. Hence, Lebanese elites preference for ‘provisional’ and ‘temporary’ arrangements in which there is less at stake and less to lose.” (Leenders, 2003: 325) Yet, while an essential text of the post-Taif period, *Spoils of Truce* could usefully be complemented by an examination of how practices such as *mubassasa* are historically rooted and embedded institutions, whose provisionality is a mere periodic update. Drawing on Clemens and Cook, Leenders argues that Taif constitutes a “constitutive moment” or a “branching point that channels subsequent political and economic developments.” Because of this, he eschews a historical approach which examines the evolution of political settlements “in a piecemeal fashion over a long period of time.” Instead, he suggests, “the 1989 Taif Accord and the subsequent constitutional changes of the early 1990 period signified such a more or less concise constitutive moment; it will therefore serve as the starting point for our inquiry into Lebanon’s post war settlement.” (Leenders, 2009: 22-3) However, Taif could also be viewed as one “constitutive moment” in a series of conflict cycles. This dissertation seeks build on Leender’s extraordinarily illuminating study of the Taif period by situating it in geographically and temporally comparative context.

Although founded in 1977 during a brief break in hostilities, the Council for Development and Reconstruction (CDR) is a central feature of post-war reconstruction.⁴⁶³ Founded by Salim al-Hoss and heavily staffed by Hariri employees (both past and current)⁴⁶⁴ it is also an institution associated with the Sunni leg of the *muhassasa* triad.⁴⁶⁵ CDR—as well as Solidare, the private company tasked with reconstructing downtown—have been the focus of extensive research into Hariri's role in post-war development and developing extensive patronage networks, especially among the Sunni.⁴⁶⁶

Finally, because Taif highlighted the issue of the displaced, the Ministry and a Fund were created four years later in 1993 to address it.⁴⁶⁷ The Ministry is headed by Druze leader Walid Jumblatt and the Fund's Director was Antoine Andreas. However, the Ministry and

⁴⁶³ Leenders, 2009: 131

⁴⁶⁴ Leenders, 2009: 134

⁴⁶⁵ However, the brother of the Shi'a speaker of the Parliament, Nabih Berri, was also appointed as VP following political pressure. Leenders, 2009: 134

⁴⁶⁶ Similar to CDR and Solidare, it should also be noted that there are other reconstruction projects in which the Shi'a have greater influence. Elyssar focuses on the reconstruction of Dahia, the southern "suburb" of Beirut variously called the "misery belt," "Hizbullah strongholds" and a variety of vivid and dramatic turns of phrase. Although Dahia is located in Baabda-Alay, which is a *qada* in the Muhafazaah of Mt. Lebanon, it is considered part of Beirut as the term "dahia" (suburb) implies. Historically, the area was semi rural and had large Christian populations. However, the civil war and Israeli occupation resulted in large-scale migration from the South which made the area largely Shi'i. As a result, only 38% of residents live in legally parceled land. (Mona Harb, *Urban Governance in Post-War Beirut: Resources, Negotiations, and Contestations in the Elyssar Project* (Toronto: Toronto University Press 2001): 1) Reconstruction of the area is therefore a delicate endeavor in several respects. Founded in 1996, Elyssar sought to reconfigure the suburbs through detailed urban planning guidelines, which would entail demolishing entire neighborhoods. Needless to say, these plans are controversial—especially since the Dahia is associated with predatory state neglect of the Shi'a community. It is therefore unsurprising that its operation has taken on a sectarian coloration. Unlike Solidare which is a private enterprise (some would argue preserve) led by Hariri, Amal and Hizbullah forced the government to make Elyssar a public agency (Harb, 2001: 6) While the decree establishing Elyssar does not specify confessional distribution in the administration, "there is a tacit agreement that the members should represent the major Lebanese religious groups (Maronite Christians, Greek-Orthodox Christians, Sunni Muslims, Shiite Muslims, and Druze)." (Harb, 2001: 1) As a public agency with a Shi'i seat, "as prominent actors in al-Dahia and more so, as Shiite national powers, Amal and Hezbollah wanted to be part of the urban agency planned for the Shiite fiefdom." (Harb, 2001: 6) Yet, in doing so, Harb argues, Amal and Hizbullah pursued national interests rather than those of the residents (for example, prioritizing the airport road⁴⁶⁶ over the low-income housing for displaced). She contends that their participation in the Elyssar project "contributes to the legitimization of Amal and Hizbullah, who are already powerful and even hegemonic, as political organizations that are part of the state and as sole representatives of the Shiite community." (Harb, 2001: 23)

⁴⁶⁷ Leenders, 2009: 145

the fund do not work hand in hand, with the Fund's director Antoine Andraus, a Greek Orthodox MP who had previously worked for Hariri. Indeed, the Fund and the Ministry were sometimes at odds with the Fund reporting to the Prime Minister.⁴⁶⁸ *Muhassasa* also operated within these institutions, which were deemed temporary and thus exempt from civil hiring laws. Andreas' staff were also predominantly former Hariri employees whereas Jumblatt hired his supporters.⁴⁶⁹

The Shi'a also had their institution, with the aim of providing reconstruction and aid to those affected by conflict, although it slightly pre-dates the start of official start of the civil war. After a 1970 Israeli attack on the South, Imam Musa Al-Sadr and the Shi'a organization he founded, AMAL launched a protest against feeble and half-hearted government aid. As a result, the government created مجلس الجنوب Majlis al-Janub, or Council of the South whose mission was development of the South. In this way, *matlabiyya* (or Politics of Demand, discussed in Chapter Five) was transformed. *Matlabiyya* was no longer scattered ad-hoc demands for schools or roads. It became a demand for a central institutional sphere to guarantee rights and protections. However, the Council's 30 million LP coffers soon became a target of the South's predatory overlord: Kamal Assad who used it to dispense patronage for political support.⁴⁷⁰ During the following decade it became so ineffective at dispensing support that it was a frequent target of protest by Amal and its leader Nabih Berri.⁴⁷¹ However, Amal stalwarts soon headed the council⁴⁷² and Amal has likewise become associated with its patronage and alleged misdirection of funds.

⁴⁶⁸ Leenders, 2009: 146-7

⁴⁶⁹ Leenders, 2009: 147

⁴⁷⁰ A. Richard Norton, *Amal and the Shi'a: Struggle for the South of Lebanon* (Austin, Texas: University of Texas Press, 1987): 45

⁴⁷¹ *Ibid*, 67

Allegations of corruption against the Council of the South do not appear unfounded—just as they are not unfounded against CDR/Solidare and the Ministry for the Displaced. In fact, although the Council of the South has received the greatest recent scrutiny for largely political reasons, The Ministry for the Displaced is also a well-known patronage mill fueled by corruption. Nicolas Blanford provides this account: “Wiam Wahhab, who remains one of Syria’s staunches allies, recalls asking Hariri in the mid-1990s why he continued to allocated vast sums of government funds to the Ministry for the Displaced, then headed by Walid Jumblatt. The Ministry was charged with returning war-displaced refugees to their original homes and villages. The government’s critics, including Wahhab, complained that Jumblatt used the funds as a source of patronage, dispersing a disproportionate amount to his Druze supporters. ‘I kept accusing Hariri of this and he told me that he was buying Jumblatt’s silence so that he could continue with his reconstruction project.’”⁴⁷³ Indeed, this unabashed dolling out of increasingly large and gooey pie slices of political patronage was not a personal idiosyncrasy of Hariri, but was institutionalized by the Taif system. Certainly, Hariri’s own wealth, international aid, and mounting levels of debt enabled an ever-increasing pie, but the process is a political rooted in the structure of institutionalized group representation, not a personality disorder.

Indeed, competing allegations of corruption—undoubtedly all true—should also be understood as part and parcel of the “opportunity hoarding” process. As such—this is as much about gain as it is about loss and accusations are leveraged to political advantage. Jumblatt has been the most outspoken critic of the Council’s reporting practices as part of a

⁴⁷² Ibid, 95

⁴⁷³ Nicholas Blanford, *Killing Mr Lebanon: The Assassination of Rafik Hariri and Its Impact on the Middle East* (London: I.B. Taurus & Co. 2007): 62

two-decade tit-for-tat hissa tango. The rivalry—which can also be seen as competition between the sects for political status—goes back to 1990 when Jumblatt proposed a Ministry of the Mountain akin to the Ministry of the South established in 1984.⁴⁷⁴ Unfazed by the defeat of the “Ministry of the Mountain,” Jumblatt sought to make the Ministry of the Displaced autonomous from reporting practices, claiming this benefit on the basis of his contention that Berri was given considerable latitude in the running of the Council of the South.⁴⁷⁵ In this sense, Jumblatt and Berri's competition can be seen not only as a struggle between two notoriously ravenous egos, but also as a confessional competition between the two sects second in power to the Sunnis⁴⁷⁶ foreshadowed at Taif.

Apart from the institutional effect of the Taif Accord, the end of the civil war generated employment pressures for demobilized militias has combined with an increasingly statist approach to development to generate an even more unwieldy *mubassasa* monster.⁴⁷⁷ Indeed, it was a self-perpetuating *mubassasa* monster as former militia members now employed in the public sector served as a reliable vote pool.⁴⁷⁸ Analysts often write of the “trouble with the troika.” Indeed, the unending proliferation of public service employment

⁴⁷⁴ Leenders, 2009: 249

⁴⁷⁵ Leenders, 2009: 251. Recent budget squabbles between the two can also be viewed within this context.

⁴⁷⁶ Indeed, Jumblatt's competition with Hariri about the administration of the Fund had sectarian coloration between Druze and Sunni. In a conference held at Beit al-Din, Jumblatt criticized Hariri's “backwardness datin back to the times of Ibn Tamiyya,” a reference to a 14th Sunni scholar known for his textualist orientation, calls to jihad and use of violence, and intolerant statements against heterodox sects. In using this phrase, Jumblatt was calling Hariri a salafist of the first order.

⁴⁷⁷ Leenders quotes a lyrically perceptive Beirut cabbie saying “Corruption is like the Monster of Loch Ness. Everyone claims to have seen it, but no one can prove it.” Leenders 2009: 51

⁴⁷⁸ Leenders, 2009: 180. In the 2009 elections, there were credible reports of employees of ministries and municipalities experiencing pressure to vote in particular ways. Although municipalities are extensively entangled in patron-client networks, they are more local and clan-based and operate somewhat differently than those operating within ministries. However, these sub-networks are connected to the national ones and easily mobilized in national elections. One particularly important example is the Murr network in the Metn which operates not only through the relationships cultivated by Murr (especially among the Armenian population as Minister of Interior) but also his daughter's role as the head of union of municipalities (Itihad al-Baladiyya, اتحاد البلدية) in the *qada*. Although dominated by one particular political family that is expert in exerting subtle political influence, heads of municipalities in all of Lebanon's *qada* were connected with political parties and exerted varying degrees of influence over the electoral process during 2009.

Chapter Seven: Lebanon's Vicious Cycle after Taif
demands recall the famous Star Trek episode "The Trouble with Tribbles" where the Tribbles proliferate uncontrollably preventing any work from being done on the Enterprise.

OPPORTUNITY HOARDING AND SELECTORAL PARLIAMENTARY POLITICS

There are several ways in which the post-Taif electoral order enshrined selectoral politics. Most significantly, successive electoral laws were constructed in such a way as to predetermine outcomes in the way that constituencies were drawn and confessional seats assigned. Although Taif called for the use of the Muhaafazah محافظة (or province) as the electoral unit, this was not the case. Nor were the district divisions consistent. The laws in 1992, 1996, 2000, and 2005 established new electoral units for each election, creating political and confessional majorities that were able to determine outcomes. The formal institutions created by the electoral laws interacted with a key informal institution of Lebanese electoral politics: the list. Through the list system and the ways in which constituencies were drawn, majorities could sweep elections. Therefore, few seats in post-Taif elections were actually contested.

Although the list requirement was abolished in the 1943 electoral law,⁴⁷⁹ it has nevertheless remained an important feature of Lebanese elections. The multi-confessional nature of many constituencies creates incentives for an amalgamated list that can sweep the polls rendering actual voting largely irrelevant—another reason why cross-confessional

⁴⁷⁹ Ralph E. Crow, "Religious Sectarianism in the Lebanese Political System", *The Journal of Politics* 24.3 (1962): 502. Crow gives the date of 1947, but the 1947 elections were held under the 1943 electoral law. An exhaustive review of Browne's four volume compilation of US government dispatches during the Mandate period indicates that the "lists" were imposed and manipulated by French authorities, so this provides evidence of the list provision of the Mandate electoral laws. Future work will examine available French sources on this question. However, no similar compilation of French documents currently exists. *Documents Diplomatiques Français Relatifs À L'histoire Du Liban Et De La Syrie À L'époque Du Mandat : 1914-1946* has only published the first volume (1914-1919) of this series. Similarly, Edmond Rabbath's magisterial French-language study of Lebanese institutional history *La Formation Historique de Liban Politique et Constitutionnel* (Beyrouth, Liban: Univresite Libanese, 1973) does not contain information regarding the origins and development of the list system.

voting is not the progressive conflict management mechanism as often suggested. In many constituencies, success is ensured merely by getting on the list of the dominant coalition. As a result, party alliances are often mercurial, frequently collapsing soon after elections.

Lebanon's lack of official ballots make the system particularly susceptible to the dominance of party lists. Parties print their own lists to be used as ballot papers, often keeping the font and margins too small for write-in candidates. The ballots are formatted such that they can be traced back to different families or other groups through variations in font style, order of the candidates and other identifiable information that can be noted by party agents observing counting. Parties pressure voters to vote for the list down the ticket. Yet, while the list tips the balance, the electoral unit structures the political field.

1992

The 1992 electoral law was hurriedly reached in July only two months after the Solh government came to power⁴⁸⁰ and faced a number of last-minute petitions for postponement.⁴⁸¹ The most striking aspect of the electoral law was that it revived a proposal that was abandoned at Taif: an increase in the number of seats from 108 to 128. While the process through which the Council of Ministers adopted this figure (or discarded the 134 proposed during the process) remains a mystery to even the most well-positioned observers, speculation often focuses on the increased influence of Syria in 1992 such that it could impose its preferences.⁴⁸² Similarly, the higher figure favors the pro-Syrian actors in power during this period. It should be noted that these seats were also distributed unevenly, with a

⁴⁸⁰ Theodor Hanf, *Coexistence in Wartime Lebanon: Decline of a State and Rise of a Nation* (London: The Centre for Lebanese Studies, 1993): 625

⁴⁸¹ Farid el-Khazen, *Lebanon's First Postwar Parliamentary Election: An Imposed Choice* (Oxford: Centre for Lebanese Studies, 1998): 8

⁴⁸² *Ibid*, 15

40% increase in Beqaa and a 25% increase in the South compared to 20% increases in Beirut and Mt. Lebanon.⁴⁸³ Moreover, Saloukh argues, the new seats were confessionally skewed. Most of the new Christian seats went to Maronites and these new seats were assigned to areas with Muslim majorities (such as Tripoli and Beqaa) that would determine who held the seat.⁴⁸⁴ Indeed, it is not uncommon to hear loud complaints in Batroun that it's Maronite seat was "given" to Tripoli, both during the 1992 allocations as well as during Doha as discussed in greater detail below.

Equally controversial was the shift from the *mubaafazab* and the creation of new electoral units. It was justified on the grounds that a caveat was added, "by exceptional device and for one electoral cycle" or بصورة استثنائية، لدورة انتخابية واحدة but as will be discussed below, a similar districting prevailed—also accompanied by an ultimately meaningless caveat. As can be seen in the table below, in the 1992 elections all the Muhaafazaah remained intact except for Mt. Lebanon and Biqaa' where anti-Syrian actors were numerous enough to pose an electoral challenge, so they were broken up. Most of these constituencies resulted in majority Muslim voters (either Sunni in the North or Shi'a in the South). For the North, there was a proposal to divide the *mubaafazab* in two: one Maronite within Franjeieh's sphere; one Sunni within Karami's sphere. Instead, agreement was reached on these two figures uniting to create a super-list that could triumph at the *mubaafazab* level and shut out confessional competitors to Franjeh and Karami's supremacy.⁴⁸⁵

In the South, Nabatiyya and the South as administrative units were merged into one electoral *mubaafazab* (as had been the case in the 1947 and 1951 elections). While the

⁴⁸³ Hanf, 1993: 625

⁴⁸⁴ Ibid

⁴⁸⁵ el-Khazen, 1998: 20

justification was the Israeli occupation—a larger constituency would mitigate the impact of intervention or blocked elections in smaller locals. (el-Khazen, 20). Yet, el-Khazen also notes that the use of the South as *mubaafazah* allowed Amal leader Nabih Berri “greater room for maneuver and thus more influence and control.”⁴⁸⁶ It should also be noted that this was the first elections which Hizbullah contested and the beginning of the Amal-Hizbullah electoral alliance at the national level (although these parties remain fierce competitors in municipal elections). Using the South as an electoral constituency facilitated the creation and management of this electoral alliance.

Therefore, the use of the *mubaafazah* in both the North and the South resulted in majority dominance through which Christian minorities did not elect their leaders. This is, of course, a complete reversal from the first representative institution of Lebanon, the Mutasarafiyya Advisory Council where units were constructed such that Christian voters would determine the representatives of every community. *While often touted as a conflict resolution mechanism, the election of representatives by other confessions is a deeply politicized instrument that polarizes politics. Rather than building bridges, it creates a perception that the seats have been “robbed.”* As such, seats are opportunities that have been hoarded.

Not only was the districting compounded by the use of lists, but the structure of the voting also amplified the selectoral effect. “(T)he vote count was taken for the entire constituency or *mubaafazah*, but candidates competed on the basis of the smaller electoral unit or Mohafazah.”⁴⁸⁷ For example, under the electoral law, Akkar (a *qada* in the North) is allotted 7 seats: 3 Sunni, 1 Alawi, 1 Maronite, 2 Greek Orthodox. The master “list” includes all 25 seats for the North (including Akkar and the other 6 *qada*). The votes for the Akkari

⁴⁸⁶ Ibid, 20

⁴⁸⁷ Ibid, 24

representatives are counted from all the other *qada*. As a result, candidates can win their seats if they receive fewer votes from Akkar than their opponent as long as they receive more votes from within the *mubaafaḏah*. Thus, they are elected by those outside the constituency .

The opposite technique—the use of smaller constituencies—was used to the same effect in Beqaa' and Mt. Lebanon. In Mt. Lebanon, the smaller unit was adopted in response to Jumblatt's demands to ensure Druze ability to elect Druze representatives, which translated into Jumblatt's ability to control the Druze seats. In a *Mubaafaḏah*, Druze MPs would be elected by Christian voters who might be amenable to supporting Jumblatt's rival, Arslan. The use of *qada*—especially Chouf and Alay—allowed Jumblatt to retain control over the election of Druze MPs.⁴⁸⁸ Therefore, Christian calls for smaller constituencies (based on *qada*) have been a feature of Lebanese electoral reform in Lebanon since the very first Lebanese post-war election.⁴⁸⁹

As a result of the 1992 gerrymandering, the Patriarchy and a number of key Christian parties called for a boycott of the elections, citing continued Syrian and Israeli occupation as well as objections to the new electoral law. This call was largely successful with one source estimating Christian turn out at only 2%.⁴⁹⁰ Indeed, candidates refused to stand for all Kiserwan's five seats. However, after it became apparent that the election was a fait accompli, 24 candidates competed in the October by-election to fill those seats and estimates of turn-out ranged from 10-30%.

⁴⁸⁸ Ibid, 20

⁴⁸⁹ Mark Farha, *Demographic Dilemmas* (New York: Palgrave MacMillan, 2009): 85

⁴⁹⁰ "Lebanon's Elections...a Paved Road to Hizbullah" *Al Abram Weekly* (September 3 1992)

However, it should be noted that, Hizbullah (a party that benefitted from the joining of Nabatiyyeh and the South) also opposed the use of province and district as constituency as a matter of principle. In a statement made by Hassan Nasrallah interestingly broadcast on the radio station of their long-time opponents Phalangist radio, Hizbullah called for the implementation of the long-time Shi'i stance of a single national constituency or the use of the *mubaafazah* consistently as outlined by Taif.⁴⁹¹ Putting a different spin on it, another Shi'i figure, Hussein Hussein, former Speaker of the Parliament and key negotiator of Taif pointed to the politics of allocation saying, "It's only natural to find some who are fighting against losing privileges they had and those who are trying to gain new influence."⁴⁹² Clearly, both are in play: the legal framework of institutional design is a significant field for zero-sum allocative battles in opportunity hoarding.

1996

Selectoral politics continued in 1996. While there were reports of alternative proposals such as holding two rounds at the local and national level in order to strengthen the voice of Christians in Mt. Lebanon⁴⁹³ and adding four seats,⁴⁹⁴ the 1996 electoral law kept the 1992 provisions largely intact after hurriedly being submitted to the cabinet and passed. Indeed, the law included only three significant changes. First, rather than a *mubaafazah* voting-*qada* seat formula, voting and seats were brought into alignment through the use of

⁴⁹¹ "Hizbullah Announces it Will Take Part in Elections" *Voice of Lebanon*, excerpted from "Phalangist Radio Broadcast of Nasrallah 30th June" (July 2, 1992)

⁴⁹² "Sectarian Tension Rises as Vote Nears" *Toronto Star* (August 16, 1992)

⁴⁹³ "Hrawi's proposal on Elections Arouses Mixed Reactions" *Xinhua* (February 10, 1996); "Northern Christian Leader Criticizes Prime Minister Hariri, Media Law" *BBC Summary of World Broadcasts* (February 12 1996)

⁴⁹⁴ "Lebanese Government Okays Electoral Law" *Xinhua* (June 24, 1996)

districts⁴⁹⁵ or *da'ira* دائرة. However, the districts were kept largely the same. Second, Bqaa' was reaggregated in order to "neutralize" both the Christian and the Sunni vote.⁴⁹⁶ The Amal-Hizbullah alliance that emerged at the national level during the 1992 elections was therefore able to dominate Beqaa' during the 1996 elections.⁴⁹⁷ Finally, Mt. Lebanon remained divided into six *qada* and a phrase similar to that used in 1992 "by extraordinary device and for one time" "بصورة استثنائية، و لمرة واحدة" was again inserted into the text which many feared enshrined this controversial provision that weakened the Christian vote and protected Jumblatt's seat in the Chouf.

Similarly, yet far less publicized, the larger electoral constituencies used elsewhere also undermined the ability of minorities to elect their representatives. The Alawi representatives are elected by largely Sunni voters leading to tremendous distortions in outcomes. In fact, in 1996, an unknown Alawi candidate Ahmed Hbous received the largest number of votes (128, 413) among all 28 successful candidates⁴⁹⁸ simply because of the antipathy of the Sunni majority of the Northern *mubaafazab* toward the Alawi-supported candidate Ali Eid. Indeed, as discussed below, this trend continued even as the constituencies became smaller with the Sunni electing the Alawi in 2009 in Tripoli and Akkar as well.

While parliament debated the bill for three days, it passed 83-22 with five abstentions⁴⁹⁹ and 21 no shows. Only a few days after the law was passed, it was challenged

⁴⁹⁵ District here is not to be confused with the term used in the US for electoral constituency. *Da'ira* is an intermediate unit between *qada* and *mubaafazab*. Because it is not rooted in administrative units, another term was used: *da'ira* or district.

⁴⁹⁶ Bassel Salloukh, "The Limits of Electoral Engineering in Divided Societies: Elections in Postwar Lebanon," *Canadian Journal of Political Science* 39.9 (2006): 646

⁴⁹⁷ Ibid, 646

⁴⁹⁸ "Critic of Syria Wins, Pro-Syrians Crushed in North Lebanon Polls" *Agence France Press* (August 27, 1996)

⁴⁹⁹ Naila Razzouk "Lebanon Passes New Elections Law" *UPI* (July 11 1996)

by 10 opposition MPs (six Christians and four Muslims) in a petition to the Constitutional Council. The MPs argued that the new law is unconstitutional due to the bias against Christian populations which violated the constitutional principle of equality. In Decision Number 64 dated August 7 1996, the Constitutional Council ruled that the electoral law unconstitutional and called for it to be amended, stating it “unanimously approved the petition challenging the electoral law and ruled against the constitutionality of the articles...the election law has adopted unequal norms in the distribution of electoral divisions, violating as such Article 7 of the Lebanese constitution which provided for equality among citizens.”⁵⁰⁰ Amid concerns of electoral timetables, the Cabinet introduced a revised electoral law shortly thereafter that nevertheless kept the electoral constituencies largely intact adding only “by exceptional device and only for one time” *بصورة استثنائية، و* *لمرة واحدة*. When the parliament voted on the revised version, it passed but by a smaller margin with only 65 votes in favor and 21 against and three abstentions.

