

St. Aloysius Gonzaga Jesuit Community

19 Eye Street, N.W. / Washington, D.C. 20001 / (202) 842-1650

March, 1983

REPORT ON VISIT TO LEBANON BY RAYMOND G. HELMICK, S.J.

The visit lasted from December 28, 1982, to January 28, 1983. It was a time when the hostilities of the previous summer had largely ceased, though there was continued communal fighting in Tripoli and in the Shuf. Clearance of ruins and the demining of areas in Beirut was getting underway. The first sessions of the Lebanese-Israeli-American talks were being held.

The purpose of the visit was to gain an understanding of the internal conflict in Lebanon, particularly of the anxieties, frustrations, and ambivalences it might contain, and to initiate a dialogue with the various participants. As a result of the visit, RH feels he now has this initial understanding of the political-social situation of Lebanon. It will have to ripen through much further conversation with Lebanese. This kind of interpretation is not intended simply for publication, as if it were for RH himself to make such an interpretation on his own, but for development through a process in which the many Lebanese partners to the discussion are participants. This present paper, therefore, will be circulated back to those in Lebanon with whom RH spoke, and he hopes for their critical assessment of it. While some publication and public discussion, of a modest and tentative character, might already be possible after this first visit, RH judges it preferable to let such activities wait until those persons have made their response to this report and he has had the opportunity to speak with them again on a second visit.

An added result of the visit is the beginnings of a concrete project in the area of legal anthropology. This is only a concept at this stage and will need much further development before it is clear that there is something viable in it that would be valued by people in Lebanon. But it has been discussed, as a possibility, with a number of significant persons in Lebanon, and has drawn an initially favorable response.

Circle of Contacts.

RH had valuable access to people through the fact that he stayed at the Jesuit Residence attached to the Université St. Joseph in Beirut. The Jesuits there, both French and Lebanese in origin with a scattering of Americans already known to him, were in several cases themselves significant figures and/or relatives of leading figures, and they were more than helpful in arranging meetings. RH had a letter of introduction from Cardinal Medeiros of Boston to the Maronite Patriarch, Cardinal Khoraihe. The Patriarch granted him a lengthy and most helpful meeting. In addition, RH had introductions to many others who had been of great help to people in the various American aid organizations (Oxfam, International Rescue Committee, etc.) in their effort to understand the

political context, and these opened the way to many further contacts in different communities.

The process was to speak first with a circle of intellectuals, many of them professors at St. Joseph, the American University Beirut, and the Lebanese University, who were perceptive observers of the scene; then with a number of persons who were formative to the ideological positions of the various communities; next to persons active in the political and, in a couple of instances, the military activities of these communities. The U.S. Embassy's political officer made himself available for a useful meeting, having heard from Mr. Nicholas Veliotis that RH would be in Beirut. And once the legal anthropology concept began to take some shape in his mind, RH made a point of seeing law professors and the policy-makers of the universities. A further level of meetings was suggested by several contacts, namely with the heads of the great families who hold leadership in their communities and with the President of the Republic. However, RH judged it better to let these meetings wait for another visit, when these persons would have had the chance to see in writing the results of this first visit, and when the idea of the legal anthropology program would be better explored and set down in a preliminary way on paper.

Understanding of the Lebanese Situation.

RH's still tentative interpretation contains these main elements:

1. The setting, how Lebanon makes sense as a unit.

The first thing those committed to the concept of Lebanon want understood is the meaning of the Lebanese Mountain, Mount Lebanon, and this is little understood outside Lebanon itself. In fact, the mountain is only one of several interdependent areas of the geographical Lebanon, and geography here has an unusually strong influence on the character of the society.

The country consists of a long mountain ridge which, throughout its history, has been a place of refuge for communities under pressure, and the Mediterranean littoral with its port cities. These relate to each other. The mountain refuge has always concentrated population density that needs an outlet. The coastal cities, with their openness to as much world as has been accessible at any given period, have provided that outlet, a high level of commerce, and a technological superiority over neighboring countries at any given time. Along with these there is the valley of the Bekaa, the necessary breadbasket of the country. Attempts to separate these at various times in history have always led to backwardness and intolerable population pressures in the mountain, lack of hinterland for the cities. The cities of the littoral put Lebanon in the position of commercial and cultural link between the Near Eastern region and a wider, primarily European and Western, world, giving it essentially the character of a service area to the region. The refuge character of the mountain has always meant the need to build a plural society, and that has become a most consequential element in Lebanon's value to the rest of the region.

