

Lebanese Youth and Electoral Reform

**The First Annual Report of the Cha'en Initiative
Youth Coalition for Electoral Reform**

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Foreword

This is the first annual report of Cha'en: The Youth Coalition for Electoral Reform, an initiative supported by the Lebanese Center for Policy Studies (LCPS). This report examines the initiative's activities in 2007, as well as the survey of youth's perspectives on the reforms proposed in the draft law produced by the National Commission on Electoral Law. The report also highlights the initiative's recommendations investigated in workshops organized across Lebanon, in order to present them to decision-makers and the Lebanese public.

Cha'en would like to thank its many supporters, particularly Partners for Democratic Change and the various Lebanese media outlets that have followed its efforts and activities from its establishment. Cha'en would also like to express its deepest gratitude to the committed volunteers who have made its success possible, with the hope that this report will provide the motivation to strive harder in working towards electoral reform.

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Introduction: Cha'en – The Youth Coalition for Electoral Reform

Within the framework of the Youth Coalition for Advocacy and Reform project carried out in cooperation with Partners for Democratic Change, the Youth Department at the Lebanese Center for Policy Studies launched in early 2007, a youth advocacy campaign in support of the adoption of a modern electoral law.

The initiative consists of three main components: youth, reform and elections; thus the name Cha'en, which in Arabic means *concern*, and is also the acronym for Youth Coalition for Electoral Reform. Cha'en aims to promote the participation of youth in public affairs by encouraging them to develop and implement advocacy action plans; it also strives to tackle the electoral issue from perspectives of reform and renewal.

The issue of electoral reform was chosen for the reasons outlined below:

1: Electoral Law as a Primary Means of Reforming the Lebanese Political System

The Lebanese political system is based on the notion of power-sharing between religious confessions; consensus acts a means of regulating power-sharing and, consequently, managing the countries internal affairs. The past few years have made it apparent that any objection to the power-sharing arrangement by participating actors, results in the paralysis of constitutional institutions such as the Presidency, the Parliament, the Constitutional Council, and the Council of Ministers.

Independent of an evaluation of the system's strengths and weaknesses, and in the absence of any real program to abolish political sectarianism, fair and democratic elections remain the surest means of avoiding political paralysis as they are often perceived as the ultimate means of resolving conflict. If the 2005 elections were based on fair electoral law with consequent effects on the political alliances and platforms, would Lebanon have avoided some of the crises it later faced—crises that are linked to questions of representation between a “fictitious” majority and a “numerical” minority?

2: Civil Society: From Awareness to Advocacy

In the first decade following the signing of the Taif Agreement, Lebanese Civil Society played an influential role in the formation of some public policies. The most important example is perhaps the “*Baladi, Baldati, Baladiyyati*” (My Country, My Hometown, My Municipality) campaign which through the advocacy of local elections, pressured the government to reverse its decision to postpone municipal elections.¹ The campaign provides an early example of how the role of Lebanese Civil Society changed from solely raising awareness to lobbying for reform.

¹ In April 1997, the Lebanese parliament voted, by request of the Prime Minister, to postpone municipal elections, from July 8, 1997 to June 3, 1999. On April 16 of that same year, civil society groups launched the campaign “*Baladi, Baldati, Baladiyyati*” (My country, My Hometown, My Municipality) throughout Lebanon. Following, 14 parliamentarians asked the Constitutional Council to review the decision to postpone the elections, subsequently resulting in the Council ruling the law void and unconstitutional.

3: The Involvement of Youth in Public Affairs and Advocacy

Lebanese youth have attempted to reform and change the reality of public affairs, though they are often excluded from the decision-making process. Believing that young people have an influential role to play, Cha'en worked with young participants in order to foster a sense of belonging to an influential effort that could transform their opinions and ideas into practical, concrete endeavors. A core team of young people who participated in various organized workshops was established; through the workshop process they learned to independently develop platforms, holding hebdomadal meetings to sustain the project. Furthermore, Cha'en maintained communication with young people in various regions throughout Lebanon, creating committees in each administrative circumscription (*Mohafaza*), who, in turn, organized a number of workshops themselves.

Given its positive effects on the development of public policy, the methodological approach outlined above impelled the Lebanese Center for Policy Studies to promote "decentralized" decision-making as an actual implementer of the principle of participation in decision-making.

4: Moving from Politics to Public Policies

In Lebanon, there is great focus on politics proper, with little attention paid to public policy, especially in social, educational and economical spheres. In order to draw attention to the importance of public policy, Cha'en engaged with youth to emphasize the need for their participation in the process of drafting policies, such that their roles not be limited to party politics. Public policy acts as a link between politics and elections, the latter of which are based on political platforms and represent competition amongst candidates seeking power.

5: The Formation of the National Commission on Electoral Law

The formation of the National Commission on Electoral Law by experts and civil society activists was an unprecedented event in the history of electoral lawmaking in Lebanon.² After being drafted by the government, electoral laws were submitted to a parliamentary vote, often drawing criticism that the laws were made to suit politicians' interests, which negatively impacted fair representation. Despite the controversies raised by the draft law submitted by the Commission, and though its conclusions are not binding, it did include several reforms, such as proportional voting³ and the lowering of the voting age, that were for the first time officially

² By virtue of decree N° 58 dated August 8, 2007, the government, headed by Fouad Siniora, created the National Commission on Electoral Law assigned with the task of drafting an electoral law to be submitted to the Parliament for endorsement.

³ The compound draft law states that 77 parliamentarians are elected according to a simple-majority vote while the remaining 51 parliamentarians are elected according to the proportional system.

submitted in writing. The written plan is advantageous to any advocacy campaign working with the electoral law, as it provides a base to use in the drafting of new propositions.⁴

Cha'en focused on the participation of youth in reform discussions to account for all opinions pertaining to the several reforms mentioned in the draft law submitted by the National Commission on Electoral Law, with the aim of developing a common basis of understanding that could expand into final recommendations for submission.