In addition to the electoral law, the list system collided with the plurality aspects of Block Vote to create severe distortions of “selectoral politics.” In 1996, 70% of those elected won less than 50% of the votes in their constituencies.⁵⁰¹ In many cases, getting on the list and letting the local political machinery do the rest was enough to get elected. Yet, the Christian population opted to participate even though the general conditions had not changed. Much like the reversal of the Muslim boycott of the census between 1922 and 1932, the Christian community also determined that opting out of an imperial administration for reasons of principle undermined their position strategically. In the words of Talal Salman, head of al-Safir, “The Lebanese make distinctions between the bill and the election

⁵⁰⁰ As quoted in “Lebanon Court Rules Against Election Law” *UPI* (August 8, 1996)

⁵⁰¹ Leenders, 2009: 176

itself. They do not care if the law is inequitable but want to vote to prevent their opponents from confiscating the authority in Lebanon in the coming four years.”⁵⁰²

2000

Unlike the 1996 law which passed at the 11th hour and faced wide-spread opposition, the law that would govern the 2000 election was formulated at the end of 1999. Although the law was flawed as discussed below, there was less dissent. One prominent analyst (and recently elected MP) suggests that apathy set in due to the routinized rigging of the system.⁵⁰³ Only three lawmakers challenged the law in 2000, stating that the law “groups certain concessional and religious groups in certain districts and disperses other groups in others. His arbitrary gerrymandering, which involves zoning voters, is aimed at determining the election results beforehand. This contradicts the most basic definition and function of elections.”⁵⁰⁴

Indeed, confessional gerrymandering continued to dominate, although it shifted form. Under the 2000 election law, there was a shift to districts. Indeed, the language shifted from *mubaafazah/qada* to *da'ira* and *mantiqah* (region) *منطقة*. Some units were neither *qada* nor *mubaafazah*, but regions (e.g. Bint Jbeil). Similarly, previous connections between *qada* were severed (e.g. Miniyya-Duniyya). Therefore, all *Mubaafazah* were divided, at least superficially satisfying the demands of opposition and the constitutional court that a universal standard be applied. However, the division was again determined by politico-confessional considerations. Saloukh has contextualized this in the struggle between Lahoud/el-Sayyid and Hariri/Jumblatt arguing “the 2000 electoral law re-organized

⁵⁰² As quoted in, “Campaign Begins Before Parliament Ratifies Election Law in Lebanon” *Xinhua* (July 8, 1996)

⁵⁰³ Farid el-Khazen “Lebanon’s Apolitical Elections” *Mideast Mirror* (July 18 2000) (reprinted from al-Hayat)

⁵⁰⁴ As quoted in, “Politics-Lebanon: New Electoral Law under Fire” *IPS* (January 2000)

substantially the electoral districts of the 1996 elections in an open maneuver to reward the state's allies and contain her foes."⁵⁰⁵ However, while this is true in some respects, it is not true in others. Relations between the President and Hariri were indeed strained, but Hariri wasn't fully on the outs with the regime. Indeed, Blanford provides a different account suggesting that Kanaan and el-Sayyid collaborated in developing the law to weaken Lahoud's power through strengthening the electoral prospects of his rival: Hariri.⁵⁰⁶

While both accounts are equally plausible and the division of Beirut into three districts could have been designed to complicate Hariri's domination of Beirut and ability to generate an unstoppable list, this was not the outcome. Hariri's "Dignity List" swept Beirut 1 taking all six seats, swept Beirut 3 taking all seven seats, and took all but one of Beirut 2's six seats.⁵⁰⁷ Therefore, out of Beirut's 19 seats, Hariri's list took 18. Saloukh likewise suggests that Baabda and Alay were joined in an effort to break Jumblatt's hold. This may indeed be true—since Arslan, Jumblatt's main Druze rival—was finally able to obtain a seat. Yet, Chouf—Jumblatt's base—was the one of two *qadas* of Mt. Lebanon that became its own district. The other constituency is Metn, known as Murr's stronghold in which he not only placed his family members (such as his daughter) but also developed iron-clad relationships with the Armenian community whose demographic strength determines results in Metn.⁵⁰⁸

⁵⁰⁵ Salloukh, 2006: 646

⁵⁰⁶ Blanford attributes Kanaan's later recall (in which Ghazaleh replaced him) "was prompted in part by his hostile relationship with Lahoud which had never truly recovered from the Syrian general's tinkering with the electoral law of 2000 which had helped Hariri back to the premiership" (Blanford, 2007: 88)

⁵⁰⁷ http://www.lebanonwire.com/news/elections_2000_results.htm Indeed, in footnote 2 Salloukh provides a counter account of the division of Beirut 2—either Kanaan's creation or as an offering to Hariri, thus suggesting it was not designed to break his influence.

⁵⁰⁸ Indeed, this alliance remained invincible in 2009.

Similarly, the North was divided in such a way as to elect pro-Syrian Christians.

Bisharre—the Lebanese Forces (a Christian party which emerged from the militia of the same name) stronghold—was folded into North 1 with the two Sunni dominated Akkar and Duniyya. As a result, the Lebanese Forces list was defeated by Sunni voters. However, in Koura and Batroun, anti-Syrian Christians (e.g. Mikari and Harb) ran and won on the majority list. However, as strongmen with large local followings, they could make or break a list. Therefore, the list was forced to take them rather than the other way around. However, the inclusion of Zgharta in North 2 meant that Franjiyyeh's list was able to win in Zgharta with the exception of Nayla Mouwad, the wife of the former president and scion of one of the primary clans of the *qada*.⁵⁰⁹ Ironically, this constituency design backfired on Franjiyyeh in 2005 when he lost as post-Hariri assassination rhetoric that swept the primarily Sunni region. Marada—Franjiyyeh's party—then became an ardent advocate of the *qada* and won in 2009 under the smaller districts.

Similarly, Beqa'a was divided along the lines used in 1992 and the South was halved. While each of the districts of Beqa'a ran different lists, the government allied lists won in all districts. The South, despite perfunctory division, was administered as a single constituency “under the pretext of the Israeli occupation, even though Israel withdrew her troops from Lebanon three months ahead of the scheduled elections.”⁵¹⁰ The constituency was swept by one single list: Resistance and Development, which Hizbullah headed and shared with Amal and a handful of Sunni and Christian allies. Because Christian Jezzine was included in a

⁵⁰⁹ Although family connections are important in all of Lebanon due to the patronage system of power-sharing Zgharta is particularly effected by clan politics. Families—especially the Dueri and the Mouwads—have been in a fued which, during the height of the 1960s—rivaled the tales of the Hatfields and McCoys. Revenge cycle bloodletting and massacres on the basis of family name was a regular occurrence and has informed politics to this day.

⁵¹⁰ Salloukh, 2006: 648

larger mostly Shi'i constituency with which it has sometimes been at odds, Jezzine's Christians did not elect their Christian representatives. However, in Saida, Bahia Hariri—sister to Rafiq Hariri—was on the list in Saida.

The 2000 elections reveal the importance of selectoralism through the power of constituency boundaries and use of lists. They also indicate that the simplistic account often offered of Syrian determination of electoral outcomes is analytically superficial and also empirically invalid. While certainly a formidable occupying force whose human rights abuses and political intimidation is well documented, the Syrian regime operated within the Lebanese political system. As such, it needed to maneuver among various figures and groups, adapting to the Lebanese reality.

2005

Even before the February 14 assassination of Prime Minister Hariri, the 2005 elections were on track for a post-Taif reckoning. However, while the 2005 elections are often portrayed (especially in popular accounts) as a turning point, they actually represent a reckoning delayed. Discontent with the Post-Taif order had been mounting. Most Christian politicians and activists continued to bristle at their ebbing diminished status and inability to elect their representatives. Tensions among the former “Muslim” community were slowly escalating as competition for leadership continued between the Sunnis (represented by the Prime Minister) and the Shi'a (represented by the Speaker). Analysts such as Paul Salem and Bassel Saloukh have suggested that the Syrian withdrawal created institutional uncertainty in which the group-institutional order was up for grabs.

Since the 1992 elections, “electoral reform” had been on the post-Taif agenda—as it had periodically since Lebanon's first elections in 1919 as discussed in Chapter Five. Like

Constitutional Conferences in Nigeria, electoral laws are the “generative structure” of the polity. Indeed, “electoral reform” is part of Lebanese political life much like hummus is part of the Lebanese table. This electoral interregnum was no exception. Even before Hariri’s assassination, electoral trouble was brewing. Following the extra-constitutional extension of pro-Syrian President Lahoud’s term, four cabinet ministers resigned. This event not only widened the rift between Lahoud and Hariri,⁵¹¹ but also turned the Sunni vote from a largely reliable pro-Syrian block to one that could not be counted on to determine the results in 2005. At the end of the crisis, a new government was formed—headed by the scion of a prominent pro-Syrian Tripolitan Sunni political family, Omar Karami.⁵¹² Naturally, as with all new Lebanese governments, “electoral reform” was at the top of their agenda.

Upon coming to power in November 2004, Karami placed particular emphasis on the electoral law among the tasks of the new government noting the importance of providing for fair representation and thus acting as “the gateway to national détente and comprehensive reconciliation.”⁵¹³ Ultimately, the Karami government proposed electoral law based roughly on the 1960 *qada* system, at the behest of Syria in an effort to “placate the Maronite patriarch.”⁵¹⁴ This proposal was drafted by then Minister of Interior—Sulaiman Franjiyyeh, a pro-Syrian leader of the Marada party from Zgharta—who ironically had won his seat under the larger constituency which has previously allowed him to take advantage of pro-Syrian Sunnis in the North in the 2000 elections.

⁵¹¹ Various analysts—Young, Blanford, Salloukh—date this rift differently.

⁵¹² There are a number of other prominent Sunni politicians in Tripoli that are not regarded as pro-Syrian. Mikati was a centrist PM following Hariri’s assassination and Karami’s resignation and was proposed as a compromise PM following the 2009 elections. While less common during this period, there were also anti-Syrian Sunni politicians such as Misbah al-Ahdhab whose subsequent break with the Future Movement cost him the election in 2009.

⁵¹³ “Prime Minister Omar Karami asks Parliament for Vote of Confidence in the New Cabinet” *AP Worldstream* (November 4, 2004)

⁵¹⁴ Salloukh, 2005

Reaction was mixed across the board. Hariri opposed the draft bill generally, but especially because the Beirut districts appear to have again been designed to edge him out of the election.⁵¹⁵ However, the Christian Qornet Sherwan Gathering supported the draft legislation because the smaller constituencies would not only increase Christian ability to elect their representatives, but also increase gains by the opposition.⁵¹⁶ Yet, the draft was never came to the parliamentary floor as planned in late February 2005. The election law was one of the many issues changed by the assassination of Hariri, the mass demonstrations dubbed the Independence Intifada (though rebranded in the US as the “Cedar Revolution”)⁵¹⁷ and the subsequent Syrian withdrawal. The “reset” button on reform had again been pushed.

With the elections only three months away, the debate about electoral reform was fierce as it became a proxy for all the other issues. With the Syrian withdrawal in April, the Lebanese system was very much “up for grabs” and elections (even selections) have been the primary means through which the grip on power is obtained and maintained. As one might expect, positions on electoral reform were mixed among the two groups that formed during Spring of 2005. Although these two groups are commonly called March 8 and March 14 in

⁵¹⁵ “Lebanese Cabinet Approves Draft Electoral Law” *Deutsche Presse-Agentur* (January 27, 2005) The Beirut districts were allotted as follows: 1) 4 Sunni, 1 Orthodox, 1 Druze 2) 2 Sunni, 2 Shi’a, 3) Orthodox Armenian, 1 Protestant, 1 Armenian Catholic.

⁵¹⁶ Mohammad Almezal “Lebanon’s Poll Draft Law May Increase Opposition Numbers” *Gulf News* (January 31 2004)

⁵¹⁷ Although the protests surrounding the Syrian withdrawal in 2005 is commonly called the “Cedar Revolution” in the Western (especially US) press, its prevalence speaks more to the success of messaging rather than the discursive orientations of the Lebanese people. Because of a mistaken association of the word “intifada” (or uprising) with Palestinian activism, it is widely recounted that a US official--Paula Dobriansky, Undersecretary of State for Global Affairs coined the term. Cedar Revolution was suggested instead. Although on the flag, the political use of the cedar (especially capital “C” Cedar) has particular internal political connotations of association with the Phalangist (Kataib) party (and to a lesser extent the Lebanese Forces, an offshoot of the Kataib) as well as the Guardians of the Cedar (extremist Christian group), all of which use the Cedar as a symbol. Therefore, the use of “Cedar” is particularly associated with Christian movements, some less savory than others. Instead, I have opted for the more universally-used, empirically accurate, and analytically neutral term, Independence Intifada.

reference to the pro-Syrian and anti-Syrian rallies, these are misnomers. As discussed below, the Aounists/Free Patriotic Movement who comprised a significant portion of the anti-Syrian March 14 protesters later formed an alliance with Amal and Hizbullah, the base of the pro-Syrian March 8 protesters. Yet, the categories of March 14 and March 8 continue to be used by the March 14 camp (Future Movement, Phalangist, Lebanese Forces, PSP (prior to 2009)) after it was accurate in order to suggest Syrian dynamics.⁵¹⁸ On the other hand, the terms Government/Authority(Sulta)⁵¹⁹/February 14⁵²⁰ and Opposition are used by the Opposition (Hizbullah, AMAL, Hizbullah, Aounists/FPM, Tashnaq) to suggest government excess. Because both terms are politicized especially in reference to adversaries, I use self-description: March 14 and Opposition.

Among the opposition of the time (the Aounists/FPM joined in 2006), Hizbullah and most Shi'a parties (even those dominated by Shi'a such as the Communists) maintained their long-time support for PR on a national level or at the *Mubaafazah*. Similarly, the Shi'a Speaker of the Parliament (and thus responsible for introducing legislation), Amal's Nabih Berri read a statement during a pro-government meeting broadcast on al-Manar (Hizbullah TV) calling for "adopting an electoral law based on the national accord document—al-Taif agreement—as soon as possible after withdrawing the draft law that the previous, outgoing government sent to parliament, the draft that adopts the electoral sub district as a legal means to destroy Lebanon, and affirming the need for holding the elections."⁵²¹ Moreover,

⁵¹⁸ With the move of the virulently anti-Syrian Aoun to the Opposition camp, the Syrian dimension implied by "March 8" is no longer valid and only used for discursive power.

⁵¹⁹ This is the term used to refer to the Palestinian Authority and is likely an attempt to draw a discursive parallel to the conflict between the PA and Hamas similar to the Government and Hizbullah.

⁵²⁰ This is a reference to the day of Hariri's assassination. While the same day as the anti-Syrian protests (March 14th), February 14 suggests a sectarian Sunni orientation of the March 14 forces.

⁵²¹ "Lebanese Prime Minister Designate Agrees to Form Government" *Al-Manar (BBC Transcript)* (April 2, 2005)

he did not respond to a call by President Lahoud to introduce debate on the bill in a timely fashion; Berri and his allies countered that the letter was received at the 11th hour.⁵²² When the deadline for calling elections came and President Lahoud was required to issue a decree calling elections, he did so under the 2000 law. Naturally the adamancy regarding larger constituencies was viewed—rightly or wrongly—as an attempt to delay elections until such a time that the opposition's gains on the ground could be reversed. The fact that Berri did not open debate on the electoral law was viewed as a means to use his powers as President of the Parliament to force the use of the 2000 law.

Yet, the Opposition was divided. Like their Christian compatriots among the March 14 forces as well as the Patriarch, Christian leaders within the Opposition also favored the *qada*. Christian leaders like pro-Syrian President Lahoud and Minister/MP Franjiyyeh that were unwavering in their support for the *qada*. Although they would later join the opposition later, the Aounists/FPM were also strong Christian supporters of the smaller constituency of the *qada* as a means to ensure that Christians control the seats allocated to their confession.

In the middle were the Sunnis. Initially Karami supported the *qada*, but then moved to introduce a *mubaafazab*-based law through his new government. Indeed, this stated support for larger constituencies cost him two former ministers (including Franjiyyeh who drafted the law), which prevented him from forming a government. Yet, Karami was not the only flip-flopping Sunni figure. Ambivalence on the *qada/mubaafazab* quandary was a Sunni predicament. Although Hariri and his supporters initially opposed the *qada* and advocated

⁵²² "Lebanese Speaker's Ignoring Call for Law Debate Delays Election" *Daily Star* (May 5, 2005)

for the use of *Muhaafazah*,⁵²³ they grew to support it by Doha in 2008. Indeed, although larger constituencies favor Sunnis in their majority areas such as the North, they also favor the Shi'a. Therefore, the position was determined less by ensuring Sunni gains and more by preventing Shi'a gains—in a classic zero-sum competition of opportunity hoarding. If the electoral law were a matter of international factors (pro or anti-Syria), there would be convergence among Christian, Sunni, and Shi'a actors on either side of the political divide. Instead, preferences aligned along group lines irrespective of political ideology.

The 2005 elections were technically the first post-independence elections, but the reckoning and realignment was actually delayed due to US interference. According to officials and NGO workers connected to the debates, the US wanted to consolidate gains following the Independence Intifada. Lebanese politics—like all politics in the Middle East—is viewed through a zero-sum game theoretic lens in which losses for Syria are invariably gains for the US. Time would have only permitted reconciliation, shifting alliances and a transformed political scene—the thinking was that it was better to lock-in the recent gains by institutionalizing them as much as possible. Indeed, as early as the March collapse of the Karami government, the US called for adherence to the election timetable.⁵²⁴ Yet, the US was not alone. Quoting al-Amin, Saloukh suggests a Western consensus on pushing through elections based on the old electoral law.⁵²⁵

Despite the high-stakes regional political tumult, the 2005 elections were more of the same in many ways. Selectoral politics reigned supreme. The steamrolling lists flattened true

⁵²³ Walid Eido, a prominent Future Movement leader assassinated in the summer of 2007 is one such example. During an LBC forum, Eido said, "It (the electoral law) should be based on the principle of the province as an electoral constituency and not any other law. Therefore, the 2000 law does not embody the aspirations of the younger generation." *LBC Sat TV* "Lebanese Politicians Discuss Elections Law, Impact of General Aoun's Return. *BBC* (May 11, 2005)

⁵²⁴ "US Says Lebanon Should Stick to Election Timetable" *AP World Stream* (March 29, 2005)

⁵²⁵ Salloukh, 2005

electoral contests the country. Unlikely bedfellows shared the same list with a “quadpartite alliance” of Hizbullah, Amal, Future and PSP.⁵²⁶ “Everyone wanted to make an alliance with Hizbullah because they had the support.”⁵²⁷ Yet, this support came with a price. This agreement entailed not only the protection of the resistance, but also an end to majoritarian cabinet voting and a move to consensus decision-making instead.⁵²⁸ Indeed, this condition sought to resolve the tension within Taif regarding cabinet decision-making. The March 14 majority favored majoritarian decision making, the Opposition minority favored consensus. However, as discussed below, this agreement was twice violated, resulting in conflict that was only resolved through Doha and the 2009 election certification.

In some areas Future and its allies did not require Hizbullah support. Nine of the 19 seats in Beirut were entirely uncontested with members of Saad Hariri's (Rafiq Hariri's son) list the sole candidates.⁵²⁹ Four of these were Armenian.⁵³⁰ However, rather than being connected to the various Armenian parties especially Tashnaq, they Future stooges voted into office by the Sunni majority and beholden to their aims rather than serving the Armenian community.⁵³¹ As one protester put it, “The level of representation is wrong, and the law we are running under is wrong...it ultimately means that Hariri gets to decide who comes out.”⁵³² Again, cross-confessional voting did not lead to cooperation, but conflict.

⁵²⁶ Salloukh, 2005

⁵²⁷ Interview, Amal Saad Ghorayeb, *Beirut* (February 2007)

⁵²⁸ Salloukh, 2005

⁵²⁹ “Hariri Lost takes nine of 19 Lebanon Parliamentary Seats by Default.” *AFP* (May 18 2005)

⁵³⁰ Sam Ghattas “Nine Opposition Candidates Declared Winners of Uncontested Beirut Seats Before Election” *AP* (May 19 2005)

⁵³¹ Although it is beyond the scope of this section, this hoarding of seats was one of the primary reasons the Armenian community aligned with the opposition in the 2009 elections. Interview, Ohannes Geukjian Beirut, March 2009

⁵³² As quoted in Hassan Fattah “Turnout is Low as Lebanon Begins Voting for Parliament” *New York Times* (May 30, 2005)

The same process of Sunni-elected minorities held true for the Alawi in Tripoli and Akkar as outlined above. Although the addition of their seats under Taif was an important step in their efforts to be certified groups within the Lebanese political system, the Alawi did not actually elect their representatives with the Tripoli representative called “Alawi on ID Card only.”⁵³³ As discussed below, the Armenians were able to reverse some trends due to the use of smaller constituencies in 2009 (and could thus dominate *qadas* such as Metn), the same did not hold true for the Alawi. Even at the *qada* level, they were awash in a sea of Sunni votes that swept away Alawi representation. While the selectoral dimensions affected minority groups especially, the dominance of the lists outlined above led to an overall trend of selectoral politics. In conclusion, the comparative structure of elections in 1992, 1996, and 2000/5 can be seen in the table below.

TABLE 7.2: COMPARISON OF 1992, 1996, AND 2000/5 ELECTORAL LAWS

	1992	1996	2000/5
Seats	128	128	128
Distribution	1:1	1:1	1:1
Unit	Muhaafazah Mix (seats <i>qada</i> , voting <i>mubaafazali</i>)	Muhaafazah , but Mt. Lebanon <i>qada</i>	Districts
	12	10	14
	North Lebanon	North Lebanon	North Lebanon 1 (Akkar, Duniyya, Bishare) North Lebanon 1

⁵³³ Interview Ali Eid (leader of the Alawi community) Jabl Mohsen, May 2009.

Power Sharing or Power Hoarding?
Conflict and Democratic Breakdown in Nigeria and Lebanon
Maren Milligan
Chapter Seven: Lebanon's Vicious Cycle after Taif

		(Tripoli, Miniyya, Zgharta, Batroun, Koura)
Beirut	Beirut	Beirut 1 ⁵³⁴
		Beirut 2
		Beirut 3
Mt. Lebanon/ <i>6 Qada</i>	Mt. Lebanon/ <i>6 Qada</i>	Mt. Lebanon 1
(Jbeil, Kiserwan, Metn, Baabda, Alay, Shouf)	(Jbeil, Kiserwan, Metn, Baabda, Alay, Shouf)	(Jbeil, Kiserwan) Mt. Lebanon 2 (Metn)
		Mt. Lebanon 3 (Babdaa-Alay)
		Mt. Lebanon 4 (Shouf)
Biqqa'/3	Biqqa'	Biqqa' 1
(Zahle, Baalbek/Hermil, West Biqqa/Rashaya)		(Baalbek/Hermil) Biqqa' 2 (Zahle)
		Biqqa' 1 (“Biqqa'” presumably rest)
South Lebanon	South Lebanon	South Lebanon 1 (city and country of Saida, Sour, Bint Jbeil)
		South Lebanon 2

⁵³⁴ For a detailed discussion and comparison of the districting in Beirut, see the discussion of Doha below.

SETTLING SELECTIONS

Unsurprisingly, when the dust settled, electoral reform was again on the agenda to the extent it was included in Sinora's ministerial statement. Sinora then announced the formation of an electoral commission on August 8 and a timetable which would culminate in the submission of a final report by November. However, as discussed below, this timeline would not be reached and ultimately, the report would not be adopted. Yet, the maneuvering around the new electoral law was an important part of the arena of institutional reconfiguration.

In addition to the perennial call for electoral reform, the establishment of the cabinet was a recurring source of conflict, escalating until it was temporarily resolved in the Doha accord and then becoming institutionalized after the 2009 election. Although forming the backbone of the electoral alliances that swept the elections—especially what Salloukh calls the quadpartite alliance, discussed above—Hizbullah and Amal became dissatisfied with their allotment and also the creeping return to majoritarian decision making (plurality voting) rather than consensus decision-making. Alongside these cabinet moves, Saloukh⁵³⁵ notes the systematic erosion of balance in public sector employment with Harri, Jumblatt, and Geagea

⁵³⁵ As a point of disclosure and fact, it should be noted that Salloukh is the son of Fawzi Salloukh, the Shi'a Foreign Minister who, although an independent, was among those that resigned first in 2005-6 then again in 2006-8. However, this affiliation should not impugn Salloukh's independence as a scholar. I have known Salloukh since he worked on his PhD at McGill University and know him to be a rigorous scholar of considerable academic integrity. Moreover, to suggest that blood ties influences scholarship taken to its primordial conclusion would suggest that heritage forms a similar bias: that Christian Lebanese cannot be impartial on the civil war; that Jews cannot write analytically on the Israeli-Palestinian conflict; or that an Iraqi Shi'a, Kurd or Sunni scholar would advance sectarian interests rather than independent scholarship. Clearly, this position is neither morally tenable nor empirically well-founded. Yet, it is still fair to say that Salloukhs ties might nevertheless provide him helpful access and background context that usefully inform his analysis.

supporters being favored⁵³⁶ in an attempt to “rectify what they described as a Muslim invasion of the bureaucracy since 1990.”⁵³⁷ Similarly, the Aounists—who had not only constituted a large portion of the March 14 anti-Syrian demonstrations⁵³⁸ but also performed well in the elections, were entirely shut out of the cabinet.

These issues began to boil over at years end. On December 12, Hizbullah and Amal ministers walked out protesting the process through which the cabinet established an international court for investigating and prosecuting the assassination of Hariri. Although this walk-out is often presented as a means to block investigation and protect Syria, the Hizbullah and Amal supported the investigation and prosecution but had two objections, one substantive and one procedural. First, they had reservations about an international court that might be susceptible to international influence as well as concerns that the expanded scope to other assassinations indicated a politicization. Second, and centrally, “fearing marginalization via the institutionalization of a voting precedent, the Hizbullah-Amal alliance boycotted cabinet meetings from 12 December 2005 until 2 February 2006.”⁵³⁹ Indeed, Saloukh writes: “the cabinet crisis was over more than just the prerogatives of the prospective international court, however. It reflected a deeper structural chasm: what sort of Lebanon is being formed after the Syrian withdrawal? How are critical political decisions taken? Consensually, as prescribed by the Taif Accord or by a two-thirds majority cabinet vote? What balance of power will prevail among the different sects in the post-Syrian era?”

⁵³⁶ Salloukh, 2005

⁵³⁷ Bassel Salloukh, “Democracy in Lebanon: The Primacy of the Sectarian System,” in Nathan Brown and Emad el-Din Shahin, eds., *The Struggle for Democracy in the Middle East* (Routledge Press, 2009)

⁵³⁸ Aoun was a well-known anti-Syrian figure who was forced into exile after losing the battle to oust Syrian troops from Lebanon in 1990. The lack of a timeline for the withdrawal of Syrian troops was also the main reason for Aoun's previous opposition to the Taif agreement.

⁵³⁹ Salloukh, 2005

What is the future political role for the Shi'a in this state? Could a cabinet vote neutralize the full demographic and political weight of the Shi'a community in the country? And what foreign policy orientation will the state assume?⁵⁴⁰

Shortly after Hizbullah and Amal re-entered government following another set of promises for consensual decision-making,⁵⁴¹ Hizbullah entered into an alliance with the Free-Patriotic Movement on February 6. The agreement had been arduously worked out with Jibrán Bassil taking the lead in negotiating the agreement for the Aounists.⁵⁴² Given FPM's complete exclusion from the cabinet, the genesis of the alliance during this period is not surprising. The FPM-Hizbullah ten-point program covers several principles to govern the post-Syrian state.

First, the statement calls for national dialogue among all the parties. Second, it calls for the principle of consensus decision-making. Third, it calls for "a modern electoral law (in which proportional representation may be one of its effective variations) that guarantees the accuracy and equity of popular representation..." In addition to outlining various administrative aspects ensuring a free and fair vote, this provision is important. It indicates that the long-held Shi'a preference for PR (adopted by Hizbullah) is not strongly backed. Unconditional support is declared for "accuracy and equity of popular representation" which underpins Christian preferences for "one vote-one value" and the ability of Christians to elect their representatives. This aspect of the agreement was a harbinger of future electoral stances of the alliance—as actualized in the 2008 Doha agreement.