There is more to be said of the geography and the resultant character of Lebanese society. For 2,300 years of its history, Lebanon functioned as part of a larger area, the classical Province of Syria, in which it was joined to the present Syria and the Southern areas of Palestine (present Israel) and Jordan. This political configuration was always maintained for the administrative convenience of larger empires: the conquests of Alexander; the Empires of the Seleucids, the Romans, and the Byzantines; the Ummayyad, Abbasid, and Fatimid Caliphates; the Ottoman Empire. A second line of entrepot cities, stretching North-South parallel to the cities of the littoral but inland of the mountain ridges and along the edge of the desert, lived in interdependence with the Lebanese coastal cities at times when a great part of the regional trade travelled in overland caravans. The area of present-day Syria shares with Lebanon, though to a lesser extent, the character of confessional and ethnic diversity that is so special to Lebanon, but has never had the success in building an open and pluralist society that Lebanon has consistently striven for and sporadically approached.

Even in the time of the many successive empires Lebanon tended often to separate out from the rest of the Syrian province, in pursuit of enough independence or autonomy to let it construct such a pluralist society. Occasionally, at times of particular inter-ethnic or inter-confessional tension, the Mountain area, with its special refuge character, has become a fortress, separate even from the littoral and the Bekaa. Such a period, by Ottoman decision, extended from 1842 to the end of the First World War. At the fall of the Ottoman Empire, an aspiration of particularly the Muslim population to construct an independent State in the whole of the classical Syrian province, in service of a pan-Arab nationalism, was frustrated by the conflicting imperial ambitions of Britain and France. The tensions that have led to civil war and devastating internal weakness in Lebanon in recent years stem from the conflicting aspirations of a Lebanese nationalism and a pan-Syrian or pan-Arab nationalism, fueled by a disappointment in the Islamic or more consciously Arab part of the population at the failure of post-Ottoman Lebanese society to deliver on its promises of a genuine pluralism and a service to the wider region.

2. Outside pressures.

Predictably enough, in its time of acute internal weakness, Lebanon has been subjected to maximum pressure from outside interests. The question arises naturally, which is to blame for the present critical state: the internal troubles or the external pressures. The answer has to be that Lebanon lives in a region of many societies which are themselves under extreme pressure, but that Lebanon's particular vulnerability and the fact that it is made the victim of everyone else's troubles stems from its own internal weakness as a society. That society is one of great value in itself and to its neighbors, and deserves a chance to survive. It is most proper, therefore, that the international community do whatever is in its power to ensure the survival and strengthening of Lebanon. But there is no saving Lebanon, or no chance for Lebanon to withstand the pressures put upon it by its troubled neighbors, if the Lebanese do not strengthen the internal fibre of their own society.

Lebanon has been made the excuse of the other Arab countries for their own impotence in the face of the problem of dispossessed Palestinians: they have expected, even required Lebanon to deal with the problem on behalf of all the Arab countries, placed the blame on Lebanon for failure, settled the Palestinians on Lebanon beyond the capacity of Lebanon to host and cope with them. Lebanon is also made the Israelis' excuse to do nothing about the Palestinians at home: Israel claims to deal with the Palestinians abroad, crushing them in Lebanon rather than coming to terms with them at home. These pressures make the handling of the problems native to Lebanon itself all the more difficult, all the more so now that the pressure takes the form of actual military occupation by both Syrians and Israelis. Lebanon needs the opportunity to separate off its own internal problematic from these external pressures, and at the same time will not be able to negotiate with the external forces unless the Lebanese themselves achieve a minimal level of cohesion. To help create such an opportunity for Lebanon would, on the part of the international community, be a service to Israel and the Arab countries as well as to Lebanon itself.

It is important to understand that the most important external pressures being exercised on Lebanon come from the other countries of the region, rather than from the major powers further afield. This is not to make excuses for the major powers or to declare them innocents in the embroiled Middle Eastern conflict. But the pressures of the major powers are exercised on Lebanon's neighbors rather than directly on Lebanon itself. It would be a tragic added injustice if the major powers themselves were now to take advantage of Lebanon's weakness and use Lebanon as a pawn in any power game of their own, but that seems less likely than that Lebanon be still exposed to pressures from the neighboring states.

3. Communal self-understanding.

Lebanon has, officially, seventeen recognized minority confessional communities, each accorded its proportional place in elective offices and civil service posts. Both the justice of the proportional formula and the validity of maintaining such a formula at all have been under challenge throughout the eight years of civil war. The Palestinian refugees, a clearly recognizable community themselves with many confessional differences among them, are not included among those seventeen, and are distinct from the rest in that they have not made a choice to make their life in Lebanon. (Other groups who are refugees from cataclysmic events elsewhere in the region, such as the Armenian refugees from the massacres in Turkey early in the century, or the great proportion of the Greek Orthodox and Greek Catholics who fled to Lebanon when the Syrian province of Antioch was handed over to Turkey by the French colonial administration on the eve of World War II, have in fact become thoroughly Lebanese.) While the several communities of Orthodox and Catholic Christians -- Greek, Syrian, Armenian Orthodox and Catholics, Roman Catholics -- are counted separately among the 17 minorities, the few Protestants, of many denominations, are counted together, and there is no distinct counting of the many Shia Muslim sects. For the purposes of this account, the four groups with the main influence in the State -- Maronite Christians, Sunni Muslims, Shia Muslims, and Druze -- will be emphasized, with the other Christians grouped together and the Palestinians seen as a distinct community among themselves.