The five proposed reforms Cha'en focused on are:

- Lowering the voting age to 18 years;
- Adopting the women's quota system;
- Regulating media and advertising during elections;
- Allowing Lebanese living abroad to cast their ballots;
- Forming an independent committee to organize parliamentary elections.

Two essential issues that were unanimously adopted during the workshop process and which the participants deemed necessary in tackling any electoral reform process must also be mentioned; they are:

- The facilitation of electoral participation for people with special needs;
- The organization of elections on the same day to avoid the influence of one regional outcome on another.

It is necessary to address some questions pertaining to the motives behind the choice of the five aforementioned points, especially since many would expect the youth initiative to focus on advocating the adoption of proportional voting and the issue of electoral districting.

In light of the deep political division in Lebanon, Cha'en sought to find a common ground amongst Lebanese youth, thus avoiding such issues as the current electoral system and districting, which are controversial topics amongst confessional and political factions. It is important to mention that these issues were discussed in several workshops and conferences, resulting in a shared perspective regarding the reformist nature of the two issues discussed below:

- Electoral divisions constitute an essential part of the electoral reform process as they directly influence fair representation. Cha'en believes that the division of electoral constituencies should abide by the general constitutional principle of equal voting declared by the Lebanese Constitutional Council; this principle stipulates the need for electoral laws to uphold the principle of demographic balance as a guarantee of equal representation.⁵ It is important to mention that this principle is important in a Lebanese

⁴ Refer to www.elections-lebanon.org for more information.

⁵ Refer to Decree N° 2/96 dated August 7, 1997, which pertains to Law N° 654 dated July 12, 1997 (The Electoral Law Amendment).

context where it is necessary to respect sectarian balance amongst electoral constituencies to ensure the addressing of fair representation.

- Though this report does not make any recommendations regarding the proportional voting system, it is necessary to mention that the issue was part of Cha'en's platform from an educational perspective. Cha'en hopes to address this system in later stages, as it is beneficial in promoting political platforms beyond sectarianism and nepotism and in expanding the scope of representation within the Parliament.

Cha'en submits this report to those interested in public affairs. This report seeks to address the Parliament, as its role is essential to the establishment of a new electoral law. Cha'en will continue to target Lebanese youth in order to develop their understanding of electoral law and promote their role in the reform process.

Chapter One: Methodology and Action Plan

Since its establishment, Cha'en has worked towards a one-year objective by means of an innovative action plan. The organizational committee initially conducted research on electoral law in order to heighten an understanding of the electoral law and interrelated issues.

The greater part of the action plan, outlined below, was actualized except for the production of *Masrahiyyat al-Intikhabat*, a comedic play about Lebanese electoral conduct. Work on the play has begun though successive developments prevent its completion, which is tentatively scheduled for next year.

I: Youth Forums to Draft the Action Plan

Cha'en organized two forums in order to survey youth on proposed reforms and establish a base to be used in youth advocacy for years to come.

The first forum was organized at Le Crillon Hotel in Broummana, from December 15 to 17, 2006. On this occasion, young researchers gave presentations on electoral reform issues ranging from lowering the voting age to redistricting to proportional voting; specialists also discussed the draft law proposed by the National Commission on Electoral Law. As an outcome of three days of lectures and debates, the participants outlined five essential points adopted by Cha'en, to achieve minimum success while avoiding problematic issues that divide the Lebanese public.

It is worth mentioning that the first forum was held under tense political circumstances in which a faction of political parties were calling on the government to resign, accusing them of contravening the constitution and the Pact of National Coexistence. Regardless, Cha'en initiatives benefited from the ability of the young people involved to discuss electoral law regardless of the political conflicts developing in Lebanon; instilling confidence with in the youth that alternatives to the current *status quo* are available if provided with the right setting.

The second youth forum, also held at Le Crillon Hotel from March 8 to 12, 2007, was dedicated to further discussion of electoral issues, as well as promoting the action plan developed by the involved youth with the help of the organizers.

II: Launching the Initiative with Young Journalists and Civil Society Representatives

Since its initial stages, Cha'en has focused on the importance of communicating with the media, especially with regards to the involvement of young journalists in launching the campaign. A meeting was held at the Gefinor Rotana Hotel in Hamra on February 10, 2007, which focused on the importance of the media in propagating a culture of reform. In addition to introducing Cha'en's objectives, the meeting also stressed on the responsibility the media has in urging citizens to question their surroundings and maintain a spirit of critical thinking.

In addition to the media, Cha'en also contacted representatives of civil society organizations operating in various fields in Lebanon. A meeting was held at the Crowne Plaza Hotel on April 5, 2007, during which the action plan and importance of the initiative were discussed with the

overall aim of incorporating the participants' feedback into the project. The idea of networking with several associations in order to carry out workshops throughout the country was suggested at the conference.

III: Workshops throughout Lebanon

In order to communicate with young people from all confessions and political loyalties, as well as independents and non-academic individuals, Cha'en conducted workshops in various regions throughout Lebanon in cooperation with local civil society groups and associations.

Workshops were organized in the South, the North, the Bekaa, Beirut and Mount Lebanon, with the participation of Lebanese from throughout the country.

The principle aim of these workshops was to investigate young people's opinions on electoral reform. In order to achieve the mentioned aim, the methodological approach required that the organizers maintain unbiased positions in order not to influence those of the participants. The workshop organizers presented the five selected reform issues; the advantages and disadvantages were outlined, along with relevant, supporting information. Following the presentations, participants were divided into workgroups in which they discussed the five selected issues and proposed recommendations that were then generally discussed. This approach allowed the moderators to register various opinions, which constitute an important part of this report.

IV: Helou Sada al-Islah: A Concert

Under the aegis of Lebanese daily newspaper, *An-Nahar*, Cha'en organized a musical event "Helou Sada al-Islah," (*Nice is the Echo of Reform*) headlined by the traditional group *Sada* that played music of the Arab Renaissance. The concert was held at the Dawwar al-Shams Theater in Tayyouneh on July 14, 2007, and was attended by more than 300 people, despite the tense political situation at the time.