⁵⁴⁰ Saloukh, 2009: 141-2

⁵⁴¹ Saloukh, 2005

⁵⁴² May Akl, Gen. Aoun's public relations officer. It should also be noted as a point of fact that Jibrán Bassil is also Gen. Aoun's son-in-law. Bassil is from a prominent Batroun family and is known as a technocrat with a developmental orientation. Bassil has been the Minister of Telecommunications and is now Minister Energy.

The agreement also includes provisions for state-building, focusing on judicial reform and anti-corruption drives. It also includes a call for a resolution to the missing from the Lebanese civil war and a return of Lebanese held in Israel. Under "security," the agreement affirms its commitment to the depoliticized investigation of Hariri's assassination. Under the security section, it also outlines the strengthening of Lebanese security issues, which was explained by Aoun's public affairs officer as Aoun's response to the question of "Hizbullah's arms/the Resistance."⁵⁴³ The absence of a strong Lebanese army has been cited as a reason to allow Hizbullah to remain armed. FPM does not support independent militias, but seeks to develop independent Lebanese institutions to provide for the country's defense. Along these lines, the agreement also outlines Lebanese- Syrian relations (such as boundary demarcation, establishment of embassies, and a call for cooperation in returning Lebanese held in Syrian jails), Lebanese-Palestinian relations (human rights protection, right of return/non-resettlement in Lebanon, disarming of militias in the camps, and overall reform of the relations) as well as a statement on Lebanese sovereignty.

This alliance is often presented as a crude confessional calculation based on Aoun's presidential aspirations and Hizbullah's need to claim broader legitimacy. Indeed, these actors may well have political aspirations and confessional attachments. Often overlooked is the fact that they share a neighborhood: Aoun's "ancestral village" is Haret Hrek.⁵⁴⁴

⁵⁴³ Much like March 14/Authority and March 8/Opposition, the two political camps use different language to describe the issue of demobilization. For March 14, "Hizbullah's arms" must be removed; for the opposition, "the resistance" must be preserved. Although I use the preferred self description for each group (e.g. March 14 and the opposition), I use both terms here since it is not a matter of self-description but an issue involving both parties. Rather than adopting politicized language on either side, I chose to use both.

⁵⁴⁴ Because of the use of the civil registry dating to the 1932 census as the basis of the voter registry, Lebanese vote in their "ancestral village." Therefore, populations often vote according to pre-war residence. As a result, Haret Hreik, the municipality where many Hizbullah offices are headquartered, has a large Maronite voting population. Indeed, General Aoun is from Haret Hreik. While most instrumental analysis of the FPM-

However, there are other more nuanced analytical explanations for the alliance. Apart from being underrepresented in the cabinet that share “outsider” status, both have stated opposition to the confessional system (though each have increasingly participated in it). Similarly, both have made anti-corruption and technocratic efforts the centerpieces of their political strategies. These ideologies which are congenial to union, however, are secondary. There is an institutional imperative. Both represent groups that feel that they have not gotten their fair share of the pie: the Shi’a claim marginalization as a group and Aoun, who although a stated non-confessional argues against the post-Taif marginalization of the broad Christian community.

We can see that once the post-Taif categories of the troika were imposed opportunities were hoarded along them in the public sector, cabinet, and parliament. The contest of the troika manifested itself in nearly every institution. Similarly, as discussed in Chapter One, “selections” or informal agreements preceding elections that pre-allocate distribution. As such, Taif and its electoral laws and the use of lists constituted these generative structures in which the mechanism of “opportunity hoarding” operated. Thus, opportunity hoarding served to reinforce Taif categories and led to Category Formation (Inscription) and Certification.

In the period from Taif to Syrian withdrawal, the anti-Syrian Christians were the clear losers. The overall Christian allocation was diminished in the public sector and parliament. Electoral laws and informal agreements on lists meant that Christians often did not elect their own representatives who were instead elected by the Sunni majority (in the

Hizbuallah alliance has focused on Aoun’s presidential aspirations, these electoral incentives and the degree of coordination required between former and current residents has been largely unexplored.

North) and the Shi'a majority (in the South). The Sunni community—led by Hariri consistently did well in the post-Taif era. From the period 1989-2005, it benefitted from an (increasingly strained) alliance with Syria. In the post-2005 period, it had developed a hegemonic position within the Sunni community due not only to backlash from the assassination but a carefully cultivated political empire built on public sector contracts and private charity networks.

Within the Shi'a community, Amal and Hizbullah both also benefitted from an alliance with Syria until 2005. However, until the 2004 municipal elections and the 2005 parliamentary elections, they vied for the leadership role of the Shi'a community, especially its role in the state. A partnership was sometimes forged (or forced) by the Syrians. Similarly, Alawi interests were protected by the Syrians until their withdrawal, guaranteeing that their coreligionists would be able to elect their own representatives.

With the 2005 Syrian withdrawal and power vacuum, Muslim actors generated another equilibrium and recalibrated the hoarding of opportunities in the public and electoral sphere. Both Sunni and Shi'a had previously been allies of Syria and maintained an uncomfortable equilibrium, but after 2005 their contest for spoils and post-Taif leadership of the community burst into the open. However, the full institutional contest—in the executive offices of the triple presidency, the cabinet, and the electoral law was delayed. This is taken up in the section “certification” below.

Yet, before moving to this issue, it is important to first outline how the categories of Shi'a and Alawi became inscribed before the institutional contest in 2005-2009. This next section will address the other half of category formation—the constitutive component—“inscription/activation of Shi'a/Alawi based on the imposition of categories as well as the

emergence of in-groups and out-groups from the process of opportunity hoarding. After mechanism of category formation (inscription/activation) is traced, the chapter then proceeds to examine the mechanism of “certification” through which these new political categories seek recognition through the ascending to elected executive office. Finally, the conclusion concatenates these three mechanisms, discussing how they combine to create a process of mutual constitution of identities and institutions.

CATEGORY INSCRIPTION

As discussed in Chapter One, group-based polities institutionalize categorical inequalities rather than seek their removal. Similarly, segmental separation of polities ensures inequality despite their intent of equalization. Although this allocation may be designed to reduce inequalities by preventing a single group from dominating, there are inevitably other groups or sub-groups left out of the practice. Drawing on Tilly's work on Social Boundaries, broadly speaking, category formation is a key mechanism through which groups form. More specifically, “A social category consists of a set of sites that share a boundary distinguishing all of them from and relating all of them to at least one set of the sites visibly excluded by the boundary.”

Yet, in *Identities, Boundaries, and Social Ties*, Tilly makes an important distinction between two types of mechanisms: those that *precipitate* boundary change and those that *constitute* boundary change.⁵⁴⁵ He notes that precipitating mechanisms include: encounter, imposition, borrowing, conversation, and incentive shift. Constituting mechanisms include: inscription, erasure, activation, deactivation, site transfer and relocation. Similarly, in an

⁵⁴⁵ p. 135-146

earlier work, Adam, Tarrow, and Tilly go on to note in *Dynamics of Contention* that category formation has three potential components: invention, borrowing, and encounter. Combining these two works, this dissertation likewise views category formation as divided into two components: one precipitating, one constitutive.

Tilly writes, "Inscription and activation sometime operate simultaneously, as do erasure and deactivation. Inscription heightens the social relations and representations that comprise a particular boundary, while activation makes that same boundary more central to the organization of activity in its vicinity. Thus religious zealots often create extensive webs of relations within their faiths, guarded relations to nonmembers of the faith and powerful representations of those non members: high inscription. Most of the time, zealots continue to participate in professions, political parties, neighborhood associations, and investments of their capital that involve other us-them boundaries: low to medium activation. Yet, if a threat to the religious community's survival arises, members begin organizing their activities around the religious boundary alone: rising activation. In combination, Inscription and activation provide a basis for sustained, costly collective action." The dissertation emphasizes the inscriptive component (especially attention to "webs of relations" and "powerful representations") but also examines increases in activation (treated differently than "activation" in instrumentalist terms which is used as a switching between two separate categories). This is the part of the mechanism that restructures the group.

Tilly also elaborates on this idea through his concept of "categorical organization" which includes "all sorts of well-bounded clusters of social ties in which the occupants of at least one position have the right to comment collective resources to activities reaching across the boundary. Organizations thus include corporate kin groups, households, religious sects,

bands of mercenaries, and many local communities.”⁵⁴⁶ Tilly likewise notes the relational configurations of these categorical organizations: “chain, hierarchy, triad, organization, and categorical pair.”

In this section, I trace the emergence of “webs of relations” with their objective of “powerful representations.” Given the power-sharing environment in which these mechanisms are operating, the collective action for which these categories are inscribed is to obtain representative status within the institutional framework. The “imposition” component of the category formation generated the triple presidency and new parliamentary office as a result of Taif. Opportunity hoarding reinforces in-groups and out-group aspects of the categories and leads to their inscription as a result. In this Chapter, I focus on the inscription of Shi’a and Alawi at the national and local levels.

The dynamics of category inscription in Lebanon are different than in Nigeria due largely to their divergent legal and institutional frameworks. In Nigeria, all political parties must be registered in 2/3 of all the states. As a result, identity-based organizing occurs in two ways. The first is as a sort of “caucus” within existing institutions such as the Northern Delegates Forum. The second is the emergence of identity based civil society organizations, often as vanity venues connected to public figures that often have political aspirations.

However, in Lebanon, the institutional framework is deeply confessionalized with parties organized on the basis of sect in order to capture seats that are allocated on the basis of sect. Yet, unlike Nigeria that saw a post 1999 opening of political space and explosion of civil society organizations, the Lebanese political opening after Taif has very powerful actors: militias. These militias then became the primary vehicles of associational life—both parties

⁵⁴⁶ p74

and civil society organizations (although there are a few exceptions to Lebanon's confessionalized and politicized civil society, such as the Lebanese Association for Democratic Elections, LADE). Category inscription in Lebanon is thus the emergence of a unified confessional bloc with shared identity boundaries and close coordination in which political parties are at the center. In the post-Taif era, the Shi'a militias—which had once been at war with one another—became increasingly inscribed into a single Shi'a web of relations. Similarly, the heterodox sect of Alawi also became inscribed as a community and also enveloped within the broader Shi'a fold during this period.

As was the case with Nigeria, some observers might be tempted to look askance at the suggesting that the Shi'a and the Alawi have become inscribed in the post-Taif period. They might wish to suggest that these sects have existed—if not since time immemorial, but at least since the advent of Islam. However, as Chapter Five evidenced, the Shi'a of Lebanon have undergone tremendous identity transformation: from Rafizi to Mitwali to a residual category within "Muslim" lacking any official status. A similar process occurred for the Alawi—moving from Nusairi to Alawi with the advent of the French Mandate Alawi state in Syria from 1920-22. Because the independence period also set the stage for the inscription of identities in the post-Taif period, this section will provide a brief review, much like it did for the Middle Belt in Chapter Six.

PRE-TAIF MUSLIM "GROUPS"

The two primary studies of the Shi'a during the period immediately prior to and during the civil war. On the one hand, Ajami focuses on individual-level factors, namely the role of Imam Musa al-Sadr as implied by the title: *The Vanished Imam: Musa al-Sadr and the*

Shi'a of Lebanon.⁵⁴⁷ In this book, Ajami emphasizes the determining role of Iranian-born Imam Musa al-Sadr in mobilizing the Lebanese Shi'a. However, examining Sadr's role, Ajami does not suggest in this early book that he is a mere extension of Iranian foreign policy.⁵⁴⁸ Imam Musa al-Sadr founded the first Shi'a mass-based movement, Harakat (Movement) AMAL (or Hope, Afwaj al Muqawamah al Lubananya, the units of the Lebanese resistance), known also by its other name, حركة المحرومين Movement for the Disposed.

In contrast to popular perception (sometimes in Lebanon itself) of Sadr as an Iranian implant, Musa al-Sadr came to Iran at the request of Lebanese Shi'a. Upon the death of Sayyid Abdul Hussein, whose reputation extended even to Najaf, his sons sent a request to Sayyid Muhsin al-Hakim, perhaps the most prominent cleric in Najaf, to send a cleric of stature as a replacement. Al-Hakim encouraged Musa al-Sadr to accept the invitation, which after a reportedly long period of reflection, he did.⁵⁴⁹ Although his intellectual development was equally shaped his training in Najaf as it was by his upbringing in Qom, al-Sadr was nevertheless dogged by his origins in Iran and viewed as suspect. In a country where "the plot" dominates due to the penetration of the political system, this was unsurprising, but, as one author has noted, "Musa al-Sadr, in particular, again and again, invited such speculation.

⁵⁴⁷ Ajami has been widely criticized for his Orientalizing essentialism in scholarship as well as his neo-con policy work and close relationship with the Bush administration. While the *Vanished Imam* is a rich work widely recognized (even among critics of his other work) as a classic (although sometimes classist) work on Shi'a Islam, it is not without its reductionist tangents. For instance, Ajami notes, "My informant had in him that combination of cunning and guile to be found in those who come of peasant stock." One can only hope that the Irish peasant genetic material informing this dissertation indeed has the predisposed cleverness to insightfully analyze the Lebanese politics and the guile to present it in a convincing fashion.

⁵⁴⁸ Although Ajami's later neo-con orientation and work with the Bush Administration in Iraq would suggest an emphasis on the role of Iran in Lebanon, this early book does not make this argument.

⁵⁴⁹ Ajami, *The Vanished Imam* p. 45

The Iranian birth, the Persianized Arabic, the obvious ambition, the striking good looks—all these suggested some hidden design or purpose.”⁵⁵⁰

On the other hand, Augustus Richard Norton focuses on mass-level socio-economic factors in his social mobilization driven account. While emigration has been a fixture of Lebanon since the turn-of-the-century famine, Norton argues that Christian communities were more likely to assimilate and permanently settle in Europe and the Americas. In contrast, the Shi'a “were more likely to return to Lebanon after a few years in the Gulf or West Africa.”⁵⁵¹ The remittances of the Shi'a from West Africa enabled the community to not only pry itself out from under the thumb of feudal overlords like Kamal Assad, but also to demand political representation more commensurate with their rising economic power.

Indeed, “only since the 1960's have the political horizons of the Shi'a begun to encompass the state as such. Until then, the Shi'a resided on the margins of the polity, and for the most of their modern history the “Lebanese Shi'a community” was something of a misnomer, given the community's fragmentation and its domination by six families.” Instead, Shi'a mobilization focused on “populist political movement of protest and reform, a movement that has demanded that the Shi'a be provided the most basics human rights: sanctity of hearth and well-being of kith and kin, as well as equal rights as Lebanese citizens.”⁵⁵² Yet this developmental orientation shifted in the post-Taif period with category formation, opportunity hoarding, and certification.

⁵⁵⁰ Ajami, 111

⁵⁵¹ Norton, 7

⁵⁵² Norton 35-6

Efforts for increased political recognition for the community led to the 1967 creation of the Supreme Shi'a Council. Although the community had been officially recognized 41 years earlier in 1926, obtained its own court in 1928, it still lacked the institutional apparatus of a recognized community. Yet, when the National Assembly passed law 72/67 was the first "representative body for the Shi'a independent of the Sunni Muslims" was created. More importantly, "the establishment of the Council, with a mandate to articulate growing Shi'a demands within the political system, introduced a new calculus into the distribution of political power."⁵⁵³

Unsurprisingly, Ajami places the emphasis on the individual influence of Imam Musa al-Sadr, noting his ability to mobilize confessional sentiments of the newly empowered middle class Shi'a who were "searching for respectability and a new role in Lebanese society." He states, "the idea of the Higher Shi'a Council, a corporate body representing the Shi'a before the state, had been kicked around before Musa al-Sadr picked it up. The majority of Shi'a clerics had not been excited about the prospect. It smacked of entanglement with power and with the state. And there was competition within the ranks of the ulama: if one mujtahid were to rise above others through the channels of such an official body, it would have surely been to the detriment of all the rest. No single mujtahid before Musa al-Sadr had the daring and energy to push his way beyond the limits of his colleagues abilities and acceptance."

Ajami goes on to describe the structure and significance of the council, also belying the idea that its inception was more than a one-man show: "The council's structure and

⁵⁵³ Norton, 44

conception, hierarchical and neatly bureaucratic, were true to the sensibility of the men who pushed for it. It was to have forty-three seats on its executive committee—nineteen reserved for the nineteen Shi'a members of parliament, twelve allocated for mujtahids and religious functionaries, and twelve for laymen. The spirit moving this bureaucratic body was a bid for political and doctrinal independence on the part of the Shi'a of Lebanon⁵⁵⁴

Indeed, the establishment of the council marked a turning point for the Shi'a in Lebanon, for the Muslim community of Lebanon, and for the confessional system in general. "When the council was established, it was the sixteenth such corporate institution in the country. All the other sects—the Druze, the Maronites, the Greek Orthodox, and so on—had religious institutions of their own. The Shi'a had lacked an institutional body. The Sunni in Beirut claimed the Muslim mantle. The Grand Mufti (the highest religious judge and authority) of the Lebanese Republic, a man of the Sunni faith and of the Sunni establishment, was the presumed representative of all Muslims. The Shi'a were in a cleft stick. So desperately anxious to stay within the fold of Islam, so disadvantaged when compared to the Sunni world of Beirut with its continuity and courts and schools and philanthropic associations, they had been unable to establish a measure of doctrinal and political independence vis-à-vis the Sunnis."⁵⁵⁵

It could therefore be argued that Shi'a mobilization during this period updated *matlabiyya*—shifting further from ad-hoc developmental demands and positions and resources at the center. While Ajami has emphasized the individual vision and charisma of Imam Musa al-Sadr and Norton socio-economic factors, their accounts reveal that Shi'a mobilization rests in the logic of the confessional system. To exist in Lebanon requires a

⁵⁵⁴ Ajami, 114

⁵⁵⁵ Ajami, 114

council, requires confessional representation. Individual advancement—indeed sometimes even survival—depends on it. It would not be far fetched to suggest that a Council would likely have emerged without an Imam Sadr or indeed even without remittances from West Africa. Nature abhors a vacuum and so do confessional systems. The Shi'a would have inevitably arisen to claim their share at the center in the context of allocative politics of power-sharing.

This increased mobilization and institutional representation enabled greater activism. During this period, Lebanon was also in the midst of a regional conflagration: 1967 war, 1973 war, influx of militias on Lebanese soil, and increased Israeli attacks. Within this context, passive exclusion turned into active protest. Interestingly, as is often the case with marginalized communities, Imam Musa al-Sadr co-opted and revived the term “rafizi” as part of his mobilization of the oppressed and rejection of the epithet suggesting passivity, *mitwali*. “Starting from today, we will no longer complain nor cry. Our name is not *mitwali*, our name is *rafidun*.”⁵⁵⁶ While *mitwali* suggests weakness and exclusion, *rafizi* suggests strength and protest at exclusion. Indeed, with the creation of the Supreme Shi'a Council, the Shi'a had emerged recognized confession—a status they had been denied since colonial rule and independence.

However, at that time, they still lagged behind in allocation of state positions and resources. Although the 1969 creation of the Supreme Shi'a Council enabled the Shi'a community to harness the leverage required for the 1970 creation of the Council of the South, the Shi'a still lacked power at the center. Indeed, the “events” or the civil war marked a turning point within the Shi'a community and the reckoning would come during and after

⁵⁵⁶ as cited in Norton, 46; Ajami, 155

Taif. However, the man who had been a key figure in the Lebanese Shi'a movement—and a central link between this community and various transnational networks—“disappeared” under still undetermined circumstances on a trip to Libya in 1978. Not only did disappearance leave a gaping hole in the collective psyche of the Shi'a community in Lebanon and elsewhere, his disappearance had posed profound practical problems for the Shi'a social movement as various members of Amal, with contending transnational relationships, sought to assume the leadership of the Shi'a community in Lebanon. However, coinciding with this internal power struggles were two events in the late 1970's and early 1980's changed the centrality of Najaf and shifted *shi'i* clerical activist circles to Qom in Iran.

First, is the Iranian revolution which meant the reverse migration to Qom of many of the Iranian Shi'a clerics who had studied in Najaf. Second, in 1980, the Iraqi government assassinated Baqr al-Sadr, a central figure with whom many of the Shi'a clerics of Lebanon had studied. The Iraqi government shut down his *hawzat* and expelled the remaining Lebanese Shi'a.⁵⁵⁷ The clerical activist center of gravity then shifted to Qom in post-revolutionary Iran where clerics—many of whom were later to become central Hizbullah figures—gained greater exposure and became integrated in the clerical networks of Ayatollah Khomeini. These networks then facilitated the creation of Hizbullah and its relationship with its primary patron, Iran. Although Iran's increasing role in Lebanon would ultimately sometimes clash with its key regional ally Syria, Iran's initial entrance into the Lebanese political scene was facilitated by Syria. Not only did the 800-1500 Iranian revolutionary guard forces that were to form the backbone of Hizbullah's early military efforts travel

⁵⁵⁷ It is important to note that many of the Lebanese Shi'a had already been expelled, first in 1968 when the Baath came to power, then again in 1977. Saad-Ghorayeb p. 13

through Syria, they remained there under Syrian protection and support. The motives for Syria countenancing such a role has received a degree of speculation, with one account arguing that the Iranians helped Syria keep an eye on the Shi'a population when Syrian attention was drawn from Baalbek to fighting elsewhere⁵⁵⁸ and another contending that the Iranian offer of support was a welcome contrast to Arab inaction.⁵⁵⁹

However,

FROM MUSLIM CONFESSION TO SUNNI SHII SECTS

Part of the shift in Taif was replacing what Ajami calls the bargain between the “Maronite Mountain” and the “Sunni Coast” enshrined in the 1943 National Pact, with the expansion of categories inclusive of other Christian and Muslim groups. Indeed, Abu-Khalil—who agrees with Ajami on little else—shares this perspective. He argues, “From independence in 1943 to the civil war in 1975, the Shiites, as well as other Muslims were forcibly represented in major national issues by the Sunni establishment.”⁵⁶⁰

Another part of the shift in Taif was from the idea of unequal Maronite-Sunni partnership to Christian and Muslim parity. While the leadership of the Christian community remains Maronite,⁵⁶¹ the Muslim community lacked a clear sectarian leader. Indeed, the power of the two Muslim Presidents—Sunni and Shi'a were increasingly equalized. And while the notion of Maronite-Sunni-Shi'i parliamentary parity was abandoned in favor of Christian-Muslim parity, Sunni and Shi'a seats were equal for the first time since 1922. Therefore, while the category “Muslim” was retained, it was largely

⁵⁵⁸ Fisk 470

⁵⁵⁹ Agha and Khalidi 15

⁵⁶⁰ Asad Abu Khalil, “Syria and the Shiites: Al-Assad's Policy in Lebanon” *Third World Quarterly* 12.2 (April 1990):2

⁵⁶¹ However, the Greek Orthodox are increasing demands in forming a bloc led by Mikarfi of Koura, a rare GO member of the Future party and March 14 power-broker.

unspecified and divided. The stage was set for struggle for leadership of the Muslim community between the Prime Minister and the Speaker.

While the Shi'a had previously been folded into "Muslim" in the post-1943 and post-58 dispensations, the Shi'a were "mitwali" no more after Taif. Although the "Shi'a faced a share of power smaller than they deserved" and as a result, held a "grudge" against the system,⁵⁶² they continually sought to reverse this. The Shi'a increasingly sought to consolidate gains, leverage influence, and expand their power in the post-Taif era. While the February 14 assassination of Hariri hastened the formation of the divide, the inscription of Sunni and Shi'a predated Hariri's murder. Indeed, in the year immediately following Taif, the Prime Minister and the Speaker of the Parliament locked horns as they tested the boundaries of the Post-Taif power balance—or more accurately, as the Speaker of the Parliament checked the power of the Prime Minister.

For Hussein Husseini—a Senior AMAL figure and patrician politician from the Beqaa⁵⁶³ objected to the creation of a Director General position and then requested the minutes of cabinet minutes (which Hoss rejected).⁵⁶⁴ Once Berri assumed the position, he likewise used his role as parliamentary gatekeeper to assert control over governance. Berri opposed the government reconstruction bill by refusing to bring it before Parliament. Similarly, after the Prime Minister rejected his bill to raise salaries (the Ministry of Labor has long been an AMAL and Shi'a preserve dominated by Berri's supporters), Berri prevented all bills from going before parliament. In the early 2000's Berri exerted similar control over the

⁵⁶² Interview, Paul Salem

⁵⁶³ In contrast to other analysts, I do not refer to Husseini as a *zaim* because he lacks the feudal genealogy implied by the use of the term and more accurately applied to al-Assad, for example. He is also not the polar opposite—a street-wise, battle-empowered warlord—which Nabih Berri represents (despite his own legal background). Husseini thus represents an intermediary actor, who has been marginalized by the rise of warlords and revival of *zaims*.

⁵⁶⁴ Leenders, 166

budget process as leverage on concessions from the President and Prime Minister.⁵⁶⁵ More recently, Berri used control over the Parliament to exert power more directly and bring down the government over the continuing decision-making dispute, a matter taken up in the final section "Certification."

INSCRIPTION OF THE SHI'A

Despite the Category Formation (Imposition), the Shi'a scarcely existed as a "group" immediately after Taif. At the very least, they were unrecognizable as the block they are today. Although both emerged from Sadr's Movement of the Deprived, AMAL and Hizbullah (originally Islamic AMAL) fought some of the fiercest battles of the civil war. Nizar Hamzeh writes: "The struggle over power led to bloody battles from 1987 to 1989 between Hizbullah and Amal. In fact, the internecine struggle between the two goes back to 1982 when Berri refused to dissolve Amal and incorporate it into Hizbullah. Furthermore, Amal led a campaign, supported by Syria, against returning to the pre-1982 status quo regarding an autonomous Palestinian presence in Lebanon. Hizbullah, in contrast, stood against this policy of forcible reduction of the Palestinian power on both ideological and political grounds."⁵⁶⁶

In fact, conflict between Amal and Hizbullah continued after the end of the civil war and the 1989 Taif Agreement. Amal-Hizbullah fighting was only brought to an end in November 1990 with the Tehran-Damascus Agreement.⁵⁶⁷ The Agreement called for the formation of a "Central Coordination Committee" with two representatives from each party. The Committee was tasked with providing a channel of communication and preventing a

⁵⁶⁵ Leenders, 166

⁵⁶⁶ Nizar Hamzeh, *In the Path of Hizbullah* (Syracuse: Syracuse University Press, 2004):101

⁵⁶⁷ Nicolas Noe, ed. *Voices of Hizbullah: The Statements of Sayyed Hassan Nasrallah* (London: Verso, 2007): 36

return to violence. On the agreement Nasrallah said, "I believe that Muslims and the Shi'a have here an opportunity that should not be wasted. The Shi'a, the Shi'a constituency, their leaders and institutions should view this as a historic opportunity capable of extracting the Shi'a Muslims from the most dangerous predicament in their history."⁵⁶⁸ However, while it stopped the armed conflict between Amal and Hizbullah, the 1990 Agreement did not usher in a new period of Shi'a unity. As Clauschwitz said, "War is politics by other means." In post-Taif Lebanon, it could be said "Elections are conflict by other means" and Amal and Hizbullah continued to confront one another on the battlefield of the ballot.