One perceptive Lebanese observer distinguished the confessional communities into tribal and non-tribal groups. The distinguishing characteristic he pointed to as constituting a tribe was paranoia, and he described as tribal in this sense the Maronites, the Shia Muslims, and the Druze. The Palestinians, coming into Lebanon under massive threat and living under constant pressure, became an instant tribe in this sense. The other communities, described as non-tribal, were given the designation "civic," and among them the Sunni Muslims and the large community of Greek Orthodox were given pride of place. But the events of recent years, this observer felt, were driving even these communities into increasing paranoia and hence a "tribal" pattern. These designations, "tribal" and "civic," were not meant as pejorative or approving judgments, as the threats these groups have perceived to their existence or cultural integrity have been deeply felt. RH, with his interest in the anxieties and ambivalences that contribute to the dynamics of conflicts, found the distinction a helpful one, and hopes to treat these anxieties with sympathy.

a) The Maronite Christians have a strong sense of themselves as the origin and carriers of the concept of a plural society in which all ethnic and religious communities have equal rights and access to the benefits of the State. They express this as the spirit of the Mountain, the traditional place of refuge. Finding themselves now in the strongest position in the State (though under all the burden of military occupation by neighbors), they feel themselves custodians of the Mountain spirit, and tend to distrust all the other communities as potential threats to it. When, under a late stage of Ottoman rule, their Mountain state was separated from the littoral and the Bekaa, they were a great majority in it, sharing power with the smaller Druze community. Now the Maronites have a strong sense of what parts of Lebanon belong to this smaller Mountain state and what parts do not, and tend to distrust especially those from outside the Mountain.

The Maronites feel threatened particularly by Islamization, the reconstituting of their society under Syrian or other Muslim domination that would enforce the Sharia, or Islamic Law, according to which Muslims alone form the basic community (umma) with responsibility for the society as a whole, and the others are only "protected peoples," dhimmi, literally those "on the conscience (dhimma)" of the Islamic community, who have protection rather than rights in the society. The Maronites are quite aware that the Islamic conscience has been rather more delicate, through history, than the consciences of many other peoples toward the communities under their protection, but they are not willing to settle for any such position in the State. In protecting themselves against this expected threat, the Maronites appear to many in the other communities to be establishing a comparable domination of their own. They distrust the other Christian communities in Lebanon as people accustomed to living under the Sharia system, who, they fear, will not put up any adequate resistance to a new attempt to impose it.

The Maronite community has contributed greatly to the emergence of a modern Lebanese society. It was they, in the 18th and 19th centuries, who broke the mold of feudal society, first liberating their peasant class and bringing them to a high level of prosperity, and then building a post-feudal commercial class, which now holds primary power in their community.

This commercial class incurs all the odium attached to "bourgeoisie," especially in a society like Lebanon's that still has enormous social differences, the poor being not Maronites (whose peasant class retains its prosperity), but the Muslims, particularly the Shia of Southern Lebanon and the Bekaa, who never participated in the social liberation of the Maronite areas.

Throughout their history, the Maronites have looked to the Christian West for protectors -- the Byzantines, the Crusaders, eventually the Western colonial powers, especially the French. Now they find themselves, though of basically the same ethnic stock as the other Lebanese, alienated from the Arabic solidarity and aspirations of these other Lebanese. The Maronites feel themselves rightly aggrieved at the refusal of the other Lebanese to recognize or accept the Western values that they have acquired through this history, and which present some of the most important opportunities for the whole of Lebanese society. (Curiously enough, the other Arab countries around them place a much higher value on the Western qualities of the Maronites and the Lebanese State than do those Lebanese who feel themselves smothered by the Maronites.) Their Westernization is a fact, and needs to be accepted by the others, though it is the Maronites themselves, by their conduct toward the others, who must win this acceptance.

It is customary for the Maronite leadership to preach to the rest of the confessional communities that they must be Lebanese, must accept their membership in Lebanese society and not be working to bring it down. The test of the viability of Lebanese society will really be whether or not the Maronites themselves can be Lebanese, and not merely Maronite; can be sharing and trusting members of a Lebanese society, respectful of the Arab character of their fellow Lebanese, and true defenders of the pluralism that it is their profession to uphold.

b) The other Christian communities -- Greek Orthodox, Greek Catholic (Melkite), Syrian Orthodox, Syrian Catholic, Armenian Orthodox, Armenian Catholic, the few Roman Catholics and Protestants -- are less numerous than the Maronites, and for the most part are more accustomed through their history to living submissively in Muslim-controlled societies. They value the pluralism and relative freedom they have in Lebanese society, and are more inclined than are the Maronites to see the society created in Lebanon as a model of pluralism offered to the other Arab countries. They would not be willing to return to the Sharia system, but they do tend to keep their heads down in Islamic society. Their confessional communities, unlike that of the Maronites, extend widely through the other Arab countries, and they have strong fears now that the Maronites may over-reach and bring the house down for themselves and all other Near Eastern Christians.