The relationship between electoral reform and music has often been questioned. Believing that reform knows no limits, Cha'en chose this means of action as it provided necessary exposure to a new audience to impart the importance of youth's commitment to public affairs to.

V: Youth and Electoral Culture Conference

With the aim of spreading and promoting electoral cultural amongst youth, and within the same framework of the various workshops conducted throughout Lebanon, Cha'en organized the "Youth and Electoral Culture" conference at the Al-Naas Al-Kabir Hotel in Bickfaya from August 2 to 5, 2007. The conference was purposefully organized in conjunction with the Metn and Beirut by-elections;⁶ thus foregrounding discussion on the legitimacy of calling for the convening of electoral committees as well as the media's role in the coverage of electoral events.

⁶ Following the vacancy caused by parliamentarian Pierre Gemayel's assassination, by-elections were organized in Metn pitting former President Amin Gemayel against Dr. Camille Khoury. Similarly, the Beirut by-elections were organized after the assassination of parliamentarian Walid Eido.

VI: The Website (www.chaen.org)

Cha'en designed a website dedicated to the promotion of communication with Lebanese youth in and others interested in electoral issues. In addition to workshop reports, several key references to Lebanese elections in Arabic, French and English can be found on the website.

The site also includes the "Electoral Watch" section, an archive of articles and analyses published in the local press since the launching of the website that aspires to become a key reference for students, academics and researchers interested in the topic.

VII: A Concluding Session

Cha'en published its first annual report in order to present the information gathered within the first year of its foundation and implementation of the action plan, to all those interested and involved. A special session will be held with the press and civil society representatives to present and discuss the report, with the ultimate aim of introducing its findings to key decision makers.

The Cha'en initiative worked closely with Lebanese civil society, calling for their participation in several conferences and the forum, "Promoting Youth Participation: Lowering the Voting Age," organized in the name of the United Nations Program on Electoral Reform. The forum, held at the Crowne Plaza Hotel on April 4, 2007, was attended by: Nawwaf Salam representing the National Commission on Electoral Law; Kamal Chayya from Youth National Policy; and Jamil Mouawad from Cha'en.

Cha'en organized another forum, "Promoting Women's Participation in Politics," attended by: Lynn Latti of Cha'en; Dr. Mona Hammam, the UNDP's Resident Coordinator; Ziad Barroud, member of the National Commission on Electoral Law; Amane Charani, president of the Civil Committee for the Follow-Up on Women's Issues; Aida Nasrallah, president of the legal commission in the Lebanese Council of Women; and Jounmana Merhi, vice-president of the Lebanese Women Democratic Gathering.

It is important to mention that the Cha'en initiative was selected as a success story in the "101 Stories to Tell Project," launched by the UNDP⁷. Cha'en's initiatives that were included in the project will be published in the 2007 National Human Development Report.

⁷ Refer to: www.nhdrlebanon.org

Chapter Two: Youth and Electoral Reform

As mentioned above, Cha'en discussed five proposed electoral reforms with youth from throughout Lebanon. The main opinions expressed by the participants on the proposed reforms are summarized below.

From the outset, organizers avoided adopting positions on the reform issues. The materials and documents distributed during the workshops presented data from around the world⁸ as well as opinions expressed for and against each of the five reforms. These latter were considered and discussed from various angles and final recommendations were drafted.

I: Lowering the Voting Age to 18

Most countries around the world have set the voting age at or around 18 years. Iran has set the voting age at 15 years, Brazil and Cuba at 16 years, and Sudan and South Korea at 20 years. The only two Arab countries that have set the minimum voting age at 21 years are Kuwait and Lebanon.

The issue of lowering the voting age has been a matter of interest for many Lebanese since the years predating the civil war. Lowering the voting age was a key demand of the Awareness and Change Movement in the 1970s, and it was also included in the transitory platform of the National Movement. The issue came to the fore again in the 1990s when political parties and civil society associations launched such initiatives as the 1997 Campaign for Lowering the Voting Age.⁹ In 1997, 96 out of 128 parliamentarians signed the voting age petition, but the issue was not submitted to a vote in the Lebanese parliament. Soon after, 17 parliamentarians submitted a draft law to lower the voting age to 18 years and the Commission on Administration and Justice found the draft law "a source of dissent and imbalance among confessions."

Article 21 of the Lebanese constitution stipulates that "every Lebanese citizen who has completed his twenty-first year is an elector provided he fulfills the conditions laid down in the electoral law." Lowering the voting age therefore requires amending the constitution and a two-third majority in parliament. Moreover, while "political responsibility" is set at 21 years of age, civil responsibility is set at 18 years of age. Article 215 of the Code of Obligations and Contracts (1932) stipulates that "every citizen who has completed his eighteenth year is eligible for commitment provided that his incapacity is not declared in a legal text."¹⁰ In other words, Lebanese youth at 18 years of age are held accountable at the civil and legal levels, but are forbidden to hold someone accountable at the political level before the age of 21.

⁸ In line with the promotional campaign, Cha'en distributed office stationery to the participants of the workshops, in addition to flyers in the shape of ballot boxes that introduced the campaign's objectives and action plan.

⁹ The campaign slogans included: "Young people: work, resist and vote."

¹⁰ Ineligibility is characterized by people devoid of the power of discernment, such as minors and the clinically insane. Political awareness is not a criterion of legal eligibility.

In the post-Taif era, the Lebanese parliament has not convened to amend the constitution in the interest of reforms. Successive amendments have rather remained limited to modifications of the presidency and its term of office.¹¹ Is the reluctance of the parliament to convene to lower the voting age linked to its rejection of other proposed reforms and longtime demands of large parts of Lebanese society, such as the adoption of the optional civil marriage law?