Amal-Hizbullah relations took another turn when Hizbullah decided to enter the Parliamentary elections. In a "surprising" success, Hizbullah won eight of the 27 Shi'i seats (with Amal and clans capturing the remaining 19). Hamzeh attributes their success to a variety of factors, the "ideologically committed constituency," "the party's social welfare services," the "Islamic Resistance, in its fight against the Israeli occupation," "Hizbullah's organizational structure (which) formed the backbone of the party's campaign activities," and "the Christian boycott of the elections."⁵⁶⁹ Syria began to facilitate an uneasy electoral alliance between the two during the 1996 elections. Due to its strong showing in those elections, Hizbullah demanded a greater share in the allocation and the coalition was only saved through a visit to Damascus.⁵⁷⁰ Given Hizbullah's strong showing again in 2000, the electoral alliance was again threatened—but this time it was saved by Iranian intervention. Seeking to consolidate the "pragmatism" of an Amal-Hizbullah alliance, Hamzeh reports

⁵⁶⁸ Noe: 49

⁵⁶⁹ Hamzeh: 113-4

⁵⁷⁰ Hamzeh 114

that Iranian President Khameni funded Amal projects in the South.⁵⁷¹ Indeed, this low-level political competition sometimes erupted into minor clashes such as those in 2002 around rival Ashura processions in Nabatiyya.⁵⁷²

The parties competed against each other for the first time in the 1998 municipal elections. While Hizbullah dominated Amal in Mt. Lebanon, Amal won eight more seats in the South and Biqaa. By the next municipal elections in 2004, the tide had turned in Hizbullah's favor, winning 98 seats (against Amal's 10) in Mt. Lebanon and 123 (against Amal's 57).⁵⁷³ Hizbullah swept the municipal elections in large part because of its social service network as well as political strategy. According to Hamzeh, "the 2004 municipal elections showed more clearly that Hizbullah was not only a first-class pragmatic player, but also a dominant political forces within the Shi'ite community."⁵⁷⁴ For example, it was more effective in generating alliances with Christians in Haret Hreik which made them more attractive to this minority and also able to govern effectively.⁵⁷⁵ With electoral evidence that AMAL had been overtaken by Hizbullah at the base, a *modus vivendi* became a *modus operandi*.

With the Syrian withdrawal, externally imposed coordination became internally driven inscription. Previously, both Amal and Hizbullah could individually rely upon the Syrian regime to solve the collective action problem of the Shi'a. After they withdrew, the community needed to consolidate category formation to ensure that their share of the national pie is protected. Certainly, the ties forged by previous coordination was useful as a

⁵⁷¹ Hamzeh: 166

⁵⁷² Richard Norton, *Hizbullah: A Short History* (Princeton: Princeton University Press, 2007):60

⁵⁷³ Tables, Hamzeh: 128-9; 132-3

⁵⁷⁴ Hamzeh: 131

⁵⁷⁵ Clark

base of cooperation, but the web of relation tightened considerably after 2005. As a result of this increased coordination, Hizbullah took the decision to enter the government by joining the cabinet in 2005. Previously, Hizbullah participated in elections, but not in government. In contrast, AMAL had long participated in government. While Amal's ideology has long been confessional, what one observer calls "give us the piece of the pie as well," Hizbullah rejected an explicitly confessional orientation and set its sights on policy-specific programs (e.g. defense of the South).

Although the 2004 municipal elections signaled Hizbullah's eclipse of AMAL on the ground, Hizbullah did not eradicate AMAL and instead incorporated them in a Shi'i circle. Some analysts have described the role of Nabih Berri as a go between in a "familial division of labor."⁵⁷⁶ Within this division of labor, Berri is the wayward jobless uncle who was once powerful and has now fallen on hard times, reliant on his younger and more successful sibling. According to one close observer, through its "organic link with Hizbullah, Amal has gained legitimacy."⁵⁷⁷ In its inclusion of both Islamist and non-Islamist trends, the bloc is better able to claim to speak for all Shi'a. Thus, in the period following 2005, we see Shi'a inscribed in a web of socio-political relations. Indeed, one observer has gone so far as to say "Now, there is a Shi'a monolith since 2005."⁵⁷⁸

Indeed, there are very few rivals to the Amal-Hizbullah alliance. Although the US government supports two Shi'a dissenters—one civil society organization, one political party—they do not wield any influence. The first is Ahmed Assad—the scion of the feudal family of Kamal Assad who notoriously ran Jabl Amil as his own personal fiefdom. Proud

⁵⁷⁶ Jim Quilty, Interview, Beirut, January 2007.

⁵⁷⁷ Amal Saad Ghorayab.

⁵⁷⁸ Amal Saad Ghorayab

of this heritage al-Assad notes of his credentials, he notes that his family “has roots of 800 years” and has “played a big role” in Lebanese politics. Ahmed himself returned to Lebanon four years ago with “a mission” which he contrasted to his life in “Europe where it is such a stupid dumb routine,” adding “the West is boring.” Upon his return home from the unglamorous West, he began his political campaign in the Summer of 2007, launching the “Lebanese Option” so that there could be a “March 14 Shi’a that has credentials.” His mission is thus to ensure “that Shi’a feel that they are not just following the Sunni in March 14” but is an “independent movement that can make alliances.”⁵⁷⁹

The four-page launch pamphlet is almost devoid of specific policy platforms and states that “the Lebanese option is a gathering of political independents who work for the cause of Lebanon” It goes on to blandly call for freedom for its citizens, its democratic system and institutions. Although it was widely rumored that he lacked the funds to even pay his rent on his modest offices in between Beirut and Dahiyya in 2007, by the 2009 elections he saw an extraordinary reversal of fortune—at least financial fortunes. His “fleet of cars” was set ablaze in what was regarded as an act of intimidation against this American-backed Shi’a candidate. The other Shi’a alternative—Lockman Slim—is a former communist whose family was one of the few original Shi’a residents of Dahiyya. He runs a research institute that documents the Shi’a experience of the civil war (especially filling in gaps in the record regarding communism) and runs cultural events out of his family’s stately ancestral home, often including alcoholic beverages in the heart of Haret Hrek. While well funded and publicized, these two actors are marginal at best in Shi’a political life.

⁵⁷⁹ Interview, Ahmed Al-Assad, Beirut, June 2007. The degree to which his candidacy is a cynical attempt to provide the missing Shi’a component to the March 14 confessional alliance (and thus protect a majoritarian government should all Shi’a ministers again resign) should be abundantly clear in his framing.

Although much of the attention (especially Western) attention on the Amal-Hizbullah bloc has focused on narrow space for political dissent and personal liberty attendant in confessional life, this dissertation does not seek to engage this normative argument. The dissertation instead focuses on the political consequences of the block. The bloc has inscribed the community in a web of political relations between these two erstwhile rivals in order to make political claims at the center for a greater distribution of positions and resources.

INSCRIPTION OF THE ALAWI

It should also be noted the independence period saw partial changes to the Alawi as well, although mostly in Syria. Following clashes in Sunni Islamist areas in Syria after the Alawi ruling minority introduced a constitution that removed a reference to Islam, Imam Sadr issued a fatwa in 1973 stating that the Alawi were a Shi'a sect. While this has been attributed to crude instrumentalism and a desire by Sadr to show his usefulness to the Syrian regime, it provided the Alawi the Shi'a confessional imprimatur it had been seeking since the 1920s. Indeed, in a tone that is reductionist more in its orientalism than its instrumentalism, Ajami writes, "That the mysterious Shi'a cleric from Iran lent legitimacy to the Alawi soldier from the Syrian hinterland seemed to the urban centers of Islam, both in Beirut and Damascus, less a strategic alliance dictated by political necessities than a coming together of two mysterious underground communities. Sunni ascendancy had ended in Syria; it was in its waning years in Lebanon. Arab nationalism in the Fertile Crescent had not come to terms in an honest and clear way with the sectarianism of these fractured societies. It had not integrated the hinterland and the heterodox; it had raised the banner of a secular ideology and refused to recognize that the disenfranchised and the marginal would see that

ideology as a wrapping for Sunni domination. Now events moved with velocity, and no one could come up with a social contract among the Lebanese sects at a time of great upheaval.”⁵⁸⁰

However, this statement that the Alawi constitute a Shi'a sect was little more than just words for the Alawi of Lebanon. While it might have given the Alawis of Syria “Muslim” legitimacy, the Alawis of Lebanon remained an unrecognized sect. Despite the 1973 recognition as a Shi'a sect, it was not until 1999 that they were given their own council—an institution which the Shi'a received three decades earlier. However, the council went without a head from 2002-2009 as a result of political contests.

Due to their demographic weight, the Sunnis are able to control the election of the two Alawi MPs. This has led not only to endemic conflict, but also to the emergence of a handful of Alawis that bear tenuous links to the community but claim to speak on their behalf. As a result of this rift, there was no head of the Alawi Council since Badr Wannous—the March 14 Alawi representative—was removed as head of the council in 2002.⁵⁸¹ However, it should be noted that, an agreement was reached in 2008 that allowed for the reconstitution of the Council. Therefore, while the Alawi were awarded a Council in 1999, it does not serve the unifying function it does for other communities because its operation has been blocked by opposing forces. However, despite the lack of a functioning Council due to manipulation by outside sects, the Alawi have become increasingly inscribed—in large part because of the larger political that keeps them marginalized.

Although always geographically inscribed (or even encircled!) the area of Jabl Mohsn has become an autonomous ethnic enclave. While Bab al-Tibani is an economic ghetto, Jabl

⁵⁸⁰ Ajami, 175

⁵⁸¹ Interview, Badr Wannous, Tripoli, May 2009.

Mohsn is an ethnic ghetto. Community organizations operate in an insular fashion, serving the Alawi community of the area.⁵⁸² Although all of Lebanese politics is based on kin and confessionally based patronage networks, this system—or web of service relations—is even more pronounced within Lebanon within the Alawi community. Alawi organizations report discrimination against its students and harassment of Alawi individuals when they leave Jabl Mohsen. Some who remember the oppressive Syrian occupation led by an Alawi regime may have a difficult time imagining the marginalization and harassment of a minority community that was linked to an occupying force, and indeed even perhaps benefitted from its protection. Apart from the very real human rights concerns of the civilian population of Jabl Amil, the perception of siege has led to the community becoming even more densely intertwined in internal webs of relations. Indeed, as the conflict with the neighboring Sunni communities intensified, the community has become even more inscribed—even insular.

CERTIFICATION

As discussed in Chapter One, by allocating particular ministries, offices or other positions to specific “groups,” power-sharing regimes entrench rather than remove autonomous bases of power. Moreover, these resources become prizes for groups. This is why “certification” is not only the reverse mechanism of “removal of autonomous bases of power,” but also the culmination of previous processes. Drawing on Mc Adam, Tarrow, and Tilly in *Dynamics of Contention*: “Every polity implicitly establishes a roster of those political actors that have rights to exist, to act, to make claims, and/or draw routinely on government controlled resources.” In power-sharing states where state wealth, ministries and resources

⁵⁸² Interviews, Rifat Eid, Jabl Mohsn, April 2009; Leaders of women’s civil society groups, Jabl Mohsen, April 2009.

are distributed among group-based networks (rather than party or other distribution of spoils), to exist is to be certified in this respect.

Yet, the national pie is finite. Additional slices (or larger slices) mean less pie for others. In high stakes allocative polities, this does not unfold without conflict—at the national level between groups, at the local level within groups as to who has the power to distribute the spoils and thus retain position. The “selection” process of pre-electoral agreements and the announcement of results are the means through which groups obtain certification. However, it should be noted that I do not identify “voting” per se as the culmination of the process. Indeed, as discussed above, in many cases the elections are neither free nor fair. Yet, this does not render the results irrelevant. The operation of agreements among elites about the results still “certifies” groups in giving them control of resources; the collusion of government officials to rig results still “certifies” groups in giving them control of resources; and the show of force of supporters (in physical, financial, terms) that often accompanies electoral malfeasance is likewise an integral part of the mechanism of “certification.” In this way, we are better able to understand the political implications of elections in countries where they are neither free nor fair. Yet, this very manipulation of electoral outcomes leads to democratic breakdown through the collapse or suspension of electoral institutions.

Unlike Nigeria's federal system where certification operates at all levels, Lebanon's certification process concentrates at the center. The Shi'a seek control over Shi'a parliamentary seats through the design of constituencies. Moreover, the Shi'a seek effective control over their role in the cabinet through emphasizing consensus decision-making rather than majoritarian voting. This leads to an institutional crisis at the national level and

conflict, which was only resolved through the Doha agreement in May 2008. The Alawi seek to control their two seats rather than be represented by officials elected (and answerable to) the Sunni community. This leads to conflict that erupts alongside the national conflict in May. However, this issue was not resolved in Doha and continues into the 2009 elections and remains unresolved—much like the Jasawa.

THE GATHERING CERTIFICATION STORM

Many of the political and institutional issues opened by the Syrian withdrawal had been delayed until after the 2005 elections. The post-Syrian period is therefore one of tremendous flux—as one might expect from the opening provided by the transition. As the dust settles, claims on electoral institutions (especially constituency preference) change and then solidify. As noted previously, the electoral law is the primary generative structure through which bigger questions get answered: Who Rules Lebanon? Until then, the Syrians did. Under the Syrians, the power struggle Taif had been left unresolved: who leads the Muslim community? Are the Sunnis or the Shi'a more powerful? According to one analyst, “while the Syrians were here, Sunni-Shi'i relations were strong.”⁵⁸³ The Syrians had kept a lid on things, but after 2005 Pandora's box was opened.

THE INSTITUTIONAL RECKONING THAT DIDN'T: ELECTORAL REFORM

As discussed in the previous section on institutional change in Lebanon, electoral systems have been the primary arena for inter-group competition. As a result, nearly every election has been held under a different electoral system as outlined above. Unsurprisingly, calls for electoral system “reform” has similarly been a feature of Lebanese politics, much

⁵⁸³ Interview, Paul Salem, Beirut, February 2007.

like “constitutional consultations” have been in Nigeria. Also like in Nigeria, “electoral reform” is hardly the value-neutral, de-politicized technocratic endeavor implied by the term.

Although calls for electoral reform are a constant feature of political rhetoric, the 2005 transition offered a unique opportunity to undertake a comprehensive evaluation of the electoral framework. As noted above, Prime Minister Sinora committed to electoral reform in his ministerial statement and formed a commission in early August 2005. Although calls for electoral reform are as reflexive a start to Lebanese governments as the national anthem, this effort was propelled forth by a few factors. First, following Syrian withdrawal provided an opportunity for a comprehensive review of political institutions. Second, since the government was elected under institutions widely regarded as illegitimate, it needed to gain legitimacy through electoral reform. However, the reform could have been more politicized effort than it actually was. Indeed, this politicization was prevented by civil society, the third precipitating factor in the move forward on electoral law reform. In particular, Nawaf Salam, a civil society activist and constitutional scholar, was close to the Prime Minister and argued that he should move the initiative forward.⁵⁸⁴

The Commission was headed by Fouad Boutros, an 85-year-old senior statesman and a former Foreign Minister. Like other Lebanese institutions, it was equally divided between Christian and Muslim members drawn from academia and civil society. Although appointments were “based on merit,” there was attention paid to “distribution.”⁵⁸⁵ According to one account, some of the commissioners played a role as conduits in large part

⁵⁸⁴ Interview, Paul Salem, February 2007. Salem was a member of the commission and considered close to Baroud and Salam especially.

⁵⁸⁵ Salem

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because their communities (such as the Maronites and the Druze) had more at stake in the constituency formulas whereas others (such as Shi'a) were "comfortable" under any law.

After receiving 122 proposals, holding plenary sessions with political parties, and close consultations with electoral system experts, the commission worked to fulfill the stated objectives of the electoral law as outlined in the Taif Agreement: "safeguarding of coexistence, fair political representation of all groups and generations, effectiveness of representation, preservation of the unity of land, people, and institutions."⁵⁸⁶ Moreover, although citing the objective of Taif to end the confessional system, the Commission also notes Article 24 of the Constitution which calls for the distribution of parliamentary seats: "in equality between Christians and Muslims, proportionally between the confessional subgroups, proportionally among the regions."⁵⁸⁷ The result was a proposal for a mixed system. One of the commissioners describes the process through which they arrived at the final proposal as "at last succeeding in consensus, not compromise."⁵⁸⁸

Under the Boutros Law, 77 MPs would be elected under the Block Vote Plurality system within the *qada* and 51 MPs would be elected by PR at the *Muhaafazah* level. However, there were modifications to the muhaafazaat—the Boutros Law did not directly follow either the old or the new system of muhaafazaat. On the one hand, areas that had become administrative *muhaafazah* such as Akkar, Baalbek/Hermil, and Nabatiyyeh were treated as *qada* electorally. Paul Salem—a commissioner who once worked for the Issam Fares Foundation, which works extensively in its namesake's home region of Akkar, is one of the few Beirut-based activists intimately familiar with the enormous and oft neglected

⁵⁸⁶ "Report of the National Commission on Parliamentary Electoral Reform Submitted to His Excellency, Prime Minister Fouad Siniora" (May 31 2006): 3.

⁵⁸⁷ *Ibid*, 5

⁵⁸⁸ Interview, Ziad Baroud, July 2007

Chapter Seven: Lebanon's Vicious Cycle after Taif area—filed an objection. On the other hand, the traditional *mubaafazab* of Mt. Lebanon was again divided, as it was quite controversially from 1992-2005. Commissioner Ziad Baroud also formally objected to the division of Mt. Lebanon into North and South because it was a breach of the agreed criteria and led to seat allocation imbalances.⁵⁸⁹

This mixed system was not only a technocratic means to create equality of the vote, but also a political compromise. The mixed system proposed combines the polarized preferences that prevailed in the period before the 2005 elections—some *qada*, some *mubaafazab*. Indeed, some involved in electoral law reform noted that the move to a parallel system “catered to the interests of the Christians and Sunnis” through introducing the *qada*. Although widely regarded as a depoliticized and postconfessional technocrat involved in the civil reform movement, Ziad Baroud explains how Christian voice was even enhanced by the mixed system, “If you make a comparison based on the *caza* (*qada*) system of 1960 and the law we suggested, you will make Christians have a voting impact on between 36 and 40 out of 128, when the draft law we proposed would ensure voting impact on between 53 and 57 seats.”⁵⁹⁰ Thus, this provision would reverse confessional dominance of the cross-confessional voting.

Many also framed the mixed system as a return to the bicameral system of the 1926 constitution (suspended in 1927) as well as a transitional mixed “system” to get citizens accustomed to two types of voting so that the move away from confessionalism could be achieved. Similarly, one commissioner noted that PR was adopted in order to break confessional strangleholds giving the example of the South. Salem argued that currently

⁵⁸⁹ Interview, Ziad Baroud, July 2007 and “National Commission on the Parliamentary Draft Law, Parliamentary Electoral Draft Law. Submitted to His Excellency Prime Minister Fouad Siniora” (Annex: May 31 2006)

⁵⁹⁰ As quoted in Benjamin Ryan “The ‘Hidden’ Issue” *Now Lebanon*

Amal and Hizbullah have a stranglehold but PR would open political space for a third option. Interestingly, a Hizbullah representative later provided the same justification for the party's long-time support of PR. Although some have argued that PR (especially with a single national constituency) would favor the numerous Shi'a and thus Hizbullah would favor for hegemonic reasons, the public relations officer explicitly gave the example that under PR the party's long-time rival, the Communist Party, would have representation.⁵⁹¹

As one might expect, reaction has been mixed. Most parties have retained the positions they staked out in 2004. Most Christian parties and leaders on both side of the political divide support small constituencies. On the one hand, the Aounists/FPM and the Patriarchy support the *qada*. On the other, independents such as Harb and Zahra from Batroun support single member constituencies which would provide even greater independence of Christian candidates from candidates of other confessions and parties.⁵⁹² Similarly, given the fact that Zahra is a former local warlord and Harb a prominent local *z'a'im*, they have an interest in running unencumbered by lists and central party diktats. Aounists/FPM and the Patriarchy support the *qada*, in which individual politicians would remain tethered to national structures. Yet, it should be noted that some Aounists also support single member constituencies, most notably Jibran Bassil.⁵⁹³ Interesting, Batroun appears to be ground zero for single member district support. Yet, rather than being

⁵⁹¹ Interview, Hussein Rahal, July 2007

⁵⁹² "Electoral Reform in Lebanon: Steps for Ensuring Improved Parliamentary Elections in 2009," *IFES Briefing Paper*

⁵⁹³ Interview, Jibran Bassil, Batroun, May 2009

“something in the water” this convergence could owe to institutional legacies. Batroun was one of the constituencies with a single MP under the controversial 1953 and 1957 law.⁵⁹⁴

While there is consensus among Christians—Maronite, Greek Orthodox alike—there is divergence among the Muslim categories of Sunni and Shi'a. While the Sunni Future movement reportedly supports *qada*, it has “let the Christians do their battles” given the centrality of the issue to the various Christian parties.⁵⁹⁵ While it had previously reiterated its support for the long-time Shi'i position of large electoral constituencies (*mubaafaḥah*, or ideally a single national district), Hizbullah deferred to the strong preferences of its alliance partner—FPM—stating indifference on the issue maintaining that they would perform equally well under smaller or larger constituencies because they “had the support of the people”⁵⁹⁶ with consultants also reporting that their stance has been ambiguous because they can win under any law.

In addition, the draft law included a number of administrative reforms which were often overlooked given the political emphasis on districting and the allocation of seats. Among these reforms are: out-of-country voting, lowering the voting age to 18, 30% female quota, independent electoral commission, campaign finance regulation, as well as a pre-printed ballot. Given the delay in ministerial consideration, some activists have expressed regret in bundling the reforms—contending that it might have been more strategic to create

⁵⁹⁴ Although the 1953 law is identified as the law creating single member districts since it radically reversed the district magnitude (from 77 seats among nine districts to 44 seats among 11 districts) generated 22 single member seats, there were still a number of single member seats in 1957. Of those listed in the 1957 electoral law as single member, only the following are constituencies in 2009: Bisharre, Koura, and Saida. The others (e.g. Bourj Hamoud, Bint Jbeil) have never been *qada* or were combined in the 2009 electoral law (e.g. Duniyya). 1957 electoral law. A selection of the electoral laws since independence (minus the 1953 law) are available on the Lebanese government website: <http://www.lp.gov.lb/DownloadPageAr.aspx?id=4785> The gerrymandering of the 1957 electoral law designed to break the power of the President's political opponents was one of the underemphasized elements of the political crisis that led to the 1958 civil war.

⁵⁹⁵ Ibid and interview, election reform experts.

⁵⁹⁶ Interview, Hussein Rahal, July 2007

a set of administrative reforms (e.g. pre-printed ballot, single voting day) to pass quickly and political reforms (new electoral system) in a second round.⁵⁹⁷ As discussed below, only a few of these reforms were adopted in the September 2008 electoral law drafted as a result of the May 2008 Doha agreement. Indeed, these holes in the electoral law—especially the lack of a pre-printed ballot—have sunk the system by making it vulnerable to leaking electoral malfeasance.

On May 31, 2006 the Commission submitted the draft law to the Council of Ministers for review. Six weeks passed without voting on whether it would be submitted to parliament (requiring a 2/3 vote).⁵⁹⁸ Then, on July 12, Hizbullah kidnapped two Israeli soldiers that set off a 33-day war between Hizbullah and Israel that expanded well beyond the border. Although a largely international conflict with international causes rooted in the Arab-Israeli conflict, the war served as a turning point in Lebanese politics—a moment of rupture that widened the gaping breach in post-Syrian Lebanese politics.

Apart from stalling discussion of the electoral law, the war interrupted the National Dialogue which began in early March 2006. This initiative brought together all the political parties to “negotiate the contours of the country’s post-Syria political road map. It conceded that the political gridlock could not be resolved within state institutions, requiring extra-constitutional forum. Agreement on most of the dialogue’s items was unproblematic: support for the international investigation into Hariri’s assassination, the formation of a court of an international nature, the assembly of Palestinian arms outside of the camps and its reorganization inside them, that the Sheb’a farms are Lebanese territory under Israeli occupation and concomitantly Hizbullah’s continued role as a legitimate armed resistance,

⁵⁹⁷ Doreen Khoury, former Civil Campaign for Electoral Reform Coordinator

⁵⁹⁸ Interview with IFES staff, Herman Theil and Chantal Sarkis.

Chapter Seven: Lebanon's Vicious Cycle after Taif and exchanging diplomatic relations with Damascus."⁵⁹⁹ The war stalled all these political reform measures.

THE BREACH: CERTIFICATION CRISIS AND CABINET RESIGNATIONS

The July war is also called the 33-day war, lasting from July 12 to August 14. Although the Israeli blockade was not lifted until September, the dust started to settle in Lebanese politics in mid-August. Rather than unifying the country against an external enemy, the war left the two camps equally, if not more, divided. Both sides sought to capitalize on the support it garnered during the war: Hizbullah and Amal for their victory over Israel and uncontested role in being the sole force able to protect Lebanon's borders; Sinora and March 14 for popular frustration that a militia could unilaterally commit an act that began a war with consequences broadly felt by the population with key infrastructure destroyed (airports, bridges, main roads). The opposition alliance—Hizbullah, Amal, and the Aounists—decided to advance their demand for a government ruled by consensus and began to demand the formation of a national unity government just days after the end of the war.

In answer to a question on a popular al-Jazeera interview show about whether he was now calling for a national unity government, Aoun framed the call thusly: "I am not asking to take part in government, but if they want a solution, that is the solution. Call it a national unity government or call it a reformation of the government in a balanced manner—not a national unity government where you bring all the sides together in an unbalanced manner. There are real forces that must be represented, each according to its

⁵⁹⁹ Salloukh, 2005

strength—not represented by the strength of its neighbor. You cannot have anyone represent the Christians, or anyone represent the Shiis or anyone represent the Sunnis, or anyone represent the Druze.⁶⁰⁰ There are real forces that have a representative capacity which must be present in a national unity government. Now there is a numerical balance (referring to the informal formula that governs the cabinet), but is there a balance in the power to make decisions? *We want a balance in the power of decision making. We want participation in the power of decision making.*⁶⁰¹ While the question of representation reflects Aoun's specific concerns as a figure whose party has not been allocated power in accordance with its share of the (Christian) vote, Aoun is also concerned with the sectarian allocation of power. This concern with the sectarian allocation of real power at the center is shared between FPM and its Shi'i allies, Hizbullah and Amal who claim that they have been shut out. Here we see the interaction of category formation (Inscription) and certification where "webs of relations" and "powerful representations" are mobilized to claim positions and resources.