These communities have contributed distinctively to the underlying Lebanese ideal of a free and pluralist society. Particularly the Greek Orthodox, the largest of these groups, have led in the intellectual effort to constitute that ideal society, and the principal intellectual father of this Lebanese ideal was a Roman Catholic, Michel Chiha. The Armenians, a small minority, have established themselves as a particularly effective political force in Beirut, where a surprising number of the small shops are theirs.

Around 1970, in the context of a world-wide atmosphere of nascent ecumenism among Christians and a general Middle Eastern atmosphere of sympathy for the Palestinian cause, Lebanese Christians undertook what they understood as a crusade: to build up the pluralist society of Lebanon, in close cooperation with the Palestinians, as a model for the secular non-confessional state in all of Palestine that they hoped would replace the Jewish confessional State of Israel. Their essentially generous impulse betrayed them. It threw a sheen of legitimacy over making Lebanon a base for military incursions into Israel by the Palestinians, thus exposing their own people, especially the impoverished Shia Muslims of Southern Lebanon, to crushing Israeli retaliation. It failed to appreciate the peculiar trauma of the Jews, who have too long a history of being the scapegoats and victims of the worst violence in the supposedly pluralist societies of the West. And it diverted Lebanese attention from the civilizational function of such a pluralist society as they aspired to build, which is a service to the whole Middle East. The Maronites distrusted, from the start, any plan that would expose Lebanon to such military retaliation as it has since suffered, and this crusading idea of the other Christians drove a wedge between the Maronites and them. The failure of the enterprise has now left the other Christians bewildered, uncertain of themselves, without a sense of the direction of Lebanese society, and in a general state of anxiety, in which they see dangers wherever they turn: dangers from the Maronites, dangers from the Palestinians, dangers from Israel, dangers from the West. They feel themselves part of Arab society, but have a sense of anger and enmity from the Lebanese Muslim communities and the Arab countries around them.

c) The Druze, like the Maronites, have lived in refuge on the Mountain, whose rugged terrain protected them from the wrath of the Muslims who regarded them as heretics. In the 17th century, under their Emir Fakhreddin II, who built up an important autonomous area much larger than the present Lebanon, the Druze designed and implemented a State that embodied the equality of rights and access that the Maronites understand as the spirit of the Mountain and their own invention. The Druze believe themselves, too, to be the inventors of the Mountain in this political sense, and are bitterly aggrieved to feel themselves shut out from equality in Lebanese society. A minority (though long the ruling minority) even in the smaller state that consisted only of the Mountain, they are a small minority now, but prosperous and with a sense of their dignity and historic importance.

The much admired pluralist State that the Druze leaders built in the 17th century was feudal. The Druze have come out of feudalism in a different way than the Maronites. As people of the Mountain, their peasants shared in the 19th-century liberation of the Maronite peasantry, and as a small, elite warrior society, they enjoyed higher social standing in any case. The great feudal families have remained major factors in Druze society, but have accepted the necessity of holding their place by merit and responsibility rather than by hereditary right. Particularly the Joumblatt family, under the leadership of Kamal Joumblatt (assassinated in 1977), this social responsibility took the form of distribution of the family lands, espousing the cause of the poor and dispossessed (Muslims for the most part, especially the Shia and, of course, the Palestinians), and eventually taking a leading part in the direction of the civil war. The Druze, and the Joumblatts, now live under a cloud in Lebanon, feeling

their very existence threatened, and one of the pockets of continued military insurgency is in the Druze heartland of the Shuf, just South-east of Beirut. The social idealism of the Jounblatts remains one of the great needs of Lebanese society, but they and their community have now a greatly reduced voice.

d) The Shia Muslims descend from groups that have always resisted the centralizing power of the Caliphate and other regionally dominant empires. Syria and Lebanon, as strongly tribal areas, have been the seeding ground for such anti-centralist forces in Islam. Now the Shia sects, living in the Southern Lebanon areas that have been the scene of heavy battles between Palestinians and Israelis especially since 1970, in slum areas of Beirut and in the Bekaa, are the most conspicuously dispossessed group in Lebanon apart from the Palestinians.