Discussion of the voting age drew the most attention from participants in the workshop sessions organized by Cha'en. Opinions often varied between those who refused to lower the voting age to 18 years and those who supported such an amendment. Rejection of the proposed reform stemmed from several reasons, including the inability of young people to make responsible and informed decisions, the susceptibility of young people to parental influence and manipulation by the political leadership as well as the general lack of civic education.

Participants who supported lowering the voting age argued that it provides an essential cohort of the population the chance to publicly participate in the development of the society. Following is a list of key observations made on the opinions expressed by youth during the workshop discussions:

- A substantial number of young people support lowering the voting age to 18 years on the condition that the move is accompanied with measures to develop the political awareness of this age group.
- Young people are not motivated by sectarian reasons to support or reject setting the voting age at 18 years.¹² The argument that links the lowering of the voting age to an “imbalance among confessions” did not resonate among the participants. While Lebanese politicians and spiritual leaders state demographic reasons as an obstacle to lowering the voting age, the young participants held an entirely different opinion. There was unanimous agreement on the fact that keeping the voting age set at 21 years only delays the supposed “sectarian voting” by four years at most.
- The main factor behind the rejection of lowering the voting age, resides in the lack of “self-trust” which has a direct impact on youth political behavior, since the majority of those who were against this reform, relate the voting process to awareness assuming that at 18 people are less aware.
- The most common reason cited to justify the rejection of lowering the voting age is a lack of political awareness among Lebanese youth.
- The last observation pertains to the extent of influence exerted by the action plan launched by Cha'en. Following the workshop discussions, young people often retracted their position

¹¹ The constitution was amended in 1995, to allow for the extension of President Elias Hraoui's term for three additional years. It was also amended in 1998 to allow for the election of President Emile Lahoud and again in 2004, to extend his term.

¹² The prevailing presumption in Lebanon, according to which Christian votes would be most affected if the voting age is lowered, may well be unjustified, especially as some Christian parties support such an amendment. For instance, the political report of the Unification and Renewal Convention, which was issued by the 26 General Convention of the Lebanese Kataeb Party on November 12 and 13, 2005, emphasized its “staunch support for lowering the voting age to 18 years so that the age of legal majority is compatible with that of political majority.”

against lowering the voting age, which demonstrates the importance of awareness-raising campaigns on influencing Lebanese youth.

Participation makes a difference in elections, and it is impossible to overcome the present electoral obstacles without granting this group the right and the means to participate. Lowering the voting age creates an incentive for politicians to take an interest in the demands and needs of Lebanon's youth.

II: The Women's Quota

More than 50 countries have adopted a women's quota in parliamentary elections: 18 countries have a *constitutional quota*; 33 have a *legal quota* set by electoral laws; and 161 parties in 73 countries have an *administrative quota* which political parties impose on their candidates.¹³ The adoption of the quota system, however, has not significantly increased women's participation in representative councils, as the proportion of women to men remains low, at around 16%, especially in the Arab world where it has not exceeded 9%.¹⁴

In Lebanon, women were granted the right to vote in legislative decree N° 6 on November 4, 1952. However, Article 21 of the aforementioned decree stipulated that only women with primary educational degrees could vote or run for candidacy. The condition of literacy was only lifted with the passing of the law of April 24, 1957, which established equality amongst men and women. Though women were granted the right to vote, their percentage of representation in the parliament was not significantly affected. The women since elected to the Lebanese Parliament have usually replaced voids created by the death or resignation of male relatives.¹⁵ Consequently, in 2007 Lebanon was ranked 123rd with regard to female participation in parliament, a step down from its position as 122nd in 2006.¹⁶

There has, however, been an increase of interest in the role of women in politics in a post-war context, which influenced the formation of the Parliament's Commission on the Rights of Women and Children in 2000, in addition to several civil society associations that support action within the political sphere. The National Commission's draft on the quota system addressed demands of fair representation by specifying the necessary number of female candidacy in elections.¹⁷ Article 64 of the draft stated that "every list in constituencies in which proportional voting is implemented should include at least 30% women among its members provided that decimals above 50 are rounded to the nearest hundredth." The implementation of this provision was given a timetable, as the same article stated that the provision "be implemented temporarily for three electoral rounds only."

¹³ Source: www.quotaproject.org

¹⁴ Source: www.ipu.org

¹⁵ The following list is of women elected to power due to their familial relationship to men in positions of power: Mirna al-Bustani (1963); Nayla Moawad (1990); Bahia Hariri (1992); Maha Khoury Assaad (1992); Nohad Soueid (1996); Ghinwa Jalloul (2000); Gilberte Zoueïn (2005); Solange Gemayel (2005); Strida Geagea (2005).

¹⁶ Source: www.ipu.org

¹⁷ The *candidacy quota* requires that a certain proportion of electoral lists be dedicated to female candidates, regardless of the electoral outcome. The *seat quota*, on the other hand, stipulates that a certain proportion of parliamentary seats be allocated for women.

The women's quota took on a polemical role within the workshops context, especially when emphasis was placed on the role of the women's quota in promoting the role of women in politics within the patriarchal structure of Lebanese society. The amount of support for a women's quota varied according to the participants' social and cultural background. In some regions outside the capital, such as Chtaura and Tripoli, young people, especially young women, insisted that a quota system was necessary to bridge the gap between men and women in politics and everyday socio-economic life. In workshops held in Beirut, in which most participants were urban dwellers with university backgrounds, reactions were mixed; in fact, female participants constituted the majority against the implementation of a quota.

It is important to note that female participants did express the belief that male domination of public and political life constituted an important obstacle to women's participation in politics. They believed this obstacle could only be overcome with recourse to quotas imposed "by a higher authority;" as the quota is independent of societal and cultural components and therefore represents a fair opportunity for women to engage in politics proper.

In most workshops, especially those held outside the capital, women mentioned the widespread belief that men are superior to women; following in the same logic, women cannot take part in politics as they lack in competence and capacity. It is important to mention that the participants that rejected the establishment of a quota did so on the grounds that men and women are equal citizens and therefore, no system is needed to ensure female participation in public life.

