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Consociationalism is Dead! Long Live Zombie Power-Sharing!

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Abstract
Scholars argue that consociationalism has become the preferred institutional tool of choice for the international community when seeking an end to civil war. This paper argues that consociationalism is increasingly becoming redundant as an institutional apparatus to end violent conflict linked to intra-state conflict. Over the last few decades divided societies have been subjected to consociational influence. In many places consociational institutions have long since ceased functioning in a way that is healthy for the body politic, yet somehow consociationalism remains dominant both for policy prescription and in academic thinking. While consociationalism was once understood by institutional designers to be transformative, facilitating a transition to a less sectarian system, the reverse is true. Rather than transformation and change, consociations tend to develop ossified properties rendering them resistant to practically any reform. Summoning the image of the zombie, I note that consociationalism is ‘dead but dominant’ and has to defend itself through increasingly authoritarian statecraft. Consociationalism is thus neither dead nor alive, but walking dead, listlessly stumbling from one crisis to the next. Each crisis is experienced contingently with the feeling that something could happen – that something could change – very soon, even as routine prevails in the face of an increasingly defensive state.

Introduction
In an apt allegory, the Marxist geographer Jamie Peck (2010) described the contemporary global condition, wrought through constant crises of capitalism and austerity politics, as ‘zombie neoliberalism’. Peck describes zombie neoliberalism thus:

The brain has apparently long since ceased functioning, but the limbs are still moving, and many of the defensive reflexes seem to be working too. The living dead of the free-market revolution continue to walk the earth, though with each resurrection their decidedly uncoordinated gait becomes even more erratic. (2010:109)

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In essence, Peck captures a situation in which neoliberalism is ‘dead but dominant’ and has to defend itself through increasingly authoritarian statecraft. Neoliberalism is thus neither dead nor alive, but walking dead, listlessly stumbling from one crisis to the next. Each crisis is experienced contingently with the feeling that something could happen – that something could change – very soon, even as routine prevails in the face of an increasingly defensive state (Stanley 2013).

Overextending Peck’s metaphor helps us think of its appositeness for illuminating the current state of consociationalism. As Paul Dixon’s (2020) and Ibrahim Halawi’s (2020) contributions to this special feature suggest, consociational institutions in many places have long since ceased functioning in a way that is healthy for the body politic, yet somehow consociationalism remains dominant both for policy prescription and in academic thinking. In Northern Ireland, power-sharing has only recently been restored after being in abeyance for three years, with the crisis of Brexit providing the most recent excuse for the state of exception to be applied (Nagle 2018a). Lebanon’s institutions are marked by constant rounds of collapse and dysfunctional governance. Power-sharing in Bosnia and Iraq is, at best, on life support. Moreover, to borrow an image from Hegel, ‘the Owl of Minerva’ now hovers ominously over consociationalism. Since Iraq in 2005, there has at best been only one new consociational agreement to stop a civil war – South Sudan’s – in 15 years, despite major conflagrations in Syria, Yemen, and elsewhere. As Steven Heydemann (2020) notes in this collection, the prospect of consociational pacts being forged in Syria, Yemen, or Libya appear remote.

Power-Sharing Zombified

The zombification of power-sharing can be detected further. While consociationalism was once understood by institutional designers to be transformative, facilitating a transition to a less sectarian system, the reverse is true. Toby Dodge’s (2020) contribution to this special feature underscores how consociational power-sharing arrangements are frequently hammered out under duress, often when communal violence is pervasive and there is a greater need for stability than performance. Rather than transformation and change, consociations tend to develop ossified properties rendering them resistant to practically any reform. As Bassel Salloukh et al. (2015) detail with forensic insight, Lebanese consociationalism has become even more corporate, inveigling itself into every ‘nook and cranny’ of state and society relations in the postwar era. While the 1989 Ta’īf Agreement promised the deconfessionalization of Lebanese society, sectarianism has become ever more entrenched (Nagle 2016a). Take for instance the quota system for public sector jobs, which was once reserved only for the upper echelons of the bureaucracy but now extends into positions at the lowest level (Salloukh 2019a). As such, zombie power-sharing devours and drains the lifeblood out of the body politic.

Zombie power-sharing means that it is almost impossible to change, reform or accommodate new policies, especially for non-sectarian issues and identities.
(Nagle 2016b). It is undoubtedly true that the system makes it extremely hard for non-sectarian groups to gain significant concessions from the state’s institutions. As Tamirace Fakhoury (2019) shows, only modest policy reforms have been leveraged in respect of women’s rights in Lebanon, despite the existence of major internationally supported feminist NGOs. Furthermore, some of these policies, such as in relation to domestic violence, are currently under threat of being reversed in the parliament. Even less is conceded to movements demanding better rights for migrant workers, refugees, or for greater accountability on corruption.