Their charismatic leader of the early 1970s, the Imam Musa-al-Sadr, won great affection and the respect of other Lebanese confessional communities as spokesman for the dispossessed. As part of his activity, he built up a substantial paramilitary militia, the Amal, designed not for an attack on Lebanese society but for the defense of the Southern Lebanese villages against Israeli retaliation raids. This militia of course became embroiled in the Lebanese civil war. In the aftermath of the war the Imam, on his way to Rome, by way of Libya, for a meeting with Pope Paul VI, disappeared under mysterious circumstances. His socio-religious movement represented one of the most serious efforts to date to bring the spiritual riches of Islam into the forum of the pressing problems of the contemporary world. Wherever one travels in Shia Muslim areas of Beirut or Southern Lebanon, one sees his picture displayed in windows, on the walls of buildings, in large oil paintings hung above the streets. His people feel orphaned without him and his spirit remains an important force among them.

The Shia of Southern Lebanon are largely tobacco farmers, but in contrast to tobacco farmers anywhere else in the world they present the anomaly of being desperately poor tobacco farmers. They are farmers in the Bekaa valley too, but without land of their own, as the land is held by remarkably few families. The Lebanese political leadership system has been a failure for the Shia, as they had an elected leadership that did not represent their interests, and their Imam and his following were effectively excluded from such leadership. For all these reasons, they are the most disaffected community in Lebanese society. Education is among the benefits largely withheld from them, with the result that their leadership is not strong. With a fairer shake in Lebanese society, theirs could be one of the most significant contributions to its well-being and pluralism.

e) The Sunni Muslims have the self-confident identity of a people who naturally constitute the principal culture of the Middle East. They are used to being the leaders of society. It is consequently a great effort for them to adapt to a society of pluralism, all the more difficult to find themselves a subjected class.

The Sunni are one of the most settled and "civic" communities in Lebanon, with a traditional leadership that inherits the best values of all the Muslim societies that have ruled Lebanon, including that of the Ottoman Empire. This leadership largely lost its control of Sunni

life and aspirations in the context of the civil war. Muslim participation in the war and the formation of Muslim militias took place in spite of the traditional leadership instead of under their direction, and the traditional leaders have had to run hard not to be left behind. Now that the civil war has apparently ended, with the Muslim forces in disarray before the massive military incursion of the Israelis, there appears to be a return to the traditional leadership of the Sunni community, which is of very high quality and has striven with great patience to maintain its balance and its influence. Without losing its sympathy for the dispossessed Palestinians, this leadership now reaffirms its support for the Lebanese experiment in pluralism, and states in its semi-official publications that a serious mistake was made by the Muslim community in allying itself with the armed Palestinian forces in an effort to regain a more dominant place in Lebanese society. They feel they have lost now, and must regroup to find their proper place within the pluralism of that society.

The Lebanese Sunni community has good reason to seek its place within the Lebanese pluralism. There is a talent and a tradition for filling a responsible place in society that needs a proper outlet. They live in Lebanon and are aware now that the Lebanese State will last for a much longer time. The aspiration is widespread in Sunni Muslim society, much further afield than in Lebanon alone, to find the way to live in a pluralist society. Muslims, who have traditionally lived in societies where they were in majority, today live as minorities not only in Lebanon, but in such Western societies as that of Britain, with its large Pakistani minority (more Muslims in Britain than there are Methodists), or the United States; and in the Muslim countries of the Arab world there is generally a constitution that speaks of freedom of religion and equality of citizenship. But in no other country has a Sunni Muslim community as much motive and as many resources to discover, in faithfulness to its religious tradition, its relation as a faith community to a pluralist society. To discover this is a theological task, and it would be a service to the Muslim community everywhere.

f) The Palestinian refugees in Lebanon, many still living in camps, are now reduced to great helplessness after the expulsion of their leadership, political and military. Those who have prospered and moved out of the camps over the many years of their stay here are now subjected to massive intimidation, including random murder, by shadowy groups, and are being forced back into already overcrowded camps. In the camps on the Southern edge of Beirut the only protection they can rely on comes from the presence of French and Italian troops of the Multinational Force. The Palestinians generally conceive themselves and are seen as transients, even in this traditional land of refuge. In their camps are now many Lebanese, Shia refugees from the battle areas of the South and other impoverished Lebanese, both Muslims and Christians, who now live under the same terrible danger as the Palestinians themselves just by reason of being in those camps, and many of these appear to have been victims, along with the Palestinians, both of the massive bombardments and destruction of the camps outside Tyre and Sidon during the Israeli invasion and of the massacres in the Beirut camps. For those living in the areas of Tyre and Sidon, under Israeli occupation, there is no security comparable to that provided by the Multinational Force around Beirut. They are reduced to crawling and currying the favor of

Israelis and the Haddad forces, a dangerous sort of humiliation for people to be subjected to.