Other participants believed that the quota system would not be an adequate solution to the problem of female representation within the political sphere, as the problem requires a comprehensive solution pertaining to the general status of women in society. Therefore, the introduction of quotas should be preceded by, or occur in conjunction with measures aimed at promoting women's role in society.

At the end of the workshop series, it was concluded that a quota system need be implemented under the following conditions:

- Adopt a candidacy quota rather than a seat quota, since the latter option restricts electoral freedom;
- Preserve the quota's temporariness as proposed by the National Committee;
- Link the quota to proportional voting. If the quota is introduced within a majority-vote system, its effectiveness in representing women would be reduced;
- Within the framework of a proportional voting system, implement a "double quota" that requires every electoral list to be at least 30% female in its composition, and that a specified number of women on the lists hold advanced positions;
- Annul the preferential voting system since it makes it possible for voters to exclude women candidates from electoral lists by refusing to grant them preferential votes that would likely secure advanced positions in a proportional voting system.

Several technical points were raised as to the possibility of expanding quotas beyond just women. A proposition was made to replace the term “women” by the phrase “any of the two genders,” which is known as the “Gender Neutral Quota.”

Young participants mentioned that in order to raise awareness and consequently empower women in society, quotas need to be adopted in unions, parties and associations, and two separate parliamentary commissions need to be created for the rights of women and the rights of children, respectively.

III: Electoral Media and Advertising

The media greatly influence popular political opinions. Though legal restrictions theoretically prevent political parties from monopolizing the media in Lebanon,¹⁸ platforms are in fact distributed along sectarian and political lines.¹⁹ It is no surprise that these platforms are able to mobilize public opinion on the eve of elections, regardless of media charters.²⁰ The National Commission's draft law tackled the issue of regulating electoral media and advertising from an objective perspective. In fact, this sheds light the importance of media and advertising, especially with regards to their influence on Lebanese public opinion.²¹

Discussions held within workshops and conferences revealed youth's unanimous agreement that electoral media and advertising need be regulated. Most of the participants involved believe that official media outlets, divided along political lines, are not a credible source of information. It is, however, interesting to mention that most participants justified the biased methods of television stations corresponding to their own political affiliations by drawing on the partial approaches of opponents' stations in defense.

¹⁸ The last paragraph of Article 13 of the Audiovisual Media Law N° 382 issued on November 4, 1994, states that “no single person or legal personality is entitled to own, whether directly or indirectly, more than 10% of the total company shares. The husband or wife and both their ascendants and minor descendants are considered a single person.”

¹⁹ Some examples of media platforms associated with sectarian and political parties include: Future TV affiliated with the Future Movement; OTV affiliated with the Free Patriotic Movement; NBN affiliated with the Amal Movement; and Al-Manar affiliated with Hezbollah.

²⁰ The decision to close down MTV and Mount Lebanon Radio in 2002 was a blatant violation of freedom of media in Lebanon. The closure ruling in 2002 was based on Article 68 of the 2000 Electoral Law, which prohibits “political electoral advertising during the electoral campaign starting from the date on which electoral committees are called upon to convene until the elections are held and the final results are announced, under the threat of suspension and total closure based on a decision to be issued by the Press Court in the deliberation chamber.” The station was shut down on account of a news report that defamed “a key personality in the country.” In the report, the personality's propaganda posters were damaged by the rain and consequently discarded on the side of the road; the slogan accompanying the image read, “Where is this picture going? It slid to the asphalt and will be carried by sewage all the way to the sea.” Deemed defamatory to the involved public personality, the station was forced to close down.

²¹ Refer to Section II, Chapter V: On Electoral Advertising, of the draft law, available in English, Arabic and French at: www.elections-lebanon.org

The below mentioned incidents are worthy of mention as they are indicative of the media's pervasiveness:

- In a workshop held at House of Arts (Bayt Al Fan) in Tripoli²², the coffee employee asked to participate in a debate on the role of media and advertising in electoral campaigns. He proposed the creation of a television station dedicated to elections only. Just as other private stations create temporary subsidiary channels; this station would air programs for the three months of campaigning leading up to the official announcement of the results. Cha'en supports this recommendation, providing that the station is supervised by the Independent Committee for the Monitoring and Organization of Elections and abides by the Media and Advertising Law mentioned in the draft presented by the National Commission on Electoral Law.
- The media's biased coverage of the by-elections was indisputably noticed by the participants of Youth and Electoral Culture Conference held in Broummana on August 5, 2007, in conjunction with the Beirut and Metn by-elections. For instance, an opposition station aired events from Bteghrine, the village of an opposition supporter, Michel El-Murr, while another pro-government station aired footage from its base at former President Gemayel's house. Underlying meanings differed from one station to the next, as the information and statistics conveyed were intentionally harmful to the opposing bloc.
- A portion of the conference was dedicated to discussion on the Lebanese Shura Council and the Constitutional Council. The final verdict concerning the contested judicial ruling to hold by-elections in the Metn region was debated; as was the extent to which the verdict was in accordance with French jurisprudence. According to the aforementioned ruling, the Shura Council did not have the right to investigate the legality of the call for elections, as the matter falls under the jurisdiction of the Constitutional Council. Recent French jurisprudence deemed that the Shura Council was in fact able to carry out the inquiry though criticized by renowned scholars of public law. In short, the ruling issued by the Lebanese Shura Council avoided engaging domestic political divisions and contravened recent French jurisprudence though in accord with most of the French doctrine.
- On the eve of the election, a participant received an SMS from a candidate's campaign that gave the address and phone number of an electoral center. The participant contacted the center, under the guise of a supporter with no means to reach the polling station. The participant was given various alternatives that went beyond the offering of transportation. Following this incident, Cha'en suggests that SMS advertising should be banned at least two days prior to the day of election, due to their ability to influence voters by offering roundabout incentives.