On the occasion of his Victory Address, Nasrallah again called for a national unity government. On the one hand, Hizbullah—the lead partner in the post-July war Shi'a community—cautioned against sectarianism saying "Do not allow anyone to transform political divisions into sectarian or communal divisions. It is forbidden to manipulate sects and communities in defense of political options. This is playing with fire. This is sabotaging

⁶⁰⁰ As noted below, this reflects the concern in the Christian community that they elect their representatives, not Sunni or Shi'a. It likewise reflects his own concern that he claims to have received a majority of Christian votes but is out of the cabinet which includes other Christian figures close to Sinora in the March 14 alliance. While technically, it could be possible to have a majority government with confessional representation, it would involve non-representative MPs which would be viewed as Uncle Toms (Uncle Thabits?) by whichever community they are supposed to represent. However, this pool would be small and only reliable in the case of Alawi since under the 2009 law with smaller districts, most sects elect their own representatives. As such, Taif principles do support the idea of a national unity government. However, this arrangement is predicated on institutionalized group representation.

⁶⁰¹ "Lebanon's Aoun on Hezbollah's War, Urges Change of Government" *BBC Monitoring Middle East-Political* (August 22, 2006)

the country. 'This is destroying the country.'⁶⁰² On the other hand, the call for a national unity government is to ensure full representation of all communities, including he notes in the speech, in the electoral law. Each is one side of the power-sharing coin: the demands are neither strictly sectarian or strictly political. They are group claims on the system of institutionalized group representation, which inevitably emerge taking communal coloration as a group organizes (politically) for a greater stake in political institutions.

Prime Minister Sinora declared his opposition to a national unity government during the Stockholm donor conference for Lebanon on August 31 citing the fact that his camp held a parliamentary majority. This led to the reply by Nasrallah on al Manar, "a certain party insists on monopolizing power, excluding others and seeking empowerment from abroad."⁶⁰³ Amidst this polarization, the specific format of "a national unity government" began to take shape in attempt to resolve the decision-making ambiguity in Taif. Since the consensus interpretation of Taif was being replaced by a majoritarian vote with assurances to the contrary proving unreliable, the opposition began to call for a thulth al-mu'attil **الثالث المعطل** or blocking third (although the terms thulth al-damin **الثالث الضامن** and thulth al-mushtarik **الثالث المشترك** have also been used by pro-opposition commentators, translated as "crucial third" and "participating/sharing third" respectively—and thuth al-fudawy **الثالث الفوضوي** or "anarchic third" by pro-march 14 commentators).⁶⁰⁴ Since the constitution requires a two-thirds quorum, a third of the seats allocated to the opposition would tip the

⁶⁰² "Hizbullah Leader Addresses Victory Rally in Lebanon" *BBC Monitoring Middle East—Political*. (September 23, 2006)

⁶⁰³ "Lebanese Hizbullah Leader Nasrallah Interviewed" *BBC Monitoring Middle East* (November 1, 2006)

⁶⁰⁴ It should be noted that the opposition has called for this provision (and thus consensus decision-making) to be institutionalized, through the 2009 elections. For early statements to this effect, see "Hizbullah Leader Vows Anti-Government Protests to Continue." *BBC Monitoring Middle East—Political* (December 8, 2006) March 14, for its part, continued to maintain the majoritarian stance through Doha and the 2009 election. Therefore from 2005 on, there is a divergence in the two camps over decision-making. Taif is ambiguous and each camp has consistently maintained a different approach.

scales in favor of consensus decision-making rather than decision-making by majoritarian vote. More clearly stated, the “blocking third” provides veto. While lauded by Lijphart as a key consociational component, it heightened March 14 fears that the government could be stymied by the opposition. However, rather than ameliorating conflict, *the mere talk of a veto led to conflict*. With consensus decision making abandoned as a principle, the two groups arrived at a power-sharing impasse.

In a November 4th interview on al-Manar TV (Hizbullah's station), Nasrallah outlined the next stages of the opposition campaign stating, “I tell our friends, allies, and all political forces that if we take to the street, the aim of demonstrations, sit-ins, and strikes will not be the formation of a national unity government. In my personal opinion, the aim should be holding early elections. If the government wants to hold early elections, let it do so. If it refuses to hold early elections, it will then have to be toppled and a transitional government formed.” The interview later follows-up, “This is a complete scenario which you reveal perhaps for the first time tonight. Hizbullah's leadership has thus revealed the plan of action for early elections and for going down to the street. The 14 February forces say this is simply a coup. This confirms their fears and apprehensions. This is what Dr. Samir Ja'ja' said. Are you not worried that this plan may lead to a vacuum? Why do you want to get down to the street? Why do you want elections? It would be better to resign the government” Nasrallah then replied, “How can the situation change if we resign from government? Will the country be rescued if we resign from government? Resigning from government is one option we have. Resigning from the Chamber of Deputies is also an option. Going down to the street is also an option. All available democratic and peaceful

means will be used to achieve this aim.”⁶⁰⁵ As will be discussed below, both resignations and demonstrations were both deployed in an effort to bring down the government, with the political confrontation spiraling into open violent conflict.

The November 11 meeting regarding the political crisis failed to come to a solution over the blocking third. As a result, five Shi'a ministers resigned—two from Hizbullah and two independents, (Fawzi Saloukh, Foreign Minister, independent; Talal Sahili, Hizbullah Agriculture Minister; Muhammed Khalifeh, AMAL, Health Minister; Muhammed Fneish, Hizbullah, Energy Minister; Trad Hamadeh, Independent, Labor Minister) followed by a Greek Orthodox minister (Ya'qub al-Sarraf, Environment, affiliated with President Lahoud). However, much like disagreements over post-Taif decision making (consensus vs. majoritarian), there were disagreements over whether this made the cabinet illegitimate. The opposition argued that the lack of Shi'i participation made the cabinet constitutionally invalid since it violated Article 95 which requires that all major sects be represented. On the other hand, the government argued that the cabinet still had the 2/3 quorum required by Taif and the constitution to make binding decisions since 18 of the 24 ministers remained (17 following Gemayal's assassination in November 2006). Following the resignation, on November 13, the cabinet endorsed a draft resolution to create an international tribunal to investigate the assassination of Hariri.

The opposition—including Hizbullah, Amal, and the FPM as well as pro-Syrian President Lahoud declared the decision invalid. The Prime Minister affirmed the legality saying it is “100 per cent constitutional”⁶⁰⁶ and stating, “The absence of ministers from the

⁶⁰⁵ “Al-Manar TV Interviews Hezbollah Leader Hassan Nasrallah” *BBC Monitoring Middle East—Political* (November 3, 2006)

⁶⁰⁶ As quoted in “Cabinet Approves Hariri Tribunal” *China Daily* (November 14, 2006)

session because they preferred to submit their resignations from the government does not affect the correctness of convening it from the constitutional aspect and from the legal aspect. From the constitutional aspect, the legal quorum for holding it was secured, and from the legal aspect, the session was attended by more than two thirds of the ministers who belong to various political forces and blocks that are represented at the Chamber of Deputies.”⁶⁰⁷ Moreover, March 14 forces claimed that the Opposition was merely trying to block the operation of the international court.

The opposition replied. “It is regrettable how the parliamentary majority is pushing things in the wrong direction. It seeks to make part of the Lebanese people support the establishment of the international court while another oppose it. This is not true. In fact, our demand for a blocking third was aimed to give us a chance to participate in the decision-making process and prevent monopoly of power. Our ministers’ resignation from the cabinet has nothing to do with the creation of an international court. This decision came as a response to the parliamentary majority’s insistence on monopolizing power.”⁶⁰⁸ Indeed, there is likely truth to both claims. The opposition seeks a greater stake in decision making to influence key issues affecting the country, including the creation of an international tribunal. This was doubtless one issue among many, often involving state resources and positions. Other issues include control over reconstruction projects, public sector employment, and security.

Not only did Hizbullah (and other high-ranking Shi’a politicians) have concerns over the conduct of Solidare and the mounting public debt in the Hariri post-civil war

⁶⁰⁷ “Lebanese Premier Replies to President about Unconstitutional Cabinet Session” *BBC Monitoring Middle East-Political*. (November 18, 2006)

⁶⁰⁸ Husayn al-Hajj Hassan, Hizbullah MP as quoted in “Hizbullah said to insist on one third of government posts” *BBC Monitoring Middle East—Political* (November 13, 2006)

Chapter Seven: Lebanon's Vicious Cycle after Taif reconstruction boom era, but they also wanted a greater stake in the process regarding reconstruction of the largely Shi'a Southern Suburbs Elissar, as discussed in "opportunity hoarding." This divergence was heightened with the post-July war reconstruction. Hizbullah sought control and autonomy over reconstruction in the Southern Suburbs specifically, but also for general reconstruction after the July war. Moreover, as noted above, hiring in the public sector was a growing source of tension.

Since the cabinet approves high-level public sector hiring (indeed, a number of administrative appointments were held up due to a lack of cabinet or lack of cabinet agreement), a blocking third influences these domestic bread-and-butter decisions as well. Finally, well-placed analysts such as Amal Saad Ghoryab also contend that for Hizbullah (more than for its alliance partners Amal and FPM), protection of its weapons/"resistance" was a key objective in seeking greater institutionalized power.⁶⁰⁹ Yet, the cabinet resignation failed to bring down the government which insisted it remained legitimate due to a 2/3 quorum.

As Nasrallah outlined previously, the Opposition took to the streets in an effort to bring down the government with the leader stating, "we have found that negotiations and consultations have hit a wall because the ruling group insists on monopolizing power" adding "we have no choice left but that of a popular movement to put pressure and achieve this goal."⁶¹⁰ On December 1, the opposition began a mass sit-in in the main access junction downtown blocking access to government buildings with the objective of bringing down the government which it deemed unconstitutional due to a lack of Shi'a participation.

⁶⁰⁹ Interview, Amal Saad Ghorayab, Beirut, February 2007

⁶¹⁰ As quoted in Anthony Shadid, "Premier Sees Threat to Lebanon's Democracy as Shiite Movement Seeks More Power" *WPost* (December 1, 2006)

Estimates of the initial crowd varied wildly, ranging from 200,000-800,000. On the third day of protests, clashes erupted as Sunni and Shi'a groups confronted one another resulting in one death and 12-20 injuries.⁶¹¹ Therefore, group contention over state institutions led to the specter of increased sectarianism. Although the initial crowd dwindled dramatically, core activists set up a permanent presence with a make-shift tent city that slowly eroded to a skeletal presence—albeit an iron skeleton. Yet, two weeks later, the government had not budged stating that it remained constitutional. Some March 14 members such as Lebanese Forces leader Samir Geagea calling the demonstrations an attempted coup. According to various reports, by mid-December the Opposition was considering strikes and disruptions of the public sector as a means of increasing pressure.

CERTIFICATION CONFLICT: THE JANUARY "EVENTS"

The stalemate prevailed until January 23, two days before the Paris Donors conference for Lebanon when a nation-wide strike was called by the Opposition. The strike included blockades and the burning of tires at main junctions in Beirut, airport road, as well as other strategic arteries. Clashes erupted among youths on the two sides, with stand-offs and stone throwing involving Sunni and Shi'i youth. In Tripoli and Halba (in Akkar) in which the Sunni majority clashed with the Alawi minority (joined by their allies such as the largely Christian SSNP in Halba).⁶¹² As a result of the clashes, three died and around 100 were wounded throughout the country. Clashes continued from "Black Tuesday" into later in the week with violent confrontations erupting on the Arab University campus between Sunni and Shi'a students spilling over into the largely Sunni neighborhood surrounding the

⁶¹¹ "Man Killed in Sectarian Violence after Beirut Rally" Guardian 12/04/2006; Anthony Shadid, "Shiite Protester Shot Dead in Beirut as Tensions Rise" *Wpost* (December 4, 2006)

⁶¹² Anonymous Interviews, Beirut, January 2007; Tripoli and Halba, May-June 2009.

campus. Yet again, the dust settled and the stalemate continued. Indeed, the uneasy stalemate would continue for over a year. The sit-in and government shut-down continued as Lebanese politics slowly churned on.

This period was characterized by continuing low-level conflict, punctuated by the assassination of another March 14 figure, Walid Eido in June 2007. During the stand-off, there was only one area in which the opposition and March 14 appeared to agree: the need to hold by-elections to fill Eido's seat (Beirut 2) and Peire Gemayel's (Metn). However, within the opposition, there was disagreement. On the one hand, President Lahoud declared by-elections invalid due to the illegitimacy of the government. On the other hand, the Aounists desperately wanted to contest this seat. Given the stark disagreement between two of their Christian allies, Hizbullah and Amal refrained from comment on the by-election.⁶¹³ The two sides were able to come together to revive institutions for this one contest—and each side won one a seat. Future's Mohammed Itani won the Beirut 2 district as expected. However, in a bruising upset, the FPM candidate Camille Khoury beat former President Amin Gemayel for his assassinated son's seat. Khoury's victory was a result of the endorsement of Armenian parties as well as Metn political boss former Interior Minister Murr, with whom the Armenian parties are closely allied.

⁶¹³ The media/research freeze imposed by Hizbullah's office during the period of mid-July to mid-August was blamed in some popular sources on the upcoming anniversary of the reconstruction effort and an assumption of discontent in Dahia about its pace. Indeed, some analysts living outside of the Dahia were discontented that they had been shut out of the planning phases. However, during this period I frequently moved throughout different neighborhoods of Dahia and observed little discontent with the pace of reconstruction. Although there were those individuals who did not agree with the dominant trend, Hizbullah has considerable support in the areas most effected—strongholds were targeted. More to the point, a Hizbullah media freeze would only prevent an official reply to discontent not interviews of the "man on the street" who was frustrated at the pace of reconstruction. An alternative theory—although far less sexy in its intrigue and scandal, although perhaps more analytically well-grounded—is that the media freeze was tied to Hizbullah's need to stay out of the by-electoral fray of its allies. Indeed, the timing of decisions regarding extension of the freeze often coincided with meetings about the by-election. This theory would also be consistent with the consensus regarding Hizbullah's discipline on public stance. If the organization was divided on the issue (which appears likely), it is unlikely that it would want its officials to speak on the issue.

Yet, the rest of the government remained in deep freeze. Indeed, in November when President Lahoud's term expired, the Shi'a Speaker of the Parliament, Amal leader Nabih Berri—refused to call parliament into session to elect a new President until resolution was agreed on the blocking third. Lebanon thus remained without a full cabinet, a President, and a Parliament until May.

CERTIFICATION CONTESTS AND STALLED ELECTORAL REFORM

The government freeze also kept electoral reform on hold. The July War prevented the Boutros Commission Proposal from being introduced into Parliament promptly. The government shut-down mean that Parliament was not in session all of 2007 and well into 2008. In the mean time, in absence of a functioning government, civil society sprung into action. The proposal was advanced by the Civil Campaign for Electoral Reform. This multi-pronged effort targeted politicians, local leaders, and citizens at the grassroots. IFES created a GIS program that displayed electoral outcomes under different systems. Although anyone was able to use the system, it was designed to target politicians to allay concerns that their fortunes would be radically reversed under a new system.

In addition, the Lebanese Association for Democratic Elections (LADE) generated conversations about the law at the grassroots level, organizing a series of town hall meetings throughout all regions of the country⁶¹⁴ in which board members made power-point presentations outlining the features of the Boutros Commission plan. While responsiveness and reaction varied by region, there was a prevailing sense of confusion and hesitation regarding electoral systems that prevailed in the meetings. Although PR is

⁶¹⁴ Some fora in the North were postponed due to battles between militants and the Lebanese army in Nahr el Bared Palestinian refugee camp in the Summer of 2007.

reflexively offered as a solution to the maladies of the Lebanese electoral system, it is not well understood. While the town hall meetings did much to engage regular citizens in the debate and empower them with the necessary background information, electoral reform was is not a pressing issue for most citizens. Instead, it has remained an arena for inter-group political maneuvers exclusively among political parties. As such, reform has suffered.

The lack of a President after Lahoud's term expired in November 2007 also prevented movement on the electoral law. As discussed below, agreement on the law was an important element of the political agreement that was finally reached. However, it was becoming clear that the Boutros Commission was dead in the water. Well before the May 2008 "events" discussed below, there were reports that the Butrous Proposal was being shelved in favor of an emerging consensus around the *qada*, again for political rather than technocratic reasons. The main concern was not achieving equality of vote or bringing the electoral system into compliance with international standards, but rather inter-group political calculations.

Ali Fayad, Hizbullah's representative to the Commission said, "The main opposition to the compound system proposed by Boutros came from the Christians, the Maronite Patriarchate and the Free Patriotic Movement (FPM) who insisted on the adoption of the *qada* voting district...Hizbullah's proposal was based on the province voting district and adopting a proportional system. We do not, however, object to the *qada* voting district or the majority system."⁶¹⁵ Given that the Shi'a were relinquishing their preference for larger constituencies in favor of the more strongly held Christian preference (including significantly its alliance partner, FPM), other means of certification became more central. The

⁶¹⁵ As quoted in "Analysis Weigh in on Draft law to Change Lebanon's Election System" *Assyrian International News Agency* (January 17, 2008)

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suspended state of institutional animation continued through 2007 and well into 2008. Most observers agreed: something had to give. Eventually, it did.

THE CERTIFICATION CRECENDO: MAY "EVENTS"

The tensions that had been building finally erupted in May. Both sides to the conflict identify two precipitating decisions: the decision by the cabinet to shut-down Hizbullah's communication network and the decision to remove the Shi'i head of the airport. Speaking on the decision, the March 14 Telecommunications Minister Marwan Hamadeh later said "We are fed up with many sects, many regions, and many people including the Shi'is. It is regretful that the resistance has been transformed into a militia and then a gang."⁶¹⁶ Because the Opposition viewed the cabinet as illegitimate and had not been consulted on these two major decisions, these two moves were viewed as the last straw in the ongoing confrontation between the two political forces.

Ali Hamdan, Assistant to Speaker Berri described their decision-making by dividing the "May events" into May 5 and May 7. On May 5, the decisions were taken to remove Brigadier General Wafiq Shouqair on the basis of allegations by Druze Minister and March 14 MP Walid Jumblatt that there were cameras at the airport monitored by Hizbullah. Amal's view—shared by Qabalan, the head of the Supreme Shi'a Council and Hizbullah—is that the General is politically neutral and the allegations are baseless. They contend he should be investigated, charged, and tried before his removal. Moreover, the decision endangered "partnership in the confessional regime."⁶¹⁷

⁶¹⁶ As quoted in the *Daily Star* (May 9 2008)

⁶¹⁷ Interview, Ali Hamdan, Beirut, June 2009

In late 2006, Shi'a were already concerned about their diminishing role in security and overall displacement in the public sector. "Attempts by the March 14 wing of the government to sideline sensitive, but Shi'a dominated, security organs such as the Surete Generale and the Directorship of Airport Security, from new security details requested by Israel and the International Community raised eyebrows and elicited a harsh rebuke from the Shi'a political leadership."⁶¹⁸ The May 5 decision declaring Hizbullah's communication network illegal and removing the pro-Hizbullah airport chief was viewed as the final move in a process to weaken Hizbullah specifically and generally marginalize the Shi'a from key decision-making institutions.

The shutdown of the communication network was a different matter. Yet, there are divergences. Hizbullah frames it in the right of resistance essential to the survival of Hizbullah and its removal a "declaration of war."⁶¹⁹ Amal frames it slightly differently, in more general confessional terms with Hamdan noting the decision "offended the South of Lebanon."⁶²⁰ Given the recent confrontation between Israel and Lebanon, one might be tempted to point to international factors. Indeed, there are indications that the communications network was at least intertwined with internal politics. Nasrallah reports that in negotiations, the March 14 government offered legalizing the network if the opposition agreed to end the sit-in and rejoin the government,⁶²¹ an allegation which seasoned (and cynical as well as increasingly pro-March 14) journalist Robert Fisk finds

⁶¹⁸ Salloukh, 2009: 144

⁶¹⁹ "Lebanese Hezbollah Leader Talks about, Answers Questions on Current Crisis" *al-Manar BBC Monitoring Middle East-Political* (May 9 2008)

⁶²⁰ Interview, Beirut, June 2009

⁶²¹ "Lebanese Hezbollah Leader Talks about, Answers Questions on Current Crisis" *al-Manar May 9 2008 BBC Monitoring Middle East-Political* (May 9 2008)

potentially credible.⁶²² Nevertheless, Hizbullah views the network as central to its survival. In turn, other actors such as Amal view it as central to the survival of the Shi'a within Lebanon).

Hamdan then claims that between May 5 and May 7, the opposition told the March 14 forces to reverse their decision. The General Labor Union called a strike over low wages and rising prices—like it had in January. As noted above, the GLU is much more intimately intertwined with Amal (who has historically dominated the Ministry of Labor). While Amal has the “stranglehold” on the GLU, other opposition parties such as the SSNP share control over the organization. Hizbullah has had a weaker relationship with the GLU.⁶²³ The strikes are thus coordinated popular actions of the GLU and the opposition parties, except the FPM whose expatriate history and upper-middle class base lacks a strong presence in the GLU. The strike was thus a coordinated campaign by the Opposition to raise the stakes and clashes predictably erupted between groups.⁶²⁴ Hizbullah, AMAL and SSNP forces took to the streets confronting and quickly routing the still nascent Future Movement militias that had started to form in the previous period.⁶²⁵ One analysts summarizes the unfolding events thusly, “all these guys wanted to use the clashes to get out of the deadlock.”⁶²⁶ And after several days of conflict and insecurity for the civilian population trapped in their homes, that goal was reached.

⁶²² Robert Fisk, “Gun Battles as Hizbullah Claims Lebanon is at War” *Independent* (May 9 2008)

⁶²³ Janine Clark, “Cooperation, Moderation and Civil Society in Lebanon” (University of Maryland: Unpublished Material, 2005)

⁶²⁴ Some international aid organization workers also report getting calls from friends in the GLU warning them to stay off the streets on May 7.

⁶²⁵ While militia activity by Future is often publicly denied, I received credible reports of Future Movement militias operating in Hamra in friends' neighborhoods as well as credible reports that friends' siblings were being offered \$500/mo salaries to enter the militia in Spring 2007. However, their structures were clearly underdeveloped as indicated not only by their quick defeat, but also on the fact that they relied on reinforcements from the North where Sunni Islamist militants have been more active and well armed.

⁶²⁶ Bassel Salloukh Interview, June 2009

While most accounts focused on Beirut, the North also saw tremendous conflict, especially between the Alawi and Sunni.⁶²⁷ Alongside the political development of the Alawi as a confessional group, there is a long standing conflict between the Alawi ethnic ghetto of Jabl Mohsin and the adjacent Sunni socio-economic ghetto below of Bab al-Tibbani. Although the actors make reference to historic events as evidence of the other side's commitment to their eradication—such as the 1965 expulsion of Alawi and the 1986 massacre of Sunnis—the recent re-eruption was politically and electorally determined.

The conflict flared up again in tandem to the May events killing 12 in Tripoli alone. Because of their broad political alliance with Hizbullah, the Alawi served as a sort of proxy in this national-level conflict. As one might expect, the accounts differ as to the immediate impetus for the violence in Tripoli. Sunnis say Alawis were emboldened by Hizbullah's success, sometimes adding a sectarian spin noting they “all follow one marja’;⁶²⁸” Alawis say Future weren't able to successfully confront Hizbullah so they targeted the smaller Alawi population. Yet, the conflict was underpinned by the desire of the Alawi community to control their seats, as discussed below.

CERTIFICATION COMPROMISE: DOHA AGREEMENT

After days of fighting resulting in approximately 80 deaths and hundreds of casualties, the politicians came to an agreement shepherded by the Arab League and Qatar. On May 14, a little over a week later, the two decisions were reversed: Shuqair was

⁶²⁷ Especially, but not exclusively. One of the most gruesome incidents of the war occurred in Halba, the capital of Akkar in which Christian SSNP militias clashed with Future forces. The bodies of slain SSNP combatants were laid in the street to serve as reminder. Around the 2009 elections, there was concern that any electoral strife could lead actors to pursue grudges as a result.

⁶²⁸ Interview, Mukhtar, Bab-al-Tibbani, April 2009. A marja' is a Shi'a religious leader. While Shi'a actually have several (and sometimes competing marja' such as Kho'i vs. Sadr), there is a stereotype that Shi'a all follow one leader.

reinstated, as was the communications network. The Arab League, headed by Bin Jabr al-Thani, hammered out an agreement that reversed these decisions, ended hostilities and generated a framework for negotiation. This framework was outlined in Article 2 which said, "Agreeing to the resumption of national dialogue at the level of leaders and working on building confidence between politicians based on the following agenda: A. National Unity Government B. New Electoral law. Accordingly, the agreement should be crowned by ending the sit-in in central Beirut on the eve of the election of consensus candidate Michel Sulaiman as President of the Republic."⁶²⁹ On the basis of this framework, the Qatari government brought Lebanon's politicians to Doha. It is not uncommon to hear this period described by the average Lebanese citizen as a vacation or freedom children might experience from abusive or restrictive parents. Indeed, a popular song documented the state of play while the politicians were away outlining a new power-sharing accord.

Over the course of only five days, the parties were able to hammer out a three-fold agreement. First, as stated in the framework, Sulaiman was agreed as President—to be sworn in after the other two elements were agreed. Second, the Opposition got their blocking third when a formula was agreed of: 16 Ministers for March 14(majority): 11 Ministers for Opposition (minority): 3 Ministers for the President. However, the electoral law proved more contentious. As discussed above, the emerging consensus was on *qada*.⁶³⁰ The mood was no different at Doha. Indeed, this was one of the few points of agreement between the two sides, in large part because of the demands of the Christian community

⁶²⁹ "Arab League Chief, Qatari PM Discusses Lebanon Agreement ahead of Doha Talks" *BBC Monitoring Middle East-Political* (May 16, 2008)

⁶³⁰ Representing the codification of *qada*, so to speak, was a March 2008 IFES briefing paper on the 1960 law that begins "The focus of political debate on electoral reform in Lebanon has recently been on the issue of districting and, in particular, whether or not the electoral district boundaries contained in the 1960 law should be re-introduced."

represented in both political camps. Although FPM were the most adamant,⁶³¹ the patriarch supported the smaller constituencies so the other Christian parties supported it as well. As was the case in 2004, Future supported the *qada*, as did Jumblatt's PSP which had long benefitted from the separate constituency of the Chouf.