The same situation confronts movements demanding public services. Only a fraction of laws passed in the last nine years relate to the citizenry’s concerns in various domains such as health, water, or employment, while parliamentary debates have dedicated more attention to issues regarding sectarian representation and security. Laws have either stalled in the parliament or calls for reform have failed to gain traction. Indeed, as one scholar notes regarding the efforts of non-sectarian movements, at best they have forged ‘preliminary institutional reforms and policy successes’, mostly ‘within the lower levels or trenches of the bureaucracy’ (Kingston 2014:1). These changes have been ‘difficult to sustain and have failed to translate into fundamental changes in institutional practice let alone shifts in the dominant patterns of state-society relations in post-war Lebanon’ (ibid.).

To connect back to Peck and link up with Halawi’s critique of consociational power-sharing as counter-revolution, it should also be noted that postwar consociationalism was always neatly bound up with neoliberalism. Power-sharing pacts, by their nature, permit disaster capitalism at its most rampant, evident in the withdrawal of the state as the main producer of public goods and a system which oversees the expropriation of public resources. Numerous pieces of research on the political economy of Lebanese consociationalism highlight how the concept of the ‘allotment state’ (dawlat al-muhasasa) is used by the various sectarian elites to carve up the state for their own economic benefit. The weak state is deliberately maintained to ensure that many Lebanese citizens remain clients of their respective zu‘uma, or leaders, especially when it comes to accessing basic services such as healthcare (Leenders 2012).

Yet despite the zombification of power-sharing in divided societies, it remains hegemonic, and scholars and policy-makers continue to promote consociationalism. Indeed, as Allison McCulloch and Joanne McEvoy contend in this collection (2020), consociationalism has become the preferred institutional tool of choice for the international community when seeking an end to civil war (McCulloch 2014). The fact that consociationalism is failing in many places but continues to be seen as the dominant technology of peacebuilding means that it is incredibly hard to reform. Just as zombie neoliberalism relies on authoritarian statecraft to maintain itself, especially as its hegemonic status is challenged, the same can be said in many societies where consociationalism is used.
Dodge’s contribution underscores the largely intra-sectarian violence perpetrated against peaceful protesters in Iraq in the name of consociational arrangements. Similarly, in Lebanon sectarian elites have made consociationalism into a security issue, in which any attempt at change is seen as threatening to undermine the civil peace and the pact of coexistence which underpins power-sharing. Thus, even attempts at moderate reform in relation to women’s rights have been suppressed, since this is constructed by sectarian elites as a threat to security. As Carmen Geha (2019) notes, maintaining sectarian ‘stability’ (istiqrar) provides an excuse for sectarian leaders to stymie the claims of non-sectarian groups.

**Challenging the Hegemony of Consociationalism**

All forms of hegemony, however, are contingent; consent is given only when it makes sense to the public. As we can see in the current wave of protests in Lebanon and Iraq, and also the citizen protests in Bosnia, citizen consent is fast waning. Scholars and media pundits rightly point out how citizen frustration with the current dire economic situation and lack of government services and accountability is driving citizen protests (Salloukh 2019b). It is not only these protests that are driven by economic issues, however, but also a realization by the citizenry that the power-sharing system represents the reproduction of inequality. Consequently, feminists and LGBTQ activists play an instrumental role in the protests. This is no surprise, because in many ways the protests/revolution are also profoundly non-sectarian challenges to the sectarian power-sharing order in Lebanon (Nagle 2018b).

The hegemony of Lebanese power-sharing works on the belief that sectarian groups exist as homogenous entities. Yet this obscures the layered diversity within society; a suture runs through these groups along the seams of class, gender, sexuality, and many other things besides. The system, by its nature, is paradoxically holistic and asymmetrical. It is holistic in that it seeps into and captures all political and social issues and frames them as subjects fundamental to the maintenance of security and peace. At the same time, sectarianism distributes its effects unevenly across different social groups. It positions women as bearers of inferior rights respective to men while LGBTQ people are violently denied all rights, and it sustains inequalities between socioeconomic classes. For many others, such as the millions of Syrian and Palestinian refugees and migrant workers in Lebanon, the system consigns them to the status of non-citizens, completely denuded of their rights. It is for these reasons, a Lebanese feminist and LGBTQ activist explained to me, that:

If you want to look at the sectarian system, you have to look at it from an intersectional perspective. You have to look at it in terms of how it affects your social class, your economic class, your race, your ability, your sexuality and if you look at that you will see how the layers are created.

(Interview October 2017)
If we are to examine the pitfalls of Lebanese consociationalism, then, we need to consider the many forms of inequality that it engenders and which bind together state and society relations. Through applying an intersectional analysis of Lebanon’s sectarian system, we can consider the multiple pinpoints through which it reproduces inequalities while simultaneously leaving itself open to contestation. While sex, gender, and class represent the foundations of Lebanon’s sectarian system, they simultaneously expose choke points where the sectarian structure is exposed and threatened. Struggles against racism and for class-based economic redistribution, gender equality, and rights for LGBTQ people, refugees, and migrant populations provide battle lines where it is possible to challenge the grammar that sustains sectarianism and a range of social inequalities. In a celebrated piece of graffiti that adorned a wall in Beirut’s downtown area during a series of protests against the state’s sectarian leaders in 2015, the linkages between some of these issues were starkly illuminated: ‘No Homophobia, Racism, Sexism, Classism’.