IV: The Out of Country Vote

²² Date: 15 of April 2007

For centuries, Lebanon has witnessed waves of compulsory and voluntary global migration. In the post-war era there has been an increase in the number of young people who have emigrated in search of better economic opportunities. According to unofficial statistics, the number of Lebanese residing abroad is somewhere between 4 and 15 million, out of which only 1.22 million are official Lebanese citizens.²³ These varying numbers indicate that a large proportion of emigrants have not obtained citizenship for themselves or their immediate family. In addition to legal and procedural obstacles related to the obtainment of citizenship, the phenomenon might be explained by the lack of incentive to reconnect with the country, especially since political rights are not acknowledged.²⁴

It is worth noting that the out country vote is a logical extension of the general right to vote enshrined by most international human rights doctrines.²⁵ Article 21 of the Lebanese constitution does not specify any conditions regarding voters residing in or outside of the country.²⁶ However, successive Lebanese electoral laws have restricted the right to vote to Lebanese nationals residing in the country. The draft law prepared by the National Commission on Electoral Law includes a chapter on the right of nationals outside of Lebanon to vote, with specific regard to registered nationals whose names appear on electoral [lists](#).²⁷

Relevant public debates have not tackled the out country vote from the perspective of political rights; they have instead engaged other problematic issues related to sectarian balance and understanding of domestic political affairs.

Some participants showed concern regarding the issue of sectarian imbalance in political representation, as the number of Christian emigrants is believed to be higher than the number of expatriates from other sects. Internal debate soon revealed that this argument is not necessarily valid since confessions more or less have equal influence, preventing an actual imbalance in electoral results. Furthermore, it is important to mention that many Lebanese nationals of various confessions have recently migrated abroad, especially to the Gulf region due to market demand. In this respect, special emphasis should be placed on granting the out country vote to nationals whose names are on electoral lists and not to all people of Lebanese descent, as the number of voters registered in Lebanon is trivial in comparison to the Lebanese diaspora.

²³ Refer to: “Lebanon in Numbers in Ten Years (1992-2002)” (Arabic), Information International, Beirut, 2004.

²⁴ The criterion for granting Lebanese citizenship is paternal “blood kinship” (*jus sanguinis*). Lebanese women are not entitled to pass on their nationality to their children except in the case of naturalization decrees, such as N° 5247 issued on June 22, 1994, due to discretionary state measures.

²⁵ Most international human rights declarations and doctrines do not mention the out of country vote. However, some texts, such as Article 21 of the *Universal Declaration of Human Rights (1948)* equate the right to vote as a right to equality. The only international text that explicitly mentions the out country vote is *The International Convention on the Protection of the Rights of All Migrant Workers*, promulgated by the United Nations on December 18, 1990. The convention declares that migrant workers and their families have the right to exercise their political rights outside of their country, calling on member states to adopt the measures needed to guarantee that their citizens exercise this right.

²⁶ Article 21 of the constitution stipulates that “every Lebanese citizen who has completed his twenty-first year is an elector provided he fulfills the conditions laid down in the electoral law.”

²⁷ Refer to Chapter VI, Section II, articles 115 to 117 of the draft law submitted by the National Commission on Electoral Law.

Many participants deemed it logical to restrict voting rights to Lebanese nationals residing in the country, arguing that emigrants are not familiar with domestic affairs, are not in direct contact with the candidates, and do not pay taxes; consequently, expatriates should not be entitled to choose representatives in Lebanon. This argument was called into question as many participants believed that authorizing the expatriate vote yields incentive to engage in Lebanese domestic politics, while simultaneously urging candidates to build their electoral campaigns on general political platforms, rather than exclusively on partisanship and clientelism. According to this vein, granting the right to vote to citizens outside of Lebanon helps develop their ties to the country and helps keep migrant youth in contact with Lebanese political parties and movements; in turn, reform advocate groups could be formed in countries with a large percentage of Lebanese emigrants.

The most important suggestions extrapolated from the workshops and conferences regarding the expatriate vote are as follows:

- Establish a clear difference between official Lebanese citizens and those who do not hold the Lebanese nationality, i.e. peoples of Lebanese descent;
- Restrict the right to vote to Lebanese nationals residing abroad and whose names are registered on electoral lists;
- Allow citizens residing abroad to vote in their electoral constituencies according to electoral lists;
- Allow citizens residing abroad to vote via Lebanese embassies and consulates around the world, provided they register at the diplomatic delegations two months prior to elections;
- Refrain from linking the right to vote to conditions, such as visiting Lebanon within a specified timeframe or paying financial tariffs.

V: The Independent Committee for the Organization of Elections

Many countries have permanent committees, comprised of members who cannot run for parliament, that manage the organization of elections and provide guidelines to voting citizens.²⁸ This is considered a democratic measure that guarantees the impartial organization of elections by ensuring no conflict of interest between those entrusted to secure the election's integrity and candidates who seek victory.

In Lebanon, the Ministry of the Interior organizes elections; which begs the question as to its neutrality in electoral rounds, as the Minister of the Interior is often the head of an electoral list, a candidate or an affiliate of a political party. The National Commission draft law suggested the establishment of an independent committee²⁹ to oversee the elections, "in order to secure the

²⁸ Source: *Electoral Management Bodies Around the World*, http://www.elections-lebanon.org/elections/docs_6_G_1_1a_9.aspx#_ftn1

²⁹ For more information on the National Commission's proposal, refer to: *Chapter II: On the Independent Election Committee* of the draft law, www.elections-lebanon.org

correct implementation of the principle of neutrality and integrity in the organization of elections and keep the electoral process away from the political power's influence.”³⁰

The participants of Cha'en's workshops unanimously approved the establishment of an independent committee to monitor and organize elections. The participants stressed the importance of establishing a committee, separate from the Ministry of the Interior, that is guaranteed both financial and moral independence. Many comments were raised as to the committee members' autonomy and ability to resist political pressures. In order to avoid internal corruption, it was proposed that an international advisor be appointed to oversee the committee and monitor its activities. Other suggestions included granting members of past committees advisory status, as well as having committee members train the heads of polling stations. Participants also emphasized the committee's need to abide by its main democratic principles, with any violation leading to legal action and punishment by law.