Practically every faction in Lebanon was at some time the Palestinians' friend. Palestinian leadership in Lebanon was not wise. It pursued fantasies of military reconquest of land from Israel instead of pursuing a political case and legal redress. Many Lebanese claim the Palestinians instigated the civil strife in Lebanon. That interpretation is open to question. But at least the Palestinians insisted on mounting military operations against Israel from Lebanese territory, and by the Cairo agreement of 1969 the other Arab states forced Lebanon to accept the organization of autonomous military forces in Lebanon by the Palestinians. That was more than the Lebanese system could digest. The civil war broke out in its context, and the Palestinian leadership, with much initial reluctance, let its forces be sucked into the civil war, to the destruction of order in Lebanon.

Now, in the aftermath of the destruction of their cities, the devastation of the Southern half of their country, and the deaths, by responsible count, of some 20,000 Lebanese civilians (Lebanese, not counting Palestinians) in the 1982 invasion by Israel, most of the Lebanese communities, including those who have been their allies, have only ill to say of the Palestinian refugees. That the Palestinians "hijacked the State" is a common expression, though sympathy remains for the plight of the Palestinians in the face of Israel. People speak openly of "motivating" the Palestinians -- by deprivation, by terror -- to migrate elsewhere, to other countries.

It is easily intelligible that the Lebanese, the authorities and the whole society, have this massive resentment of the Palestinians. They have the obligations and responsibility of hosts to protect these refugees, long so troublesome and so unruly but now so helpless. It will take a long process of healing before Lebanese authorities and society will themselves implement this responsibility again, especially since, under military occupation by Syrians and Israelis, they have so much trouble in enforcing their authority over anything in their country. Lebanon has, for thirty five hard years, done more for the Palestinians than any other Arab country, and feels its hospitality and protection grievously abused. That excuses nothing of the current brutalities against the Palestinian refugees, but leaves the protection of the Palestinians as a primary responsibility of the international community until a civilized rapprochement can be worked out between the refugees and Lebanon.

The Palestinians are half a million, and can become again a dangerous force of disintegration if they are to be deprived indefinitely of livelihood, education, and opportunity. This is very little understood in Lebanon. The standard response to any suggestion that the Palestinians could be a danger to Lebanese society again is that they have been beaten and now pose no further threat. This is to misconceive the self-interest of Lebanon itself. Brutalizing people into submission is no long-term solution to the social problem the refugees pose. Half a million deprived people cannot be held in abject submission without sowing a new whirlwind.

4. What remains of value in the Lebanese system.

Lebanon has regarded itself as an idyll, the ideal lovely country of tolerance, pluralism, and democracy that was a model to all the world. The civil war came within an inch of destroying it all, and exposed depths of inadequacy in the Lebanese system. It was terminated only through external invasion by the Israelis, not by any intrinsic elements that were able to bring the strife to a constructive resolution. But the Lebanese, with great resilience of spirit, have accepted the termination of the fighting as a signal to rebuild their society and be reconciled to one another. Not that the idyll is back: there are still residual excuses and resentments that threaten the rebuilding of the society, and structural defects in the society to which no solutions have yet been found.

One of the common responses to the agony of the last eight years is denial. RH heard it asserted with great vehemence that there had been no civil war, that the eight years of rampant destruction had all been imposed on Lebanon by external forces, with no basis in Lebanese society itself. That is a familiar response that he has heard in many other conflicts. In Northern Ireland, for instance, it is a commonplace for the British and the local Protestants to claim that all their trouble is the work of a mindless clique of violent men, and that if they could be destroyed there would be no trouble left. It is equally common to hear from Catholics there that the whole trouble is the British presence, and that if the British withdrew there would be no trouble in Northern Irish society. On either side, this is a way of refusing to acknowledge that their trouble is with their neighbors and has to be resolved. Everyone in Lebanon is familiar with comparable denials that they have been hearing from Israel for many years: that it is "a land without people for a people without land;" that "there are no Palestinians;" that "there is already a Palestinian State, and its name is Jordan." Lebanese are perhaps less ready to recognize the same denial syndrome when they hear from Palestinians or other Arabs that there are no Israelis, or that Israel is not a reality with which they must eventually come to terms. The simple denial in Lebanon, the statement that there was no civil war, is as self-deceiving as all these other instances.

Something needs to be said about the writing of this report. RH came away from his month in Lebanon, and his careful listening to persons in all the communities, with a sense of optimism in the Lebanese people, and of the means at hand with which they would rebuild their shattered life. Early in February, immediately after his return, he wrote a first draft of this report that reflected that optimism. But he had also, while in Lebanon, purchased every book he could find that promised some enlightenment about the condition of Lebanon, and acquired much more literature after his return. After writing his first draft of this report, he sat down and read through those books, a great many of them published just as the civil war was getting under way and therefore reflecting the tensions out of which the civil war grew. He found himself reduced to a dreadful state of "on the one hands" and "on the other hands," and it has taken this long time before the mass of material could become coherent again and he could draw some conclusions.

The most basic of these conclusions in response to the question: what is there in Lebanon to work with?