The Shi'a were alone in their preference for either a single national constituency or the *Muhaafazah* as the electoral constituency with PR. Yet, Amal's Hamdan said they gave up on PR "because we want coexistence now" but adds "we will prove that we want everyone looking to PR."⁶³² A similar sentiment of resigned dissatisfaction was expressed by Hizbullah. In his first speech on Doha Nasrallah said, "As for the electoral law, undoubtedly, the law we have agreed on provides a better representation than the previous laws, especially the law issued in 2000. This law was reached at the expense of some sects and parties of the opposition, the foremost of which is Hizbullah and the Amal movement. However, we accepted this law because it provides better representation than the previous effective laws, which might be accepted by the other side. However, we do not say that it is the best election law at all. This is a compromise law, a settlement among parties that want to rescue Lebanon from its crisis. We hope a day will come when the Lebanese will be able to sit calmly and with calm nerves in order to discuss a civilized and a modern electoral law that would lay the foundations of the state."⁶³³ Yet, as noted previously, the Shi'a (both Amal and Hizbullah) deferred to the strongly held electoral preferences of their ally, the FPM and accepted the *qada* as the unit. This was also made possible because they had achieved their power-sharing goals of a national unity government with a blocking third.

⁶³¹ Interviews, politicians in both March 14 and opposition present at Doha, confirmed by technical advisors present at Doha.

⁶³² Interview, Ali Hamdan, Beirut, June 2009

⁶³³ "Hezbollah Chief Nasrallah Addresses Lebanon Rally," *BBC Monitoring—Middle East Political* (May 27, 2008)

However, as discussed below the cabinet formula was to be revisited—and renegotiated—following the 2009 elections.

The compressed time frame also privileged the *qada* since it precluded full consideration of the complex mixed system of the Butrous Commission proposal.⁶³⁴ As a result, the 1960 law formed the basis. Although it is popularly stated that the 1960 law was adopted at Doha, this is not actually the case. Important modifications of the constituencies were adopted that shaped the outcome of the 2009 elections. Although the negotiations included a six person committee tasked with the electoral law, the committee was artificial and met only twice—the real decisions were made in informal and impromptu conversations and negotiations among politicians.⁶³⁵

There were a few primary differences between the 1960 law and the 2009 law that were negotiated: 1) the merging/separation of constituencies and the most contentious 2) the division of Beirut. The merging and separation of constituencies was to be governed by an article in the 1960 law that if division would result in only one MP from the *qada*, it should be annexed (this was a response to the widely unpopular 1957 law which created many single member constituencies). However, rather than a universally accepted technocratic formula, this rule was applied selectively for political gain. While the rule was accurately applied to merge Minniyya and Duniyya, horse trading was involved in several other districts to predetermine electoral outcomes.⁶³⁶ On the one hand, Beqaa/Rashayya

⁶³⁴ Chantal Sarkis, technical expert (IFES) seconded to advise on electoral law during the Doha talks. She conveyed this insight to me as she explained the IFES background documents on Doha.

⁶³⁵ Chantal Sarkis.

⁶³⁶ One might be tempted to compare this to “gerrymandering” or reapportionment in the US. Apart from the fact that even gerrymandered districts are still contested, apportionment occurs once a decade (theoretically) in reference to the census. Political parties certainly use this to their advantage which is why the positions of Secretary of State are so hotly contested in a number of states during the 2010 mid-term elections. In contrast to Lebanon where backroom deals are made among politicians on various sides, apportionment is determined

Baalbak Hermil or Marjaoun (Shi'a/Orthodox) Hasbayya (Sunni-Druze) were merged at the Opposition's preference. On the other, Saida (Sunni) and Zahrany (Shi'a) which were split at March 14's preference.

Even more challenging was the division of Beirut, with all sides attempting to draw the districts such that it could maximize the use of majorities and lists. Like many capitals, Beirut is a mixed city. As discussed above, the 2000 law allowed Hariri to sweep most of the seats in Beirut. As the only group that broke Hariri's hold in 2000, the Armenians (then allied with the opposition) were considered the most problematic. March 14 actors sought to break up the community so as to dilute their influence over the success of lists in the districts.⁶³⁷ At the end of the negotiations on Beirut, a compromise was reached such that it would be divided into three districts, with the Armenians divided among two of them. Beirut 1 contained largely Christian Ashrafiyya and was the only contested district of the three. The other two were drawn in such a way that March 14 was guaranteed Beirut 2 and the Opposition was guaranteed Beirut 3. Although the broad contours were agreed at Doha, the electoral law was not debated and passed until September of that year. As discussed below, it neglected important administrative dimensions (such as a pre-printed ballot) that enhanced the "selectoral" dimensions of the 2009 elections predetermined in May 2008 in Doha.

In contrast, no agreement was reached on the Alawi-Sunni conflict in Tripoli, with former PM Omar Karami (who is close to the opposition) meeting a week later with Future

at the state level with the party that has "won" the state having the deciding vote. While certainly apportionment can be a flawed process in the US that can disenfranchise voters, the decree to which districting in Lebanon pre-determines elections should not be dismissed with a shrug suggesting that "everyone does it—its just like apportionment here." Even with apportionment—again, a sometimes flawed process—more than 15% of the seats in the US are contested.

⁶³⁷ Chantal Sarkis, technical expert (IFES) seconded to advise on electoral law during the Doha talks.

and Islamist trends in order to improve the security situation. However, no results were reached and the Alawi-Sunni conflict continued throughout the Summer. In June, nine were killed and 24 wounded during clashes leading to army deployments in the area. In neighboring Akkar, a mosque was at the center of a dispute between Alawi and Sunni villagers in Sheikhlar, with each claiming the other had ousted them unfairly. After months of fighting, the Alawi (represented by Ali Eid, Rifat Eid's father) and Sunni (represented by Saad Hariri) signed a political agreement on September 8, 2009. This agreement outlined the need to resolve conflict without resorting to violence and an army command schedule for the safe return of people to their homes. In addition, the agreement provided for a determination of casualties and losses by the Higher Relief Committee for compensation. The Alawi community points to the recognition of Ali Eid as the representative of the community (next to his name he writes "the representative of the Alawi community in this document"). Although not mentioned in the document, the Alawi also suggest that there was an understanding that the Alawi seat would be left open on the March 14 lists in Akkar and Tripoli (civil society and other political leaders have also suggested was the case). Emphasizing the political rather than sectarian nature of the conflict, Rifat Eid notes: "Our problem is not with the Sunni street but with the government."⁶³⁸

Therefore, from the January 2007 events through the September 2008 events, three groups clashed in their effort to wrest political control. At the center of the country, Sunni and Shi'a (and their Christian allies) confronted one another over the cabinet. In Tripoli (as well as Akkar) the heterodox Shi'a sect of the Alawi confronted the Sunnis over control of their parliamentary seats. All sides claimed the battle was political rather than sectarian—and

⁶³⁸ Interview, Rifat Eid, Jabl Mohsen, May 2009

this is true to the extent that the roots lay not in doctrinal differences but distribution of political power. However, these are not purely political battles since they are organized along confessional lines *and moreover* the claims for power are made on the basis of claiming their "fair" allotment. Therefore, much like in Nigeria, certification in institutionalized group representation leads to communal conflict which is political in aim but either ethnic or religious in coloration. Yet, while the battles had been waged and broad agreements reached, the final stage of certification was not reached until the 2009 elections.

SEALING CERTIFICATION AND 2009 SELECTORAL POLITICS

While the constituencies were agreed upon in Doha, the overall electoral law needed to be passed. Observers and activists alike hoped this would include much needed administrative reforms, including the provision for a pre-printed ballot. As disused above, the lack of a pre-printed ballot tightens the grip of parties bosses and the tyranny of the list, narrowing the contested space of Lebanese elections even further. Many administrative reforms were successfully passed due in large part to the internal technocratic role that the Civil Campaign for Electoral Reform played within the Administrative and Justice Committee of Parliament. In addition, LADE co-founder and Butrous Commission member Ziad Baroud was now Interior Minister implementing as many administrative reforms by decree as was permitted within the law. Nevertheless, despite this important progress, the lack of a pre-printed ballot was perhaps the greatest disappointment with the most far reaching consequences for the 2009 elections.

As part of their technocratic campaign for a pre-printed ballot, the CCER painstakingly explained the options and operation of a pre-printed ballot. Ironically, ballot advocacy led to its defeat. In the words of LADE's former director on loan as the civil

society expert to the SCEC, Said Sanadiki said, “now that they know what it is—and because they know what it is—they do not want it.”⁶³⁹ Even more unfortunately, the session in Parliament on the reforms was not televised which one activist blames for the ability of politicians to act counter to the public interest.⁶⁴⁰ Indeed, the method of parliamentary deliberation left the issue open to considerable pressure.

According to Said Sanadiqi, the vote came up during Ramadan and as a result Parliament held two sessions: one from 10-3 and another from 7-9. The vote on a pre-printed ballot came up at 2:30. According to Sanadiqi, FPM was in favor of a pre-printed ballot and Future was opposed. Among the other parties, there was a mixed response. Some Hizbullah and Amal voted for it, although the later was lukewarm. Similarly, PSP was lukewarm. During the break, Future launched a campaign and was able to convince its partners such as PSP and independents like Butrous Harb. Hariri also contacted Berri and offered a deal. In exchange for its opposition to a pre-printed ballot, March 14 would oppose out-of-country voting. When Parliament reconvened, there was a name call vote and Hizbullah, Amal, FPM, Harb, PSP, and Future voted against.⁶⁴¹ This was the last nail in the coffin for truly contested elections in Lebanon.

As a result of the agreements on constituencies reached in May 2008 and the lack of a pre-printed ballot only approximately 20 of Lebanon's 128 seats were actually contested—a paltry 15%. Of those “contested” seats, many were determined by the formation of lists and an aggressive campaign around voting straight down the list or “as it is.” On the March 14 side, the term used was “*ʔay ma hiyya*” and around the June elections, the streets of Future

⁶³⁹ Said Sanadiqi, March 2009

⁶⁴⁰ “Talking to Doreen Khoury” *Now Lebanon* (14 October 2008)

⁶⁴¹ Interview, Beirut June 2009

controlled neighborhoods songs with the refrain “zay ma hiyya” زي ما هيبي could be heard wafting through car windows and the doors of shops festooned with campaign posters. On the opposition side, the phrase was given its own spin with a synonym being used “mithl ma hiyya” زي ما هيبي. With the domination of lists and lack of a pre-printed ballot, campaigns often focused not on pressing the flesh of the ordinary voter but rather negotiating one's entry onto a dominant list.

When the March 14 lists were announced, it included an Alawi position with Badr Wannous in Tripoli and Khodar Habib in Akkar (a Tripoli Alawi allied to March 14). Wannous is the sitting Alawi MP and both Alawi and Sunni alike call Alawi “on ID only.” Indeed, his office appears shared and staffed not by Alawi, but by Sunni in a Future Movement dominated building and neighborhood. Unsurprisingly, he was described by a March 14 thusly, “we can trust the Tripoli Alawi but not the Akkar Alawi.” This list announcement led to spontaneous clashes in both Akkar and Tripoli since it was clear the only two Alawi seats in the country would be determined by the Sunni votes. This leaves Alawi without representation, a situation which the community regards as abrogating their rights. Moreover, Ali Eid contends that under the leadership of Wannous, many of the Alawi allocated seats (ambassador posts, high-level government appointments) have gone unfilled.⁶⁴²

However, while Eid noted that an undisciplined use of violence was not in the community interest, he explicitly stated that the community considers the use of violence a potential strategy in the future. Without an electoral outlet, Rifaat Eid said that they are contemplating protests against the government (burning tires, blocking roads) etc but are

⁶⁴² Interview, Rifaat Eid, Jabl Mousin, May 2009

deliberating on how this might lead to widespread sectarian confrontations. Eid averred repeatedly that without an electoral outlet, they see no other option other than force. "We've tried a million ways before...the only way we can take our rights is force."⁶⁴³

However, after the lists were formed, the elections were still considered close in many areas. In the lead-up to the elections, the two camps retained their stances on the government. The opposition promised a national unity government should they win; March 14 forces maintained their interpretation of democracy that supports majoritarian rule in government. With the stakes high, the country was on edge before the election that was the final seal in the contest over government that had been unfolding. Apart from "rigging the system" through the selectoral creation of constituencies and the use of lists, there were widespread reports of intimidation and vote-buying by both dominant political trends. Once the results were tabulated, March 14 forces were determined to have won the election gaining 71 MPs to the oppositions 57 deputies. Yet, this was only the first step in the final stage. A final government had to be formed.

In negotiations that lasted *six months* after the election, a government was finally formed. The government that was formed did not enshrine the veto and the "blocking third" as the opposition was awarded 10 seats, March 14 15 seats and the President five seats. However, the five seats allotted to the President could perform that function and mitigate the effect of majoritarian voting, preventing a 2/3 vote on controversial issues. Thus, the certification process was complete. Christians had been awarded electoral constituencies that allowed them to elect their own representatives in greater numbers; Shi'a had been given the blocking third. As a result, the August clashes on the Israeli-Lebanese

⁶⁴³ Interview, Rifat Eid, Jabl Mohsen, May 2009

border and personal dispute among Sunni and Shi'a actors in Beirut did not escalate. Lebanese domestic actors had reached a new equilibrium regarding institutional allocation of power among putative groups at the center. The only Lebanese whose group aspirations were not realized through this cycle were those of the Alawi in Tripoli and Akkar. As a result, that conflict is likely to simmer.

CONCLUSION

During this period, new categories were imposed through the Taif Accord. A Maronite-Sunni-Shi'a institutional troika replaced the Christian-Muslim framework of the National Pact. In addition, the reconfiguration of parliament resulted in the addition of new groups such as the Alawi. With these new categories imposed by Taif, opportunities were hoarded among these categories, creating in-groups and out-groups. In particular, groups sought to control cabinet positions, public sector, and parliamentary representation through selectoral politics.

Opportunity Hoarding also led to Category Formation (Inscription) as webs of relations became denser as groups sought to establish more powerful representations. Although represented as timeless identities—and indeed based on historically situated theological differences—the Sunni, Shi'a, and Alawi became inscribed in dense “webs of relations” that acted as “powerful representations.” Rather than being the awakening of dormant identities, their formation is directly tied to institutional change driven by the logic of institutionalized group representation. Moreover, these webs of relations were not internationally driven as the Shi'a block emerged after the 2005 Syrian withdrawal.

The interaction of these three mechanisms set the stage for certification, the culmination of the process. The primary arena of group certification was the electoral law. Although the confessional allocation of seats is fixed by Taif, boundaries of electoral constituencies can determine which sects control the most seats by virtue of demography. As a result, electoral law preferences aligned confessionally. Christians (on both sides of the political divide) favored the *qada*, as did Druze and Sunnis. Shi'a favored larger districts, either the *muhafazah* under Taif or a single national district. Due to their alliance with the FPM, a Christian party with strong preferences for *qada*, Hizbullah and Amal came to support the *qada*. Therefore, their long-standing quest to ensure control of their share of the cabinet gained increased significance. In order to advance their preference for consensus decision-making protected by a "blocking third" the Shi'a cabinet members resigned and the Shi'a Speaker of the Parliament, Nabih Berri, refused to convene the body.

Disagreements over certification at both the parliamentary and cabinet levels led to clashes in the streets in January 2007 and May 2008 as well as democratic breakdown that was only resolved through a new cabinet agreement and electoral law in Doha 2008. Because Alawi ability to control their seats and thus gain certification was not achieved in Doha or the September 2008 agreement, conflict continues to this day. Although these conflicts are often presented as driven either by age-old sectarian differences or regional actors, conflict and democratic breakdown in Lebanon is a vicious cycle fueled by institutionalized group representation.

CHAPTER EIGHT: CONCLUSION

INTRODUCTION

In this conclusion, I summarize my main argument regarding the colonial origin of institutionalized group representation and review my model. I then summarize how this argument and model has operated in my two cases: Nigeria and Lebanon. From there, I explain why extant alternative explanations fall short and how my model of institutionalized group representation explains what these explanations cover as well as what they don't. In particular, I examine alternative explanations that focus on the role of institutions and international factors. Finally, I examine alternative theoretical frameworks and explain how my model of institutionalized group representation provides more rigorous and effective approach to understanding the problem of conflict and democratic breakdown in plural societies.

SUMMARY OF MODEL AND FINDINGS

In Chapter One I presented my argument. First, I argued that the Power-Sharing literature relies on a problematic idea of "groupness." Not only does this contradict recent constructivist insights on identity, this understanding of socio-political formation is not merely a theoretical and empirical error. It is an ontology rooted in the exigencies of Empire. Power-sharing, or institutionalized group representation, is not a conflict management mechanism of recent pedigree, but instead emerged from the colonial administration.

In Chapter Four, I explained how Nigeria's ethnic federalism emerged from British administrative policies of Indirect Rule and Amalgamation. I also examine how colonial rule led not only to the formation of groups during that period, but also entrenched the organizing principle of "groups" within the polity, which laid the foundation for the continual cycle of group formation. Moreover, I show how the pre-Independence institutional formations (Lyttleton Constitution, Ibadan Conference, Richards Constitution, and Willinks Commission) all continued to reinforce institutionalized group representation through ethnic federalism.

In Chapter Five, I explained how Lebanon's confessional system emerged from Ottoman administrative practices that were transformed at the behest of powerful international actors. Confessionalism in Mt. Lebanon began with partition in 1841 and became more entrenched with the establishment of the Mutasarafiyya in 1861. Moreover, the advent of the French Mandate institutionalized confessionalism further through the confessional allocation of seats in the Administrative Council and the creation of "recognized sects." Both Ottoman and French colonial rule led not only to the creation of particular groups during this period, but also entrenched the organizing principle of groups within the polity and laid the foundation for a continual cycle of group formation. Moreover, I show how the pre-Independence institutional structure of the 1943 National Pact reinforced institutionalized group representation through confessionalism.

However, my argument extends beyond the colonial origins of institutionalized group representation. I additionally argue that rather than being a means of managing conflict in diverse societies, institutionalized group representation leads directly to conflict and democratic breakdown. Using Tilly's framework in *Democracy*, I develop a model of

conflict/democratic breakdown under institutionalized group representation. Tilly argues that democracy requires three interlocking mechanisms: integration of trust networks, reduction in categorical inequalities and removal of autonomous bases of power. Tilly argues that these three mechanisms work together to generate virtuous circles of democracy.

FIGURE 8.1: VIRTUOUS CIRCLE OF DEMOCRACY



Instead, I argue, institutionalized group representation *by definition* promotes the reverse. Instead of integrated trust networks there is opportunity hoarding, category formation (both “imposed” by new state institutions and “inscribed” as social groups generate new webs of relations in response), and certification (of groups autonomous bases of power. Instead of generating virtuous circles of democracy in which the cogs of the polity weave together and work together seamlessly, institutionalized group representation leads to fragmentation and disintegration of the polity as new groups emerge and compete for resources within the polity. In Part Three, I apply my model to the most recent periods in both of my cases.

In Chapter Six, I traced the operation of my four mechanisms in Nigeria’s transition to the Fourth Republic. I begin with the “event” of the June 12 crisis, the abrogation of the 1993 election results and the suspension of Nigeria’s democracy. In the section on Category Formation (Imposition), I examine how the generative structure of the 1994-5 Constitutional

Conference (as well as the resulting 1996 Federal Character Commission) imposed new categories. At the supra-state level “Section” (North and South) was imposed as well as “Geopolitical Zone” (Northwest, Northeast, Northcentral, South-South, Southwest, and Southeast). At the sub-state level, LGAs were entrenched and the attendant principle of “indigene” enshrined.

In the following section, I trace how opportunity hoarding operated, creating in-group and out-groups in appointments and the operation of “selectoral politics”. At the national level, the 1999 Gentleman’s agreement “zoned” the Presidency, creating an informal agreement that the highest office should be “given” first to the South and then to the North. Moreover, the Agreement included a provision for high-level cabinet appointments for “Northern” officials. However, the distribution of the Presidency as well as the cabinet appointments within the “North” became a politicized issue, leading to the development of in-groups and out-groups: “Core North” and Middle Belt. At the local level, I examine the case of Jos North Local Government Area (LGA) in which the Chairmanship (and attendant Council appointments) was hoarded.

The next section, Category Formation (Inscription), examines the way in which group formed as a result. At the national level, I examine the post-99 explosion of “Northern” groups mobilizing to claim the Presidency as well as “Middle Belt” groups with the same aim. These were not mere organizations—they constituted a web of relations that generated group identities of “North” and “Middle Belt” which sought to present themselves as timeless entities and thus entitled to representative power at the highest levels. At the local level, I examine how the creation of Jos North LGA led to the emergence of the Jasawa group, a new ethnic group. While other groups denied their existence, calling them

Hausa or settlers, this group constitutes an inscribed web of relations including peoples previously not considered “co-ethnics.”

The final section, “Certification” traces the culmination of the process. At the national level, I examined competing claims for the Presidency, with groups seeking “certification” through achieving the highest executive office. This led not only to low-level political conflict, but is directly responsible for the so-called “cartoon riots” in 2006. Disputes over the “zoning” of the presidency through tenure elongation led to constitutional riots in Katsina and Maiduguri (despite international media reports to the contrary) which then gained sectional and sectarian coloration, leading to riots in Bauchi and Onitsha. At the local level, I examined competing claims for the Jos North Chairmanship, which groups seeking “certification” through this executive office. Similarly, conflict over LGA elections have repeatedly led to riots in Jos North, most recently in November 2008. Rather than being rooted in sectarianism or resource competition, these riots are a direct result of institutionalized group representation. Yet, this cycle of conflict and democratic breakdown does not merely hold true for Nigeria. It also holds true for Lebanon.

In Chapter Seven, I traced the operation of my four mechanisms in Lebanon’s post-Taif period. I begin with the “event” of the civil war and then examine how the generative structure of the Taif Agreement imposed new categories. Most importantly, Taif imposed the troika or the “Three Presidents,” giving them roughly equal power: the President of the Republic (traditionally Maronite), the President of the Council of Ministers/Prime Minister (traditionally Sunni), and the President of the Chamber of Deputies/Speaker of the Parliament (traditionally Shi’a). Moreover, Taif also reconfigured the Parliament, shifting the

distribution of seats from 6:5 Christian: Muslim to Christian-Muslim parity. Moreover, new confessions were recognized through the allocation of additional seats, such as the Alawi.

In the next section, I trace how opportunity hoarding operated, creating in-group and out-groups. I traced the operation of opportunity hoarding in three spheres: the cabinet, the public sector, and the Parliament. At the cabinet level, I examined how cabinet seats were allocated among groups in a new-post Taif formula, leading to winners and losers. Similarly, I show how institutions within the public sector operated as fiefdoms for the sects, further entrenching in-group and out-groups. Finally, I examined how the structure of constituencies and the operation of lists led to “selectoral politics” or the pre-allocation of seats in all post-Taif elections: 1992, 1996, 2000 and 2005.

From there, I examine Category Formation (Imposition), I trace how the disparate organizations of the Shi'a went from fragmentation to tightly integrated webs of relations that constituted a “block,” especially following Syrian withdrawal in the post-2005 period. Similarly, the Alawi became an inscribed community, especially in the area of Jabl Mohsen in Tripoli. Moreover, the Alawi have increasingly become integrated into a broader pan-Shi'a bloc in Lebanon, especially in the post-2005 era.

The final section, “Certification,” traces the culmination of the process. In this section, I traced how the Shi'a sought to gain certification, or increased state resources and positions, through the electoral law and cabinet control. These unmet demands led to the cabinet resignations, government shutdown, and clashes in January 2007 and again in May 2008. Certification was only resolved through the Doha Agreement in May of 2008 and finalized in the June 2009 elections. The Doha agreement recognized the oppositions demand for a “blocking third” which ensured consensual decision-making. However, the

Shi'a supported their main allies demand for smaller districts which certified Christians claims for greater control over their Parliamentary seats. This raised the stakes for the post-election cabinet formation. Although the Shi'a did not receive the "blocking third" they wanted, consensus decision-making (and thus Shi'a control of the cabinet) was ensured through the allocation of neutral seats to the President. However, Doha and the 2009 elections did not result in certification for the Alawi, who again lost control of "their" seats. As a result, conflict in those areas is likely to continue.

ALTERNATIVE EXPLANATIONS

GOOD INSTITUTIONS AND BAD INSTITUTIONS

Some analysts might be tempted to point out that both Nigeria and Lebanon have majoritarian/plurality systems and thus conflict can be explained by these "winner take all" electoral systems. Indeed, Nigeria has First Past the Post. Similarly, while Lebanon allots seats among confessions (somewhat) proportionally to their populations, it has a Block Vote System that operates as a Party Block Vote System. Readers predisposed to the conflict ameliorating power of non-majoritarian electoral systems—often of the proportional or preferential variety—might be tempted to cry analytical foul. However, they would be mistaken.

It is helpful examine the causal propositions of these arguments. Advocates of PR systems for divided societies contend, "For divided societies, ensuring the election of a broadly representative legislature should be the crucial consideration and PR is undoubtedly the optimal way of doing so."⁶⁴⁴ However, Lebanon's electoral system already does this

⁶⁴⁴ Arend Lijphart, "Constitutional Choices for New Democracies," *Journal for Democracy* 15.2 (April 2004):100

through the allocation of seats to confessions (roughly) proportional to their demographic weight. Yet, this has not resulted in an end to conflict. Indeed, as evidenced in Chapter Seven, the allocation of seats to confessions led directly to conflict.

However, PR remains a popular silver-bullet in Lebanon, but not for the reasons outlined in the conflict management literature. Proponents of PR in Lebanon have a different goal: creating third parties within confessional blocs, most especially breaking the hegemony that a single party often carries over a confession. It is often explicitly stated that PR would break the monopoly of Hizbullah over the Shi'a. If implemented at the national level in a single national constituency rather than the *Muhaafazah* (Province) level program proposed under the Boutros Law, PR could conceivably generate a winner-take all outcome with an overwhelming win and ability to form a majoritarian government. Given the Shi'a demographic domination and the degree of support for Hizbullah within the community, PR could create conditions for a renewed civil war given March 14 stated unwillingness to work with Hizbullah within government.