³⁰ Source: Report of the National Commission on Electoral Law submitted on May 31, 2006 www.elections-lebanon.org

Chapter Three: Special Recommendations for Electoral Reform

Elections should always be monitored to allow for reform, as is the case in democratic countries in which “independent electoral committees” play an essential role in the observation and study of electoral practices before and after actual elections.³¹ The main objectives behind such initiatives are to empower representative democracy, upholding the principle that “the people are the source of all power,” and to uncover less obvious factors that also impact the integrity of elections.

Several discussions with youth and parliamentarians, such as Salah Honein and Ghassan Mokheibar, allowed for Cha’en to propose the following three recommendations necessary for electoral reform:

- Comprehend the roles of parliamentarians;
- Reinstatement of the constitutional council;
- Understanding the voter’s responsibility.

I: Understanding the Role of Parliamentarians

The Lebanese system is a parliamentary one as the Parliament, the legislative power elected by the people, plays an essential role in running the country’s affairs. Parliamentarians have several responsibilities, which include the election of the president and voting on draft laws.

Lebanese parliamentarians are generally considered to both maintain a social function and provide services ranging from employment opportunities to infrastructure. However, the mentioned characteristics are rarely related to the parliamentarians’ legislative role within the parliamentary system. Understanding the role of parliamentarians is important to electoral reform for two main reasons:

- Parliamentarians are essential to the adoption of electoral law as they vote on draft laws in Parliament;
- Fair representation is not only limited to fair electoral law. Other factors play a role, such as the reasons that influence the advocacy of one candidate over another. If the role of parliamentarians is solely limited to providing services, select elites from powerful families or with considerable financial funds would be elected to Parliament. If competence to promulgate laws and legislation were given precedence over other criteria, the trend of elected representatives would change.

As the role of parliamentarians is poorly understood by citizens and candidates alike, a culture of corruption has emerged, explaining the absence of political platforms even within political parties. It is worth mentioning that not limiting electoral expenditure has caused a recent increase in the number of businessmen and wealthy individuals amongst parliamentarians, to the detriment of candidates of other fields.

³¹ For examples of independent commissions in the United Kingdom and Canada, refer to www.electoralcommission.org.uk and www.elections.ca respectively.

According to Article 24 of the Lebanese constitution, parliamentarians are elected:

- 1-based on a proportional vote amongst geographic regions;
- 2-based on equal representation between Christians and Muslims;
- 3-based on proportional representation amongst confessional groups within each religious community.

Article 27 of the constitution states that “a member of the Chamber represents the whole nation [and] no restriction or stipulation may be imposed upon his mandate by his electors.” It can therefore be inferred, at least from a theoretical perspective, that a parliamentarian elected for regional or confessional reasons still represents Lebanon as a whole. The parliamentarian’s agenda should therefore transcend sectarian and regional confines to include the entire country. Because the current reality is not what it should be, it is necessary to ask the question: *What is the role of a Lebanese parliamentarian?*

A parliamentarian’s role is based on three essential functions: legislation, controlling the government and discussing the budget.

The legislative process is the parliamentarian’s primary responsibility. A legislator must submit, examine and discuss draft laws and then proceed to vote so that they become binding for all citizens. Every Lebanese parliamentarian should join parliamentary commissions in which draft laws, propositions and other issues are discussed according to the commission’s area of specialty.³² This procedure is standard, unless the Rules of Procedure stipulate initial submission to the entire parliament.³³

Controlling the government is achieved through a Q&A session defined in the parliament’s Rules of Procedure (Section III: Parliamentary Control). Since governments are usually formed by coalition, the Parliament tends to contribute to the protection of the government, ignoring its primary role of control.

Parliamentarians play an essential role regarding the discussion of the budget. According to Article 43 of the Parliament’s Rules of Procedure, “Members of commissions are informed of the general budget draft as soon as it is submitted to the parliament. The Finance and Budget

³² There are 16 commissions in Lebanon. According to Article 21 of the Parliament’s Rules of Procedure dated October 18, 1994, a parliamentarian does not have the right to “be a member of more than two permanent parliamentary commissions, except when the third one is the Human Rights Commission, the Women and Children Commission or the Information Technology Commission.” The parliamentary commissions include: The Finance and Budget Commission; The Administration and Justice Commission; The Foreign Affairs and Expatriates Commission; The Public Works, Transportation, Energy and Water Commission; The Education, Higher Education and Culture Commission; The Public Health, Labor and Social Affairs Commission; The National Defense, Interior and Municipalities Commission; The Displaced Affairs Commission; The Agriculture and Tourism Commission; The Environment Commission; The National Economy, Trade, Industry and Planning Commission; The Information and Communication Commission; The Youth and Sports Commission; The Human Rights Commission; The Women and Children Commission; The Information Technology Commission.

³³ Source: Article 26 of the parliament’s Rules of Procedure dated October 18, 1994.

Commission issues—at least two days beforehand—compulsory calls for parliamentary commissions to attend the sessions during which the budget pertaining to their activities is discussed. Members of these commissions take part in discussions, submitting propositions and voting.” According to Lebanese custom, budget discussion sessions evolve into political debates that eventually lead to the budget’s ratification.

II: The importance of the Constitutional Council

The most important amendment the Taif Accord introduced to the Lebanese constitutional system is the establishment of the Constitutional Council. According to Article 19 of the Constitution, the Constitutional Council is established “to supervise the constitutionality of laws and to arbitrate conflicts that arise from parliamentary and presidential elections.” Hence, elections are bound to a legal framework that helps ensure their integrity. The duties of the Constitutional Council were laid out in law N° 250 of July 14, 1993.