The civil war was the crucible in which the concept of Lebanon was challenged by two competing nationalisms: a Syrian nationalism and a pan-Arab nationalism. The latter was not so much a territorial concept as a spiritual one, a decision that the wider interests of "the Arab nation" took priority over the local interests of Lebanon. This included an inclination to give Lebanon's support for the Palestinians priority over any danger to Lebanon that might result from it, and a sense of grievance that Lebanon, as organized under predominant Maronite influence, paid too scant respect to the Arab identity and solidarity of a great part of its people and heritage. The Syrian nationalism was more territorial in its orientation, a throwback to what had seemed possible or desirable at the time of the breakup of the Ottoman Empire more than to anything that seemed geopolitically attainable in the present day. Like everyone else who was accused of seeking a partition of Lebanon, the Syrian nationalists quickly came round to the position that they opposed partition in any form, and were fighting their war to prevent it. But along with the pan-Arab nationalists they rejected the priorities of the Lebanon in which they found themselves, regarded its emphasis on confessional balance as mere camouflage for a regime of social oppression, and wanted to scrap its institutions and its cumbersome consensus politics in favor of a more centralized State responsive to different priorities of their own. Syria seemed not so much the partner for a territorial merger as the place where their hearts lived, from which they should not have to feel separated.

Now, at the end of the eight years of internal war, there are no other serious contenders on the board for the ordering of the society's priorities except the Lebanon concept itself. It cannot call itself a nationalism except for the Maronites and a few others, as it does not evoke that response from the rest. But there is general consensus that the problems of the territorial area, Lebanon, have to be addressed as the matter of first priority, and that its people must find a way of accomodating each other for that purpose, with the institutional means they actually have at hand. They are not averse to modifying these and redefining the social and political priorities in accordance with newly perceived needs. In fact the idea of a return to the bad old days is one of the specters people warn one another against. But the Lebanon concept remains in place when all its rivals have fallen away.

That concept is of its essence one of a pluralist society. The pluralism is not basically an equality or balance of the confessions, each with its own proportional rights, but an equality of citizenship, with full respect for the cultural identity of all. The National Pact constructed in 1943 among the confessional entities was in fact always meant to be a means toward that end, and one whose necessity would gradually be phased out. Its utility and its necessity have not yet ended, but it has been a liability to the very survival of the Lebanese system that the confessional division of power has been seen as an end rather than as a means.

Among the basic tools available to Lebanon for achieving its admirable social ideal, three stand out: its legislative tradition, the humane thought of Michel Chiha, and the social conscience which had its most eloquent spokesmen in Kamal Joumlatt and Musa al-Sadr. These are not common property to all Lebanese, as the two sides in the civil war took their choice among them and they are identified as partisan rallying cries. All three need to be appreciated and appropriated by all the Lebanese communities if the riches of the Lebanese tradition are to be available now for the rebuilding of the society.

a) The Legislative tradition. The legislature has an extraordinary record of achievement in Lebanon. It is not a foreign implantation from the French colonial period, but a thoroughly Lebanese institution through which the Lebanese accomplished their independence both from the Ottoman Empire and the French Mandate, constructed the package of reforms which made the establishment of Greater Lebanon palatable to the people of Northern and Southern Lebanon, the Bekaa and the coastal cities in 1920, designed and subsequently developed their distinctive constitution, and devised the Lebanese system of consensus politics. It precedes and is not intrinsically dependent on the system of confessional balance.

In more recent times, the legislature has been afflicted with an immobilism that has impeded Lebanese social and political development. It is because of this immobilism that the whole Lebanese system came to be stigmatized, by those who were not receiving adequate benefit from it, as a tool for maintaining old socio-economic injustices. Even the building of roads and schools and hospitals, and the other reforms of the Presidency of General Fuad Shihab, were accomplished by ignoring and circumventing the legislature rather than by understanding and using it. It is time to break through the ways the legislative structure can be used for mere obstruction, and make this uniquely Lebanese institution once again an effective instrument for accomplishing Lebanese purposes.

b) Michel Chiha. Even 29 years after his death, no other writings cast more light on the character and opportunities of Lebanon than those of Chiha, who wisely sought to prevent the cataclysm that we have now seen. It should be remembered that Chiha described a dynamic for the evolution of Lebanese society rather than a static picture of it. In the disillusion that brought about the civil war, it became evident that the ideal society Chiha had described was simply not there, and never had been. The consensus system he had urged on Lebanon had been abused to support the immobilism of selfish interests, and when consensus could not be achieved there had seemed no other recourse left but to arms. It is easy, in consequence, to regard Chiha's hoped-for Lebanon as an experiment that failed. A re-reading of his thought now shows a different result: a vision of the opportunities that were missed, and which still remain open today because his observation of the realities of Lebanon was so accurate. His writings should not be treated as a point of stasis for the development of Lebanese society, but as a starting point for new thought.

c) Social conscience. That real urgency about the social inequities in Lebanon should have been expressed predominantly on one side of the Lebanese conflict has had the damaging effect of making it seem a partisan issue. Such ideas have not been foreign to the thought

of Christians in such places as the Kataib party, but Christians have lived more comfortably in Lebanon, due to their successful social programs of the 19th century, at a time when the small Mountain Lebanon was separated from the rest. It is the Muslim populations, both Sunni and Shia, that have borne the brunt of modern poverty in Lebanon, and the chief spokesmen of their plight have been Musa al-Sadr and Kamal Joumlatt. Their voices are a treasure to Lebanon and should be in honor throughout the society.