The hegemony of Lebanon’s zombie consociationalism has been eroded in recent years through the work of non-sectarian activists working at multiple points of the system. Indeed, if we think in the Gramscian sense of hegemony as a battle of terrain, then class, gender, and sexuality represent key areas where the legitimacy of the system has been challenged and even undone. While today’s protests appear spontaneous and revolutionary, they are also the product of at least a decade’s worth of activism by non-sectarian actors. This activism, rather than spectacular and public, has challenged the effects of power-sharing by seeking to make the system inoperative in certain ways. This is not always revolutionary politics, designed to bring about an alternative political system; it is a form of politics that comes close to what the Italian philosopher Giorgio Agamben (2014) has theorized as ‘destituent’ power or resistance.

Destituent Acts of Resistance
‘Destituent’ resistance does not necessarily aim to replace existing structures of governance; it is instead ‘a force that, in its very constitution, deactivates the governmental machine’ (Agamben 2014:65). Destituent resistance is expressed in the type of activities that make governmental apparatuses inoperative by evading, nullifying, and rendering powerless the practices and techniques mobilized by sovereign authority. Destituent resistance opens up new ways of turning techniques of government so that they are unable to execute efficiently what they were originally intended to do. Through the deployment of destituent power, social movements not only ensure that dysfunctionality is caused to the system’s governing mechanisms, but they aim to be in some way ungovernable. A destituent act of resistance is not obviously intended to oppose the institution. Rather than ‘lead a frontal attack against it; the gesture neutralises it, empties it of its substance, it takes a step aside and watches the institution expire’ (The Invisible Committee 2017).

There is a paradox here, however: the more that sectarian power-sharing in Lebanon has expanded through zombification, the more ways that activists have
sought to deactivate and render inoperable its sectarian power. The work of LGBTQ activists is instructive in this regard. Article 534 of Lebanon’s Penal Code, which criminalizes ‘sex against the order of nature’ (mujama’a ‘ala khilaf al-tabi’a), is directed at the LGBTQ population, and it carries a maximum one-year jail sentence. Expressions of non-conforming gender identity are further prosecuted under several other articles regulating public morality and decency, particularly in relation to drug use and prostitution (Nagle 2018c).

Lebanon’s consociational system provides absolutely no access point for LGBTQ rights. All of the main sectarian parties are publicly homophobic. It is a futile exercise for activists to try and leverage decriminalization through the parliamentary system. Therefore change does not come in the form of forcing the state to create binding policies, such as agreeing to decriminalize homosexuality; there is simply no opening in the system to permit tangible and enduring statutory and legislative reform. Instead, activists mobilize to expose loopholes in the law, ambiguities and contradictions, so as to render, in some instances, homophobic and sectarian power and practices inoperative. But because these gains only rarely, if ever, translate into formal policy, it means that any progress is revocable and subject to violent backlash and reversal.

This destituent resistance is evident in how LGBTQ activists have worked with members of the legal profession not to sentence people charged under Article 534. On at least five occasions, different Lebanese judges have rejected prosecutions of people according to Article 534, on each occasion increasingly narrowing the legal logic of Article 534. Rather than see these failed prosecutions as the product of judges’ individual whims and discretion, it is better to understand them as the result of templates formulated and disseminated by LGBTQ rights activists. These templates have allowed judges to use technicalities and loopholes to throw out cases. The legal basis of ‘nature’ which underpins Article 534 has been systematically questioned and rejected by judges. In one celebrated case the presiding judge explained to the court that ‘sodomy is not punishable by law’ as the country’s penal code did not specify what ‘kind of relationship can be considered contrary to nature’ (Diab 2019).

**Conclusion: How Do You Kill a Zombie?**

It may come as a surprise that I am a proponent of consociationalism, though a critical one at that. It is my belief that such systems provide important forms of conflict management in the aftermath of civil war and intra-state conflict. However, when it comes to Lebanon and other divided societies, the issue is how to stop the process of zombification. One of the main problems in relation to zombie power-sharing is not just the evisceration of the state; it is its incapacity to reform and transform. How is it possible to generate reform and rights within a sectarian system that is deliberately constructed to withstand reform? As we currently see in Lebanon and Iraq, this tendency towards stagnation does not necessarily lead to sectarian conflict, as many doom-mongers predict, but rather to new forms of revolutionary post-sectarian
political expression. The task for consociational proponents is to see such protests and uprisings not as pathologies unconnected to power-sharing, but as important warnings and signals for them to rethink the design of power-sharing institutions in the aftermath of intra-state violence.

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