The Constitutional Council’s ability to investigate complaints filed after parliamentary elections is of special importance, as it is linked to several aspects of the electoral process. As previously mentioned, parliamentary elections are not limited to Election Day alone; they include periods prior to and after the specified date. Jurisprudence confirms the Council’s right to investigate the legality of candidacies and the voting process; which, for example, constitutes checking the accuracy of voter rolls, ensuring voters are not subjected to intimidating factors, and inspecting the vote count to prevent tampering.

The Constitutional Council is the only legal reference that can contest the electoral process; the integrity of the electoral process is highly dependent upon it. The Council was established in part to abolish the parliament’s role of contesting the electoral process, as experience proved that this role was ineffective. The Constitutional Council’s absence endangers the integrity of any electoral processes as it means there is no referee to investigate the electoral contestations.

The elections of 11 members to the current parliament, 10 after the death of parliamentarian Edmond Naïm, have been contested. The absence of the Constitutional Council has made it impossible to determine whether these contestations are in fact valid. Regardless of the political tension distinguishing this particular issue, the need to reinstate the Constitutional Council must be stressed in order to reassure candidates and citizens that their votes and positions cannot be manipulated.

III: The Voter’s Responsibility

The individual’s electoral alignment and behavior are defined by a number of criteria that include family, party, creed, political platform and financial factors.

The post-war elections in Lebanon have revealed the following four patterns of electoral behavior: supporting traditional leaderships; supporting ideological leaderships (religious or

military); voting according to economic and financial factors; and supporting movements with comprehensive reform platforms.³⁴

A clear indication of the hegemony of primary loyalty³⁵ exists to the detriment of electoral platforms. In the post-war era, parliamentary elections have been devoid of electoral platforms; public policies and laws that could benefit the development of society have been entirely absent.

Blame must not be placed on the political class alone, as the political class is a group elected by the people, who play the primary role in choosing their representatives. Given that citizenship is a duty as well as a right, all citizens are responsible towards society and the State. Voters should be aware of their role in any electoral reform process, especially since the Lebanese Parliament governs the country for four years, issuing laws that are likely to dictate the country's future for decades to come.

The most important role to be played in the electoral process is by the citizen, particularly the youth generation. The voter has a responsibility towards the integrity of the electoral process as outlined below:

- Vote, file for candidacy, lead and be involved in electoral campaigns;
- Resist all financial incentives that influence on electoral behavior;
- Organize elections based on a spirit of citizenship that begins with understanding the importance of elections in the development of public policies;
- Be aware of the needs to have an electoral program and accountability in successive elections;
- Understand the actual role of parliamentarians;
- Prioritize electoral platforms.

³⁴ Refer to: Abdo Ka'i, "Electoral Commitment and Behavior: Civic and Partisan Dimensions," in *The 1996 Parliamentary Elections and the Democracy Crisis in Lebanon* (in Arabic), joint work (Beirut, Lebanese Center for Policy Studies, 1996).

³⁵ Examples include belonging to a specific confession or to a family with political heritage.

Chapter Four: Promoting Youth Participation in Spreading the Culture of Reform

The Cha'en initiative was launched in the midst of political circumstances that have divided the country into two camps, thus directly impacting the electoral behavior of Lebanese youth. The greatest challenge Cha'en confronted was proving its objectivity to the young people in order to avoid having the initiative and its reforms labeled as politically biased.

Time and again, media coverage depicted the initiative's triumph over these obstacles. This was achieved by focusing on finding common ground between the participants to use as bases in tackling more difficult issues of electoral reform. Having attained this goal, attention was focused on the importance of elections in the development of public policies as well as youth's participation in the electoral process. Young participants welcomed the fact that elections and electoral law reform were viewed as serious attempts to reconstruct the political system. Cha'en managed to monitor youth opinion vis-à-vis electoral reforms by organizing workshops in various Lebanese regions, many of which were negatively affected by the recurrent security incidents over the past year, leading to the postponement of some workshops and cancellation of others.

Cha'en's observations with regards to the youth's role in electoral reform are summarized below:

- At first glance, it appeared that young people were not well acquainted with the debates pertaining to electoral reform; these debates include the women's quota, lowering the voting age, granting Lebanese nationals abroad the right to vote, monitoring media and advertising, or establishing the independent committee. Indeed, they often directly linked electoral reform to the apportionment of electoral districts without delving into other issues. Nevertheless, after the debates were held, it was revealed that the young people had clear and outspoken opinions regarding the aforementioned topics of debate.
- Politically affiliated youth participants had not had the chance to discuss electoral reforms within their parties, though they were proud of their political loyalties and enthusiastically participated in the public activities organized by their respective political parties. The lack of internal communication with respect to electoral reform, is an indication of poor partisan education.
- The participants' opinions were clearly influenced by the media, as they often repeated what they had heard in media outlets. This confirms the need for programs that raise youth awareness with regards to various issues, including electoral reform, making neutrality and objectivity its aim.

The opinions expressed in this report reflect those of a given section of the Lebanese youth. While not exhaustive, they undoubtedly highlight young people's opinions, experiences and desires with respect to electoral reforms. This experience is just one serious endeavor aimed at shedding light on this age group, given its essential role in the promotion of reform. This project calls for building a conscientious youth in order to renew political life and give rise to new political elites with reformatory objectives. Rather than being limited to elections, the goals

should extend to initiating judicial reform, implementing administrative decentralization and other aims that are not yet on the agenda of the current Lebanese political forces.

Chapter Five: Media Coverage of the Cha'en Initiative

As mentioned earlier, the Cha'en initiative was launched in a meeting with young journalists as they prove essential to the propagation of a culture of awareness. It is thus not surprising that broadcast and print media outlets played a key role in Cha'en's activities.

Cha'en benefited from television coverage on several programs: "Aalam As-Sabah" on Future TV; "Sabahou l-kheir ya Lubnan" on Télé Liban; and a phone interview with Saïd Ghorayeb and Maha Yehya of NBN.

This chapter includes excerpts from the media coverage of Cha'en's numerous events and activities.