Similarly, proponents of Alternative Vote⁶⁴⁵ focus on the presumed benefits of vote pooling or cross-confessional voting that presumably would result in the Condorcet candidate: "the candidate who would receive a majority of the vote in a paired or head-to-head contest with each and every candidate."⁶⁴⁶ Systems (such as AV and Combs) that promote the Condorcet Winner are said to promote "interethnic and interreligious

⁶⁴⁵ Donald Horowitz, "Electoral Systems: A Primer for Decision Makers" in *Journal of Democracy* 14.4 (October 2003); Benjamin Reilly, *Democracy in Divided Societies: Electoral Engineering for Conflict Management* (Cambridge: Cambridge University Press, 2001).

⁶⁴⁶ Donald Horowitz, "Electoral Systems: A Primer for Decision Makers" in *Journal of Democracy* 14.4 (October 2003): 118

conciliation.” Alternative vote is a single member preferential system⁶⁴⁷ that, proponents suggest encourage candidates to court voters outside their confessional group so they will be ranked the second choice of some voters, thus putting them over the threshold required. Put simply, it is a model of cross-confessional voting that is candidate-centered rather than party centered.

Troublingly, Lebanon is cited as a success for cross-confessional voting. Repeating the myth that the construction of multi-confessional constituencies in which confessions elect representatives outside their group promotes cooperation, Horowitz says, “One way to think about electoral systems and interethnic conciliation is to ask whether a given system provides politicians with electoral inducements for moderate behavior, that is for compromises with members of other ethnic groups for the sake of electoral success. Some systems can do this. An electoral system originally devised in Lebanon—with ethnically reserved seats, multiseat constituencies, and common roll elections—gives politicians very good reasons to cooperate across group lines, for they cannot be elected on the votes of their own group alone. They must pool votes (that is, exchange support) with candidates of other groups running in different reserved seats in the same constituency.” *The problem is that voting in Lebanon doesn’t actually happen that way.*

Cross-confessional campaigning and voting occurs within a polity (and public sphere) organized around groups. Therefore, the bonds created by these electoral incentives—either at the elite or mass level—are mercurial. The primary allegiance is to the

⁶⁴⁷ AV is a preferential system (like STV) in which voters rank order their preferences. If one candidate does not receive an absolute majority (50%), the ballots of the candidate with the second highest number of votes are distributed between those voters second preferences. If that still does not yield a victor, the process is repeated with the third and so on and so forth.

unit to which rights are bestowed: the group. Moreover, rather than being an ingenious and innovative conflict management mechanism as implied by Horowitz and others, cross-confessional voting in Lebanon has nefarious origins and a unsavory recent past. As discussed in Chapter Five, cross-confessional voting originated in 1861 Mt. Lebanon as a means to ensure Maronite control over Muslim seats. The same logic was retained in Greater Lebanon, especially when larger districts were used in the era of Syrian occupation: Sunni and Shi'a Muslims controlled Christian Seats, as discussed in Chapter Seven. Although smaller districts have removed *some* of the ill-effects of cross-confessional voting, a number of small sects still do not control their seats. The Alawi are an example discussed in Chapter Seven.

Moreover, the inability of the Christians to control seats in the post-Taif era led to conflict around the electoral law (only resolved in Doha) and has led to continuing conflict in Alawi controlled areas of Tripoli. *Cross-confessional voting in a system of institutionalized group representation promotes rather than controls conflict.* It raises the stakes by bestowing seats on confessions, who then see their control of these seats robbed by demographically powerful groups. While Horowitz offers a caveat about constituency at the end—that constituencies must not be drawn to favor some ethnic groups, this is extremely difficult to do especially when districts use existing administrative units. Moreover, he does not mention this extremely important caveat in the Lebanese example. Finally, even if one were to imagine a world where the Lebanese could redraw the districts (unlikely) and that these would be perfectly balanced among confessions (even more unlikely), the confessional system would still have a confounding effect: other confessions controlling “their” seat leads not to cooperation, but high-stakes conflict.

Nigeria also attempts to generate cross-ethnic campaigning and voting through its Federal Character requirement that all political parties be registered in 2/3 of the states to contest national elections. Horowitz also cites Nigeria as a successful example of cross-confessional voting, saying: “Systems that require candidates to achieve a regional distribution of votes, in addition to plurality may foster conciliatory behavior if territory is a proxy for ethnicity because groups are regionally concentrated. Nigeria pioneered this approach in its presidential elections.” Like Lebanese cross-confessional voting, this too has also failed to achieve the desired results. Regional/ethnic parties remain—AGPA of the Southeast/Ibo, ANPP of the North/Hausa, and AG (which joined AC) in the Southwest/Yoruba. Although these parties include members who are not of the dominant groups at the national level, they become profoundly ethnicized at the local level. Moreover, local ethnicized parties simply aggregate into larger ones retaining their ethnic group building blocks. In advance of the 2007 elections, AG a Yoruba dominated SW party merged with ACD, a Hausa dominated NW party (among other parties) to create the Action Congress. These cross-confessional voting/campaigning do not stem conflict.

Finally, the logic behind a preferential system suggests that it would not work well, especially in a richly diverse context. Apart from the complexity of counting required that is inappropriate for a country with limited administrative capacity⁶⁴⁸ is that to win, you need to

⁶⁴⁸ It is often said that low levels of literacy and numeracy constitute an obstacle to the application of STV (PR) and AV (M/P) since they are complex systems. There are indeed issues with STV and AV in countries with weak capacity, but low levels of literacy and numeracy per se do not prevent the successful application of STV or AV. As anyone working in the “developing world” knows, markets are run and operated by people without secondary (and often primary) education. Yet, the men and women working in these markets can, as the saying goes “buy and sell you.” Why? Because they know the system in which they are operating. Problems will doubtless arise if citizens are not aware of any system—market or electoral, no matter how simple the rules are. Confusion can arise in simple electoral systems with high levels of literacy and numeracy when voters are not educated about the system in which they are operating. This is why voter education matters. In countries with

garner the votes of more than one putative group. Depending on demographic composition, AV could easily become a dual-group conflict—four candidates coming from four groups, with two each courting two different groups (or two candidates with two different dual bases). Given what we know about the multi-faceted and fluid nature of identities constructivist insights, AV could generate incentives for aggregation of these two group identities polarizing politics and identities. Indeed, this would appear likely since sub-groups courted by candidates would likely share overlapping traits (religious, linguistic, etc) that could lead to polarization when none existed previously. More to the point: if AV is instituted within a system organized around group rights, this process of aggregation and polarization will be accelerated.

Yet, even this emphasis on electoral system alone is misdirected. Indeed, PR systems only govern the ways in which parliamentary seats within a constituency are allocated. In only two small countries worldwide is a single national constituency used—Israel and the Netherlands. What this means is that the “winner take all” effect of proportionality is counteracted *only at the constituency level*. A single national constituency is entirely impossible for Nigeria, but might be more possible for Lebanon. Only Shi’i Amal and Hizbullah have supported this and given the adamancy of Christian parties about the *qada*, a single national

weak government capacity and under-developed infrastructure, this can be an enormous problem. Literacy levels are low in many countries because the government lacks the capacity to maintain schools (including paying salaries, buying equipment, maintaining buildings, etc). Voter education projects are enormous undertakings that are too great a financial and administrative burden for countries that are unable to even maintain well-functioning primary education. Likewise, the same sorts of infrastructure issues that have a confounding effect on development projects have an impact on voter education. Weak government capacity is an even more formidable challenge when it comes to the administrative burden of the counting of systems. STR and AV require an extraordinary amount of counts, so these systems poses particular administrative challenges. *However, in my view, these challenges should not be confused with the presumed inability of the populace to understand the system.*

constituency in Lebanon would appear unlikely. However, if it were to be implemented, the question of a majoritarian or “consensus” government would remain at the national level.

In both Lebanon and Nigeria, there were winner-take-all contests at the top of government that operated quite separately from parliamentary system—and have been driven by the system of institutionalized group rights put in place. Nigeria has a presidential system in which executive office plays a primary role—from the President, the Governor, to the Local Government Chairman. A proportional—or even preferential parliamentary system—would not resolve the issue of the executive. A governing coalition formed either as a majoritarian or proportional principle governed by institutionalized group rights would still face a high-stakes political contest at the center.

In Lebanon, with a mixed Presidential and Parliamentary system in which the President, Prime Minister and Speaker of the Parliament constitute a ruling triumvirate of “three presidents” a proportional electoral system under a confessional system would fail to be the silver bullet that so many hope it will be. Conversely, the UK has embarked on an experiment similarly undermining the presumption of a PR electoral system and inclusion in government. Despite their FPTP system, they have formed a national unity government that one might expect in the single national constituency systems of Israel and the Netherlands, thus indicating there is no direct relationship between a PR electoral system and inclusive government.

Other institutional analysts might be tempted to reply, “Aha! So a presidential system is really to blame! A Parliamentary system could fix that right quick!” But, alas, they too would be disappointed. Lebanon moved closer to a Parliamentary system under Taif and although the troika is called the three presidents, it includes a PM and does not operate

as a presidency. Indeed, even under a pure parliamentary system, there would be a head of state. Every country has a head of state—there is no avoiding executive office. Yet, any under institutionalized group representation, this office will be hotly contested by the various groups, leading to cycles of conflict and democratic breakdown. Thus, even the parliamentary fix shipwrecks on the dangerous under-water shoals of institutionalized group representation.

Indeed, the discussion has shown that organizing the polity around groups—whether at the elite level as preferred by Lijphart or the mass level as preferred by Horowitz—leads to conflict. Requirements for cross-group affiliations within parties (the federal character principle in Nigeria) or between them (as demanded by the allocation of confessional seats in constituencies) does not promote the development of a non-group agenda. It merely leads actors to strategically ally in the advancement of these particularistic interests (as seen in North-South-South; and Christian alliance with Sunnis and with Shi’a in Lebanon).

In addition, aware of some of these pitfalls, some scholars have suggested that power-sharing be adopted as an interim measure to build confidence and generate possibilities for a different system.⁶⁴⁹ However, this optimism is ill-placed. Much like the “institutions from thin air” orientation of instrumentalism, the interim institutions overlook the powerful gravitational pull of path dependence. Once power-sharing institutions are put in place, they vest actors with interests (and even identities) and bestow upon them newly found power. Politicians are not known for giving up power to opponents willingly, especially since power-sharing systems ratchet up the resource stakes are even higher.

⁶⁴⁹ Carl LeVan, “Power Sharing and Inclusive Politics in Africa’s Uncertain Democracies,” *Governance: an International Journal of Policy, Administration, and Institutions* 24.1 (2011)

Along these lines, Lebanon provides a sobering counter-example. Taif explicitly called for the end of confessionalism and its provisions were seen as a stepping stone to a transformation of the system. Hussein Husseini, one of the primary architects of the Taif Accord—the man who oversaw the drafting committee saw Taif as a preliminary step and a temporary formula in the abolition of sectarianism⁶⁵⁰ and has since been central in launching a civil initiative that, despite the high-profile figures involved⁶⁵¹ failed to gain momentum. Institutional inertia can confound attempts to redirect the trajectory of the polity. It is best to get it moving in the right direction from the outset.

Others have also suggested reforming the power-sharing system in Lebanon. Decentralization was included in Taif and it has prominent and well-placed advocates such as Ghassan Mukheiber⁶⁵² and Ziad Baroud.⁶⁵³ Along these lines, Federalism has also been supported by Franjieh and the Marada party that are historically famous for maintaining the autonomy of their base, Zgharta, from outside invaders. However, either decentralization or federalism would need to be non-ethnic to avoid the pitfalls of institutionalized group representation, as seen in Nigeria. Moreover, although not allocated on the basis of confessions, the municipal governments are highly infiltrated by personal patronage networks. If overlaid on these group-based networks and operating within a system of institutionalized group representation, decentralization could encounter dangers. However, if built alongside and replacing these networks, they could provide an important structure for the strong state institutions and the provision of services outside of group networks.

⁶⁵⁰ Interview, Hussein Husseini, Beirut June 2007

⁶⁵¹ Ziad Baroud, now Minister of Interior, then former Butrous Commission member and high-profile lawyer. Farid el-Khazen, MP from Metn, among others.

⁶⁵² Interview, Ghassan Mukheiber, Beirut, July 2007

⁶⁵³ Interview, Ziad Baroud, Beirut, July 2007

GOOD AND BAD NEIGHBORHOODS: INTERNATIONAL FACTORS

Even the most naïve observer wouldn't dare suggest that international factors do not matter in either country, but especially in Lebanon. Indeed, as discussed in the introduction, several scholars of power-sharing in Lebanon emphasize the role of "external guarantors."⁶⁵⁴ Brown⁶⁵⁵ argues that the Middle East is a penetrated international system not merely because of the interest and influence of outside actors, but also because domestic players seek to increase their power through external alliances. Brown suggests Lebanon tends to become internationalized because domestic actors cannot resist the temptation to solicit outside support in their competition with other internal actors. Both are two sides of the same coin. As such, regional actors are extraordinarily involved in Lebanese politics.

Throughout Lebanon's history, domestic actors are strengthened by international actors seeking to advance their interests in the geostrategic Lebanese backyard. Indeed, as I argue in Chapter Five, that Lebanon's political system owes to colonial factors. In the post-colonial period, international actors continue to play an important role in Lebanon's conflicts—as an occupying force (Israel and Syria), supporting militias (Iran, Israel, Saudi Arabia, Syria), or in negotiating agreements (Saudi Arabia, Qatar). The post-Taif period is no exception. This "backing" often goes beyond diplomatic support to bankrolling. It is widely understood that Hizbullah receives financial support from Iran to fund the resistance and also to rebuild after the 2006 war. Yet, Iran is not the only country pumping money into Lebanon to back its supporters.

⁶⁵⁴ Zahar, Kerr, and Seaver.

⁶⁵⁵ Carl L. Brown, *International Politics and the Middle East: Old Rules, Dangerous Games* (Princeton: Princeton University Press, 1984)

Although it is difficult to provide exact figures given the nature of the transactions, regional actors—especially Iran and Saudi Arabia—have provided financial support to their allies. Despite the new campaign finance laws, the 2009 elections were the most expensive in Lebanese history. Future movement received financial support from Saudi Arabia and Iran received support from Iran often, it is reported, for bribes that can reach \$1000/head. The question becomes, who is in the drivers seat?

I contend that internationalization of conflict is a centripetal dynamic where local actors draw international actors in as mobilized resources. The regional and sectarian narrative of Lebanese conflict offers a centrifugal view which emphasizes the role that Saudi Arabia plays in stirring up Sunni sentiments, or Iran’s role in stirring up Shi’a sentiments. However, while doubtless Sunni and Shi’a solidarities do play a role in what Brown calls this “penetrated” system, this simplistic explanation fails to explain why and how conflicts erupt when and how they do. The domestically-driven model of institutionalized group representation offers this explanation where the sectarian regional explanation fails.

Moreover, there are other aspects of the conflict that “international factors” *alone* cannot explain. As suggested by Brown, international factors may escalate the conflict, bringing higher levels of destruction, but they are not the primary cause—nor are they the primary solution. Presumably, settlements—especially lasting ones—address the causes. None of the settlements—1958, Taif, or Doha—have foreign policy as their primary focus. Despite the dominant narrative, as discussed in Chapter Seven, the primary components of these agreements focus on internal institutions. Indeed, these agreements are followed by recalibrations of the primary power-sharing institutions and changes to the electoral law, often christened by a newly formed consensus cabinet that shepherds the changes.

Apart from the domestic components of settlements, there is much that an “international factors” analysis cannot explain. Indeed, one could even that the conflicts are inaccurately framed to overstate the international components by domestic actors in order to “internationalize” the conflict. The popular insistence on using March 14 and March 8 despite their inaccuracy imbues dynamics with a Syrian element, sure to get Western (and American congressional) interest. Yet, the backbone of the March 14 protesters—the fiercely anti-Syrian General Aoun and his supporters—have entered into an alliance with the base of the March 8 rallies—Hizbullah and Amal. Often popular accounts (and conspiracy theories alike) either pose the “puzzle” of why Aoun became pro-Syrian or merely suggest Aoun is mercurially seeking advantage for the Presidency for personal glory.

These explanations also fail to account for overlapping political ideologies, shared political platform, and clearly stated institutional goals among the elements of the opposition (called “March 8” by pro-government forces). This internationalized narrative also fails to explain the timing of Aoun’s reversal. If he has indeed become pro-Syrian, why now? Why not during his 15 years of exile when Syria was still occupying Lebanon? More to the point, the opposition alliance has survived Aoun’s failure to achieve the presidency when a compromise candidate of Sulaiman was agreed in the Doha accords. Given the fact that the new cabinet formula now rests on an independent president with his independent ministers, the Presidency has been enshrined as a depoliticized institution—and thus forever out of Aoun’s reach as an “opposition” politician. If the alliance rested strictly on this Presidential goal, it would have collapsed as a result. Instead, the alliance rests on a *domestic institutional imperative*: a shared believe that their putative groups have been cheated out of their piece of the pie and they are better able to claim it if they band together.

Yet, one should not understate Syria's influence. Syria's occupation might have operated as a deterrent to conflict at the domestic level since even the most unwavering ideologue and combatant will pause before confronting the well-equipped and brutal Syrian army. Similarly, the 2006 war in which Israel attacked targets far beyond the south and its previously declared "security zone" would have been less likely if Israel would directly confront Syria (and possibly Iran). However, the lack of escalation in the Summer of 2010 (confrontations at the border, and familial clashes) suggests that domestic factors are paramount—and they were satisfied by the May 2008 Doha accord. Although rumors that the Special Tribunal for Lebanon would indict Hizbullah actors caused a political stir, the border skirmishes between the Lebanese Army and Israel would have been used as pretext by various domestic actors as they have in the past: as opening for clashes to pursue political aims with the backing of regional and international powers. Instead, there has been impressive calm after largely domestically brokered understandings. Thus, Doha—and its domestic institutional compromises—appears to be holding, suggesting the primacy of the domestic. One might be tempted to point to the role Qatar played in brokering the agreement, but the role of outside actors in conflict resolution is well established. If successful external negotiation was a sign of external conflict promotion, Norway would be on the hook for conflicts ranging the Israeli-Palestinian conflict and the Sri Lankan civil war. Instead, Norwegian negotiators played a constructive role in some of the most intractable conflicts in modern history.

However, other analysts oppose the emphasis on external factors not just for empirical but also normative reasons. Ziadeh writes, "There is a tradition in Lebanese history writing that emphasizes the external intervention at the cost of the internal

disintegration, especially when placing the blame for sectarian conflicts.” With echoes of Brown, he goes on to say, “However, it is really the interplay between the two factors which has the role in regard to conflict polarization and resolution and consensus building. Indeed, the regional and international interventions could not be determinant only when they have a negative role and lead to conflict, and marginal when they lead to consensus building and compromise.”⁶⁵⁶

More directly engaging the normative element, another scholar argues that in focusing on international and regional actors, analysts deny Lebanese actors agency. Even Makdisi—the luminary who made his name by tracing the colonial construction of sectarianism in Ottoman Lebanon—has focused on the need to pay greater attention to domestic actors and agency. He writes,

“if Orientalists such as Lewis are promoting Orientalist fantasies of both the East and the West, nationalists—Arab or Turkish or Lebanese or Iraqi—have, in acute denial, proposed their own paradigm in an equally one-dimensional manner. Although Orientalists insist that sectarianism is an endemic condition, nationalists insist that sectarianism has no relationship to modern national concerns, that it has no basis in modern thought, that it is an anachronistic, unnatural force stirred up by an imperial will to divide and rule, something antithetical to national coexistence. In place of agency and responsibility, nationalists emphasize foreign agents and conspiracies.”⁶⁵⁷

However, international factors do play a role through colonial (or neo-colonial) creation of institutionalized group representation. Yet, two caveats must be made. First, this is not a direct influence of international actors: it is mediated by institutions

⁶⁵⁶ Hanna Ziadeh, *Sectarianism and Inter-Communal Nation Building in Lebanon* (New York: C. Hurst & Co., 2006): 138-9

⁶⁵⁷ Ussama Makdisi, *The Culture of Sectarianism: Community, History, and Violence in Nineteenth-Century Ottoman Lebanon* (Berkeley: University of California Press, 2000): 560

(institutionalized group representation), the key causal variable. Second, as Makdisi notes, domestic actors decide whether to play ball, either during occupation or after. Many countries such as Ghana broke with institutionalized group representation immediately after independence and others such as South Africa responded to international sanctions in breaking with institutionalized group representation. Future work would examine these exogenous ruptures as political moments where a radical revision of the political system is possible and how actors achieve these agendas.

ALTERNATIVE THEORETICAL FRAMEWORKS

NORMATIVE

Calls for group rights range from communitarians such as Charles Taylor⁶⁵⁸ who challenge the extreme liberal idea of an unencumbered self⁶⁵⁹ and instead point to the attachments of community and the ways that these shape our conception of the good to liberals such as Kymlicka.⁶⁶⁰ While not adopting Taylor's communitarian view of the self, Kymlicka is nevertheless concerned with the ways in which particularistic conceptions of the good are institutionalized within states, thereby limiting the liberty of individuals outside of that conception of the good. In particular, Kymlicka has convincingly argued against the "neutrality of the state" thesis whereby the selection of public holidays can inject group or identity politics into the public sphere.⁶⁶¹

Yet, much like the work on power-sharing from a causal theoretical approach rests on a problematic idea of groupness, so does normative theory and has been challenged by

⁶⁵⁸ Charles Taylor, *Sources of the Self: the Making of Modern Identity* (Harvard University Press, 1989); *Multiculturalism And "The Politics Of Recognition* (Princeton: Princeton University Press, 1994)

⁶⁵⁹ John Rawls, *A Theory of Justice* (Cambridge: Belknap Press of Harvard University Press, 1971)

⁶⁶⁰ Will Kymlicka, *Liberalism and Community and Culture* (Oxford: Clarendon Press, 1989)

⁶⁶¹ Will Kymlicka, *Multicultural Citizenship* (Oxford: Clarendon Press, 1995)

normative theorists for reifying groups⁶⁶² to Comparative theorists who criticize the ambiguity of the “group concept.”⁶⁶³ However, while it is important to note that normative political theory has addressed the question of group rights, it is important to distinguish between cultural rights (the emphasis of most normative political theory) and political rights (the emphasis of most comparative political theory). Simply because cultural and political rights can be linked does not mean that they necessarily are. An argument about the maximalist group right debate (political rights—mandated group representation in state institutions) does not have a bearing on minimalist group rights debates such as cultural rights (language use, holidays) in the public or private institutions. Cultural rights are distinct from political rights or power-sharing, or institutionalized group representation, although the two are often conflated simply because the rights of groups are concerned.

It should also be added that a maximalist group representation formula of the multicultural approach to normative theory has also been applied to Nigeria by John Boye Ejobowah. His work is a normative rejoinder to what he calls the empirical arguments about power-sharing such as Lijphart, Horowitz, and Norlinger. He finds that this literature is sometimes at odds with the findings of normative work such as Walzer, Taylor, and Kymlicka regarding minority recognition (cultural rights). Most importantly, he rightly notes that identity is infinitely divisible and can thus lead to institutional instability, his aim is

⁶⁶² Iris Maron Young

⁶⁶³ In the APSA Comparative Politics Newsletter, Chandra writes: “In a constructivist world in which individuals can potentially sort themselves into multiple groups, Kymlicka’s theory would need to address the question of how the relevant “group” in need of protection should be identified; how to address the possibility that new groups and, supposedly, given the logic of his argument, new cultures, might emerge from old ones and whether the institutionalization of group rights might in itself create new bases for inequalities by privileging some mobilized group identities while making it harder for others to emerge.” Yet, this may not be an entirely fair assessment, since within a Liberal framework Kymlicka attempts to incorporate dynamism into his analysis through internal consultative mechanisms and rights of exit.

to identify which claims are legitimate. Indeed, he offers this conclusion: “the Nigerian experience shows that the design of political arrangements triggers group proliferation rendering the arrangements unstable.”⁶⁶⁴

However, oddly, his solution is not to abandon group representation but, surprisingly to find the optimal solution using normative strategies: “(T)he appropriate normative route, as the country's history has shown is not the abandonment of group expressive strategies by those that deny recognition, for this promises more intense conflict and instability than recognition does. What is required is the returning of the underlying theoretical arguments to address their shortcomings in light of the Nigerian experience.”⁶⁶⁵ Instead, he proposes to adjudicate between group claims using normative theory: which claims are normatively justified and which are not?

Ejobowah argues “This work goes beyond critique to make normative judgments regarding the respective merits of opposing group demands and to consider possible feasible alternative constitutional arrangements required by justice. It listens to and evaluates conflicting claims the way a judge or jury hears and deliberates opposing claims in a civil suit. From this range of perspectives, it then presents the solution that best reflects the interests of opposing parties.”⁶⁶⁶ He goes on to say, “Thus, this book does not dismiss competing group claims because they were strategic; rather it critically evaluates them to determine their

⁶⁶⁴ John Boye Ejobowah, *Competing Claims to Recognition in the Nigerian Public Sphere: A Liberal Argument about Justice in Plural Societies* (Lanham: Lexington Books, 2001): 182

⁶⁶⁵ *Ibid*, 187

⁶⁶⁶ *Ibid*, 2

merit and normative relevance. The evaluation of claims for their merit generates a range of alternative political arrangements."⁶⁶⁷

To put this argument into perspective, what Ejobowah is suggesting is determining whether Berom or Jasawa, Middle Belt or Core North, or Northern or Southern claims are legitimate using normative political theory. Therefore, he neither accepts nor rejects group claims, he merely rank orders their legitimacy. Apart from being difficult to operationalize, this approach meets neither the Taylorian test of opportunities for communitarian actualization, the Kymlikan test of neutrality of the public sphere nor the Rawlsian test of equal outcomes under the “veil of ignorance.” In short, the rank ordering group rights violates principles of fairness in both the communitarian and liberal normative frameworks.

PRIMORDIALISM REDUX

Although primordialism would seem to be a defeated paradigm, like power-sharing, it is making a comeback. It should not be surprising that a revival of power-sharing is accompanied by a revival in primordialism because the later is an ontological assumption required for the former. Moreover, both are part of the administrative project of Empire that is again on the rise in the Middle East. Within the Middle East studies primordialism has reared its head in the form of “sectarianism” which has revived the idea of “ancient ethnic hatreds.” A century ago, this provided the justification for the white man’s burden. Now, it provides the white man’s absolution: increased levels of conflict are not the result of failed interventions and failed institutional fixes, but rather the result of timeless religious conflicts.

⁶⁶⁷ Ibid, 5

In a 2008 symposium, the *International Journal of Middle East Studies* asked four starts of sectarian studies the question, “How Useful Has the Concept of Sectarianism Been for Understanding the History, Society, and Politics of the Middle East?” Eric Davis response is: not at all. He argues, “The problem of ‘Middle East exceptionalism’ is perhaps nowhere as apparent as in the study of Middle East politics, particularly in its purported sectarian nature.” He goes on to reiterate a complaint registered for two decades in Middle East political science:⁶⁶⁸ “Our understanding of Middle East politics suffers less from the lack of empirical data than the poverty of the conceptual and theoretical frameworks through which it is studied. Unlike other regions, the Middle East continues to be analyzed through a conceptual prism that has changed little since the collapse of colonial rule.”⁶⁶⁹ Much like Brubaker’s “category of analysis,” Davis argues that the “ethnoconfessional model” has been adopted by actors in the region as elites seek to advance their influence within this framework. The ethnoconfessional model has been promoted by outside rulers—and adopted by dictatorially minded elites cynically maximizing their power—from Ottoman Lebanon to present day-Iraq.

For their part, the US and other Western officials are comfortable with the “ethnoconfessional model” because it absolves responsibility. Davis notes, “the ethnoconfessional model enables external actors, particularly the United States, to avoid taking responsibility for their contribution to the region’s problems...constructing Middle East politics via ethnoconfessionalism allow Western pundits and policy makers to create a

⁶⁶⁸ Lisa Anderson, "Policy-Making and Theory Building: American Political Science and the Islamic Middle East." In Hisham Sharabi (ed.), *Theory, Politics and the Arab World* (NY: Routledge, 1990), pp. 52-80.

⁶⁶⁹ Eric Davis, “Pensee 3: A Sectarian Middle East?,” in “Quick Studies: Question and Pensees,” *International of Middle East Studies* 40 (2008): 555

cultural hermeneutic in which the Middle East's ills become the sole responsibility of the regions peoples. Of course, such thinking serves the political needs of the regional elites, all of whom benefit from a structure of political power based on vertical identities that works to undermine cross-ethnic and cross-confessional political cooperation."⁶⁷⁰ In short, local big men also benefit from indirect rule or "vertical identities" of contemporary power-sharing. Even more troublingly, the "ethnoconfessional model of analysis" suggests "divided societies dilemma" along the lines of that rightly noted by Lijphart. He argued that there was the presumed contradiction between democracy and pluralist societies (the so-called "problem of plural societies") was used to justify colonial rule. Sectarianism and "institutional design" can be viewed as neo-colonialist discourse justifying military invasion and attendant social and institutional intervention.

In her contribution to the symposium, Julie Peteet notes, "Empire and colonial rule remap space, reassign temporality, and re-categorize and redistribute people as well as resources and wealth."⁶⁷¹ She goes on to adds with alarm that US personnel in Iraq are not only pouring over colonial era texts, but also reviving lost concepts such as "tribe" as the organizing framework for administering Iraq suggesting a deliberate neo-colonial policy of divide and rule. She argues, "tribes do exist, but they are being imagined and mobilized in ways that assume coherency and corporateness and a questionable vision of shaikhly power."⁶⁷² This, of course, recalls Mamdani's argument regarding the role of customary law and tribal assignment in the administration of "decentralized despotism." Indeed, Peteet's

⁶⁷⁰ Ibid, 555-556

⁶⁷¹ Julie Peteet, "Question: How Useful Has the Concept of Sectarianism Been for Understanding the History, Society, and Politics of the Middle East?," in "Quick Studies: Question and Penseses," *International of Middle East Studies* 40 (2008): 550

⁶⁷² Ibid, 551

assessment might be understated. US reliance on tribal sheikhs to enforce customary law in the absence of rule of law, suggesting that US administration is transforming contemporary Iraqi society in ways similar to British and French colonial rule in the 19th century.

In his contribution to the symposium, Makdisi—known for his work exposing the colonial construction of confessionalism in Mt Lebanon—shares these authors emphasis on imperial actors and selected domestic elites willing to work within this system. He similarly calls for greater theorizing, suggesting that “Instead of coming up with a universal theory of sectarianism, we should historicize and trace the evolution of specific sectarian arrangements, laws, institutions, and structures in the modern Middle East. Sectarianism, as I understand it, refers to a process—not an object, not an event, and certainly not a primordial trait. It is a process through which a kind of religious identity is politicized, even secularized, as part of an obvious struggle for power.”⁶⁷³

Yet, sectarianism is not just a colonial myth. Sects *do* exist—and they have for centuries. However, it is mistaken to view their relational configuration as timeless. As discussed in Chapter Five, in Lebanon Shi’a have often either been folded into “Sunni” or been constructed as rafizi or mitwali even within public institutions. It is only in the post-Taif order that the Shi’a have emerged as a politically relevant category. Therefore, the argument of a pure and permanent identity rings false. But so too do the claims by the Shi’a opposition that their political demands in “certification” (especially regarding the cabinet) are purely political, lacking sectarian content. These claims are based on group rights within the confessional system and are thus inherently sectarian. While they are aimed at changes to the

⁶⁷³ Makdisi, 2000: 559

political system, they are couched in group rights because the political system is organized around sects.

Similarly, the Alawi only emerged as a community claiming Shi'a lineage following French institutionalization, with the term "Alawi" coming into use only after 1920. Moreover, only after they were recognized as Shi'a by al-Sadr in 1973 and were they given seats under Taif in 1991, they organized with a personal status court in 1999. Thus, while the Shi'a and the Alawi claim a timeless and seamless heritage in Lebanon to claim rights, these groups are highly contingent on institutional developments. The same could also be said of "groups" in Nigeria.

On its face, the claim of permanence of the primary politically relevant groups in Nigeria might even be stronger: they are based on geography. And nothing is more fixed than longitude and latitude. However, even the groups of the North and the Middle Belt are recent in pedigree and contingent in construction. Although both the "North" and "Middle Belt" first appeared during colonial rule constructed alongside administrative institutions, they dissolved in the face of alternative institutional arrangements, notably state creation in 1967. However, these categories (and their respective organizations and webs of relations) emerged only after the period of 1994-99 when "Section" and "GPZ" became institutionally relevant categories. At the local level, the Jasawa have emerged as a group only in the 1990s, including such fundamentally disparate "groups" as the Hausa, Nupe, Kanuri and others. The example of the Jasawa alone proves the role of institutions in the process of group emergence. Yet, while examining the historically contingent and institutionally driven origins of groups in a continual process of identity formation, we should not overlook claims to

timeless groupness. Although empirically inaccurate, they nevertheless reveal the significance of claims in institutionalized group representation.

NEO-INSTRUMENTALISM

Many scholars have sought to incorporate Constructivist insights regarding identity into their work, especially following the illuminating 2001 APSA Comparative Politics Symposium.⁶⁷⁴ However, many of these works are crypto-instrumentalist. While paying due deference to Constructivism and reflexively repeating the axiom that “identities are multiple” these works quickly move into instrumentalist ontologies and epistemologies. Indeed, many of the methods chosen by these authors are ill-equipped for the demands of constructivist work. Indeed, trends within the discipline appear to be at odds. While Constructivism is (again) ascendant, so too are statistical methods and formal modeling. However, the later are based on epistemologies that are in contradiction with the ontologies of Constructivism.⁶⁷⁵ Even those works that do not employ rationalist epistemologies, they adopt implicitly rationalist ontologies.

Operating within a rational choice framework, neo-instrumentalism integrates some constructivist insights by seeing identity as multiple. However, it is instrumentalist in that it contends that cost-benefit analysis determines which identity attribute in overlapping sets become dominate under particular circumstances (especially institutional circumstances.) However, it differs from some of the older Instrumentalist works (e.g. Robinson) that it

⁶⁷⁴ “Symposium: Cumulative Findings in the Study of Ethnic Politics,” *APSA-CP Symposium* (Volume 12.1, Winter 2001)

⁶⁷⁵ Mark I. Lichbach, *Is Rational Choice Theory All of Social Science?*, (Michigan: The University of Michigan Press, 2003)

lacks and exclusively elite-orientation and focus on the manipulation of symbols and instead focuses more explicitly outlines the cost-benefit aspects of identity choices. While a welcome contribution, this approach integrates the analytical consequences of constructivism without incorporating the ontological insights of constructivism regarding the fluid (as well as multiple) nature of identities and thus provides only a partial explanation. Indeed, relational methodology—process tracing of mechanisms that examine the formation of boundaries among nested groups—is appropriately suited to answering the major question of constructivism: If groups can't be assumed, how are they formed?

Responding to this constructivist trend in his contribution to the symposium, “Constructivism and Consociational Theory,” Lijphart has sought to rescue consociationalism from the charge of undue fixity of groups. True to form, he argues that constructivism has supported—rather than challenged—consociational theory. To make his case, he outlines his theory “pre-determined” and “self-determined” groups developed to explain the apparently anomalous outcomes for Lebanon and South Africa. However, this account of “self-determined” identities still retains much of the rigidity of “group” identity which constructivist works have challenged. It likewise is instrumentalist in emphasizing choice between traits.

In his explanation of Lebanon, he argues that this “pre-determined” confessional system was problematic in that it was unresponsive to demographic changes, further marginalized the aspirations of institutionally excluded groups, and neglected the perspectives of those who either do not identify with a sect or desire a non-confessional

system (he gives the example of secular Shi'a). He suggests a prescriptive (rather than analytical) solution: to set up an “alternative which is necessarily somewhat more complicated...to set up a system in which the segments are allowed, even encouraged, to emerge spontaneously-and hence define themselves instead of being pre-defined.”⁶⁷⁶ Apart from the fact that Lijphart does not outline the operation of this mechanism, the fact is that “segments” do emerge spontaneously—the Shi'a are an emergent group from the Muslim category (represented by Sunni) at the founding of the republic and have increasingly sought independent representation as discussed in Chapter Seven. Yet, unlike this dissertation, Lijphart does not explain how this process unfolds.

In addition, with the exception of an acknowledgement of secular identity (more of identity by negation), the ontological assumption of coherent—rather than contingent (or more likely contending or and conflictual) groups—is retained in Lijphart's framework. In addition to not providing a framework for how this works in practice, he overlooks the fact that segments shift over time. The failure of power-sharing goes beyond non-incorporation of particular segments or non-adaptability of institutions. It sets in motion a politics of groups by which they will emerge and shift over time in response to the organizational foundations of the polity—ever stretching (or overstretching) institutions until they break leading to cycles of conflict and democratic breakdown.

⁶⁷⁶ Arend Lijphart, “Constructivism and Consociational Theory,” in “Symposium: Cumulative Findings in the Study of Ethnic Politics,” *APSA-CP Symposium* (Volume 12.1, Winter 2001) Lijphart's use of “segments” is reminiscent of one interlocutor's main complaint with group representation: “an orange has many segments.” (M.D. Yusefu, former Chairman of Arewa Consultative Forum, speaking of the North.)

Lijphart's own comparison of Lebanon and the Netherlands is perhaps more helpful. He contends that the Netherlands is a case of "self-determination." All schools—organized on both religious and ideological bases (Catholic, Calvinist, Secular Socialist, Secular liberal)—were to be funded on the bases of enrollments. Although the constructivist insight really rests in his passing remark about the ability to establish other schools, this is very different system the so-called "pre-determination" of groups that occurred in Lebanon. In these cases (as well as other post-colonial examples) power-sharing did not emerge from gradual elective school enrollments, but often brutal processes of polity reorganization for despotic rule, as discussed in Chapter One.

Although incorporating more constructivist insight in his discussion of South Africa, Lijphart also retains the crypto-groupness in institutional incentive structure garb here as well: that proportional representation (PR) led to the emergence of a variety of ethnic parties (e.g. Afrikaner National Party, Inkatha Freedom party) thus allowed for "self-determined" groups to emerge. Of course, these parties did not emerge as a result of PR—in the case of the ANC, they had a well century long history with Inkatha being promoted by the Apartheid regime as (an ethnically defined) counter balance. In short, the development of these parties cannot be divorced from the historical construction of their representative segments (and is certainly not a result of PR). Yet, perhaps the greatest issue is that the problem with the consociationalist power-sharing formula is not simply its reliance on "group" as an analytical category but also the allocative logic of institutionalized group representation that propels dynamism or cycles of conflict and democratic breakdown.

However, as other authors have argued,⁶⁷⁷ what makes South Africa distinctive is its decision to make a clear break with the structure of the polity based on groups, with a compromise transitional power-sharing cabinet from 1993-6, abolished in favor of a citizen based rights regime. In both cases, while Lijphart avers that “ethnic identities are very often unclear, fluid and flexible,” his operationalization of “self-determination” still rests on an idea of groupness, incentive structure, and the role of state-institutions in managing relations among these “groups.” However, the weight of evidence shows that the South African case is explained not by the adoption of PR but by the abolition of group rights.

In a more recent neo-instrumentalist work, *Institutions and Ethnic Politics in Africa*,⁶⁷⁸ Posner seeks to explain why certain dimensions of identity become more salient than others. "It seeks to account for when and why, given multiple axes of ethnic division in a society one cleavage becomes the basis of political competition and conflict rather than another. It builds its explanation by distinguishing between two distinct, but often conflated, processes: identity construction (the process through which the repertoire of political identities in society that might be mobilized is constructed) and identity choice (the process through which political actors decide to emphasize one identity from this set of potentially mobilizable social categories rather than another). I argue that the cleavage that emerges as salient is the aggregation of all actors' individual decisions about the identity that will serve them best, and that these decisions are constrained, first, by the option set from which the

⁶⁷⁷ Henrard, Sisk and Stefes

⁶⁷⁸ Daniel Posner, *Institutions and Ethnic Politics in Africa* (Cambridge: Cambridge University Press, 2005)

actors are choosing, and second, by the formal institutional rules that govern political competition, which makes some identities more advantageous than others."⁶⁷⁹

Posner contends that institutions "help to determine which ethnic cleavage becomes politically salient in two stages, and via two distinct causal mechanisms. First, they shape the repertoires of potentially mobilizable ethnic identities that individuals possess. That is, they determine why some of the myriad objectively identifiable bases of cultural difference in society come to be viewed as at least potentially salient, and why others do not. Second, they shape peoples' incentives for selecting one of these potentially salient ethnic identities rather than another, and then coordinate these choices across individuals so as to produce a society-level outcome. To borrow the metaphor of a card game, political institutions explain first, why players play one of these cards rather than another. They also explain why one player or set of players ultimately wins the game."

Although an important contribution to our understanding of both identity and institutions, the work overlooks two important elements of dynamism. The text treats both institutions and identities as more fixed than warranted. While important for the parsimony of making a readable variable-based argument, this approach leads to several lacunae and contradictions. There is no explanation for the emergence of institutions and indeed how these change over time. In particular, the change from one party rule to multi-party rule back to one party rule is entirely unexplained and simply treated as institutional incentive structures that determine identity choice: "(D)uring periods of multi-party rule, language group cleavages serve as the central axis of coalition building and political conflict in Zambia, whereas during periods of one-party rule, tribal cleavages play this role." It is

⁶⁷⁹ Ibid, 2

therefore necessary to examine the interaction of identities and institutions in which both are assumed to be unfixed, with an aim to explaining the causal processes that determine change in both.

While there is a useful and detailed discussion of colonial administration and the emergence of identities, Posner's examination of the construction of identity in Zambia stops there. After this period, he treats identity as fixed—moreover as components between which actors can shift. The particular putative identities that are the centerpiece of his argument are treated as both fixed and fluid which poses a challenging ontological contradiction for Posner's work. Their simultaneous overlapping nature makes the notion that one is linguistically defined then tribally defined nonsensical, especially when one is used as a marker for the other. "Social interactions and conflicts were viewed through a tribal lens in the village and through a linguistic lens in the towns and migrants viewed their world through each of these different lenses as they passed back and forth between the urban and rural domains."⁶⁸⁰

While it is unsurprising that identities shift the more aggregated features (in this case language) as the environment becomes more cosmopolitan, the simultaneity of identification poses problems for Posner's institutional switching argument. The evidence he garners in support of his thesis is ambiguous as to whether a clear category is indeed becoming salient. On a more fundamental level, it is not consistent in his identification of language and tribal identity: he switches back and forth between the treatment of Bemba as language and tribe. On page 98, Bemba is tribe "one man is a Bemba" and "some tribes (referring to Bemba) are

⁶⁸⁰ Ibid, 81

permanent" and on page 99 speaking of "Bemba speakers."⁶⁸¹ Indeed, the inherent difficulty of identification with additional endogeneity issues is noted by Posner himself, "Although both tribal and linguistic identities are commonly referred to as "tribal" in everyday social discourse--Zambians, like most Africans, almost never use the terms "ethnic group" or "ethnicity"--each designation refers to membership in a very different social-sized unit. Tribal affiliations identify their bearers as members of one of roughly six dozen highly localized groupings, whereas language group affiliations classify most people as members of one of four much larger coalitions."⁶⁸²

To put it differently—using Posner’s starting metaphor—rather than being discrete “cards” that are played at given moments, these are overlapping categories with fluid boundaries. It is more useful to think of wild cards, face cards, or aces in which the meanings and values can shift over time and in context. An ace paired with a face card is bound to be valued at as eleven in Blackjack although it will have a different value with other cards or in other games. This study outlines the rules for how actors value and combine cards in power-sharing games and how these combinations lead to inherently unstable outcomes as the rules invariably shift over time.

For example, this dissertation does not merely examine how Berom switch between their roles as Hausa speakers and Berom ethnics. It traces the institutionally contingent emergence of groups at all levels. In Nigeria, it traces the emergence of the North and Middle Belt. Even more significantly, it traces the creation and development of the Jasawa, an example of how an ace (Hausa) changes value when paired with a face card (Nupe) when

⁶⁸¹ Ibid, discussion 117

⁶⁸² Ibid, 115

played in a particular game, such as Blackjack (the institutionalized group politics of Jos North). In Lebanon, I traced the emergence of the Shi'a and the relationally varied construction from the early Ottoman period to the post-Taif dispensation. Even more significantly, I traced the origin and development of the Alawi, how it became an ace when paired with a face card (Shi'a) when played in a particular game, such as Blackjack (institutionalized group politics of post-Taif Lebanon).

Yet, perhaps the limitations of Posner's work specifically and neo-instrumentalist work generally owe to the limitations of the ontological-epistemological orientation. Another recent work is a working paper by Peter Lewis based on the Afrobarometer dataset. The paper accurately notes that identities change over time and suggest institutional performance and confidence in national and electoral institutions explain the relative salience of ethnic identities. The more confidence in national institutions, the less salient ethnic categories are. However, a strictly quantitative approach misses two important factors. First, it examines rank-ordered allegiance to given categories (which respondents are provided) over time. In the 2001 and 2003 surveys, randomly selected respondents are given a list of social or national identities to rank order. Although in the 2005 survey respondents were "asked to identify their tribe or ethnic group without offering other options for self identification."⁶⁸³ Neither rank ordering of fixed and given identities nor self-identification of a singular (and ethnic) category fit adequately accommodate the need to capture the fluid, multiple, contingent and overlapping nature of identities. Moreover, while between surveys we can see that at the aggregate level that identities shift (again, among survey provided

⁶⁸³ Peter Lewis, "The Durability of Political Goods? Evidence from Nigeria's New Democracy," *Afrobarometer Working Papers* 48

categories that in 2005 exclude options for religious or linguistic identification) but we don't understand how or indeed why. We also don't understand if the same individuals are shifting over-time and how they are shifting. Individuals may switch during elections, but how do group boundaries (that form the options between which voters can switch) form?

More importantly—and something not captured in Posner or Lewis's work—is how do group categories shift overtime? How does this process relate to changes in institutional categories over time? This cannot be explained through survey method. Indeed, these works show the limitations of variable-based quantitative methods and its underlying individualist ontology in uncovering the processes of identity boundary formation. These methods can only uncover electoral switching of individuals rather than the evolution of group boundaries. The ontology is compatible with surveys and statistical analysis,⁶⁸⁴ but the constructivist investigation of group boundary formation is approachable only from a political ethnographic method, as this dissertation has shown.

Similarly, also working within a rationalist tradition, but not from a neo-functionalist perspective but rather drawing on the rational choice insights of Tsebelis, Carl LeVan examines the impact of different institutional frameworks in Nigeria. In his draft manuscript, *Dictators, Democrats and Government Performance*, LeVan explains government performance in reference to underlying system that organizes the process. Instead of whether it is democratic or authoritarian, it is the number of veto players. LeVan argues that "Government Performance suffers when policy depends on agreement among too many players. Most models only apply veto players to democracies and only consider their effects

⁶⁸⁴ The same pitfalls affect the "constructivist dataset" Kanchan Chandra and Steven I. Wilkenson, "Measuring the Effect of Ethnicity," *Comparative Political Science*

on policy stability. I build on literature that extends the theory to different regime types and other policy outcomes. I then argue that veto players account for variation in the measures of performance used throughout this study: the level of "pork," the delivery of public goods, and the efficiency of government spending on pork."⁶⁸⁵ Significantly, LeVan argues, "By exacerbating bargaining problems, inclusive political institutions create incentives for the 'morselization' of policy and undermine the deliverability of goods."⁶⁸⁶ In this sense, his argument is similar to Wilkenson (discussed below) that as group-institutional matrix expands, governance becomes cumbersome and manageable.

However, while a very important contribution, it is unclear where veto players come from. There is a non-chorological determination of the number of veto-players under each regime, but the dynamics underpinning their emergence is not provided. Like Posner, LeVan provides no account for institutional emergence and thus fails to capture the ways in which institutions and groups are mutually constituted in politics based on institutionalized group representation. The work, however, does seem to suggest that the potential units are given and enduring (i.e. GPZ). If these given units aggregate during various periods causing different degrees of government effectiveness, the reasons for the aggregation are themselves unexplained.

Similarly, another neo-instrumentalist account of how institutional incentives is offered by Wilkenson in his book *Votes and Violence*. "My central argument is that town level electoral incentives account for where Hindu-Muslim violence breaks out and that state-level electoral incentives account for where and when state governments use their police forces to

⁶⁸⁵ Carl LeVan, *Dictators, Democrats, and Government Performance in an African Country* (2007): 2

⁶⁸⁶ *Ibid*, 3

prevent violence. We can show that these town and state level electoral incentives remain important even when we control for socio-economic factors, local patterns of ethnic diversity, and towns' and states' previous levels of Hindu-Muslim conflict."⁶⁸⁷ Put differently, he argues that if local elections are competitive, they are likely to become violent. Whether state-level elections are competitive will determine whether the potential for violence is contained or inflamed.

However, his focus is more on determining when existing identity fault lines will erupt into violence around elections. Yet, he does include some discussion of the origins of identity. Like Posner, he starts with the constructivist axiom of multiple identities, but argues these can become “activated” or, to use his phrasing “politicized.” Wilkenson challenges Lijphart on empirical rather than theoretical grounds, noting that he coded incorrectly. Wilkenson convincingly argues that Lijphart codes for consociation where there was none and likewise represents periods of calms as violent while missing episodes of violence. Thus, according to Wilkenson, causality was the reverse of what Lijphart argued.

Wilkenson likewise usefully reflects on the incentives for creation of units that these arrangements provide. He writes along the lines of Brubaker that, “Consociational power sharing’s fundamental problem is its assumption that identities are fixed.” He continues reiterating Chandra’s main argument in the 2002 Comparative politics newsletter, “This is at odds with one of the key findings of research into ethnic politics since the late 1960’s, that ethnic identities are multi-dimensional and oppositional.” He continues with the logical extension: “If we accept this finding it follows that we ought to develop a healthy

⁶⁸⁷ Steven I. Wilkenson, *Votes and Violence: Electoral Competition and Ethnic Riots in India* (Cambridge: Cambridge University Press, 2004)

skepticism about consociational power-sharing proposals premised, like the 1998 Good Friday agreement in Northern Ireland, upon the continuing existence of solid ethnic groups. Does it really make sense to grant a linguistic or caste group's leaders a particular share of jobs and political power, or a minority veto over future constitutional reforms when it is likely that identities will change over time and that cleavages within a group will emerge that will lead to new conflicts over the distribution of scare goods?"⁶⁸⁸

He goes further to suggest that the re-allocation of goods among groups will lead to conflict, citing the example of the Malas and Madigas over distribution of quotas. He also notes the "limits in feasibility" of unit creation, citing Nigeria and India state creation stating, "surely at some point, increasing the number of groups with proportional political representation, giving each group cultural autonomy, and providing each with a minority veto that allows them to block future changes will impose huge and unacceptable costs in terms of basic state capacities."⁶⁸⁹ Like LeVan, he argues that power-sharing leads to inefficiency and instability. Although he gives an inaccurate figure for Nigerian unit expansion (4-37) over independence, he rightly notes the inherent contradiction in the system and it's likely inevitable collapse due to conflict and inefficiency.

Yet, some reviewers have suggested that contradiction did not receive adequate attention, such as Johanna Birnir who notes, "As a result of the effort disconfirming consociationalism while providing such contradictory evidence about the merits of the idea, the profound insight that, given the current understanding of ethnicity as constructed and fluid any institutional mandates fixed around a particular ethnicity might not be appropriate

⁶⁸⁸ Ibid, 135

⁶⁸⁹ Ibid, 135-6

is not given the attention it deserves.”⁶⁹⁰ This dissertation has done that and moreover, has traced the process through which institutionalized group representation leads to conflict.

Moreover, the dissertation also traces the emergence of new ethnic categories as a result of institutional imperatives, not merely the demand for unit fractionalization by existing groups. Indeed, the conflict he cites between the Malas and Madigas are conflicts between two recognized castes over allocation of a position, not over creation of categories or even demands for new units. Finally, it should be emphasized that groups formation is not simply a process of fragmentation but can likewise be one of aggregation, as indicated in the move to “Section” and “GPZ” from state Nigeria and the movement back and forth between the larger Muhaafazah (and reorganizations among them) and the smaller *Qada* in Lebanon.

While some may contend that neo-instrumentalist approaches navigate the shoals of excessive constructivism and primordialism through its causal emphasis on interest-based “activation” of identity elements, there is an irresolvable ontological contradiction in an approach while emphasizes “switching” between limited and fixed categories as discussed below. Instead, this dissertation seeks to chart this middle ground with middle-range theory through explaining the process through which these identity boundaries emerge. It does so from the colonial period to present in two different cases: Nigeria and Lebanon. It shows not only that institutionalized group representation leads to the continual construction of groups, but also shows how it leads to conflict and democratic breakdown through opportunity hoarding, category formation (Imposition and Inscription) and certification. As

⁶⁹⁰ Johanna Birnir, Review of Steven Wilkinson’s “Votes and Violence: Electoral Competition and Ethnic Riots in India.” *Nationalism and Ethnic Politics*. 12(1): 6-11.

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Chapter Eight: Conclusion

such, it provides sobering counter-examples to the alarming trend of promoting power sharing around the globe.

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Government Documents

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