It should be acknowledged that, for Lebanon to fulfill its role of banker to the Arab world, which is one of its principal services, it needs a particularly free economic system. There have been those who, in the heady rhetoric of the years of conflict, described even this banker's role as an exploitation of the Arab world. This is not the way it has been seen by the Arab countries that have availed themselves of Lebanon as a commercial conduit. They have valued and supported Lebanon in this role.

But that tobacco farmers should be, as they are in Southern Lebanon, poor to the point of destitution is not an effect of free enterprise. It is the result of crass commercial manipulation and exploitation. Nor is it simply by the operation of the free market that land should have been so concentrated in a few hands in the Bekaa.

Radical economic reform and expropriation would doubtless ill suit the needs of Lebanese society, but this does not preclude basic distributive justice and the policing of clear exploitation. There is another way, though, to bring the dispossessed masses of these areas into enjoyment of the benefits of Lebanese society. That is the route of education. These areas have been educationally deprived too, with widespread illiteracy and small access to secondary and higher education. The very few who have made their way from these regions to the universities, which are all in Beirut, have had no inclination to return to their impoverished home areas. Education can be used, of course, as a means of social control, to socialize people into acceptance of their inferior roles in society. But it can be used as well to empower them, and to make the levers of social equity accessible to them. An urgent program to make educational opportunity fully available to these regions would be well within government's power. Combined with serious development programs for the regional economies, this would go a long way toward making a full sharing of Lebanon's prosperity available to these areas and their deprived people, without needlessly radical economic tampering.

5. Cohesion-building tasks.

Lebanon's is a society poised between cultures; the Arab world from which its people stem, and the Western world to which it is the door for the Arab countries. It cannot live isolated from either of them. It has its internal tasks to give its people a home and opportunity in their own society, and still their anxieties. It has its external tasks as well, in service to these two cultural worlds, and these happily coincide.

This part of the world has a character highly resistant to externally imposed order. It is well to remember that, after the Hellenistic and Roman-Byzantine systems had held the ancient Province of Syria

(the larger Syria) under a highly developed, sophisticated, prosperous urbanized order for nearly a thousand years, the tribal forces were still so unadapted and vital that, when other tribal forces brought the Islamic conquest, they swept the whole urbanized veneer away almost overnight. When the Ummayyad Caliphate of the first Islamic century tried to rescue this urbanized order and hold it in place, these forces brought down the Caliphate itself. Subsequent efforts from the Abassid Caliphate in Bagdad and the Fatimid system in Egypt to build a unified and urban Islamic order again faltered over the resistance of this part of their world. Conclusion: these successive efforts at order all failed through not integrating the cultures and energies of the place, but by trying to impose an artificial system instead. The people of the place have to be respected, and their historical experience leaves them very sceptical of every new imposition. The folk-memory knows they have broken many an empire in their time.

We referred earlier to paranoia as the element that turns an otherwise "civic" modern community into a tribe. That is not, of course, the only definition of a tribe, which is an honorable term. But it is useful as indicating the element that must be exorcised if the communities of Lebanon are to be enabled to live together in a cohesive society, without fear of losing their own cultural identities. Paranoia is a fear based on misapprehension of the other's intentions. Communication in Lebanon is difficult today, and such misapprehensions are common.

The Lebanese call each other by many derogatory names. One of these names, applied to the Maronites at the beginning of the civil war, was "isolationists." It referred to the Maronite penchant for denying Lebanon's Arab character and link with the Arab world and its aspirations. But a second meaning of "isolationist" was read back into the term and attributed to the Maronites. This was that they planned a partition of Lebanon, a secession of their old Mountain stronghold from the rest of the country, holding on to the port area of East Beirut, and leaving the rest of Lebanon to be gobbled up, part by Syria, part by Israel. The Maronites deny, of course, that they ever planned such a thing. RH listened closely to their denials, listened especially to hear if there were any excessive protestation about this, any evidence of something to conceal. He is convinced that they never intended such a partition, and that the whole suspicion therefore falls within the category of paranoia. It is on such suspicions that the society broke down and slid into civil war.

The Maronite fear of an Islamization of Lebanese society, the imposition of the Sharia, is another such instance of paranoia. There is plenty of basis for it in history, and the signs of development in that direction in recent years in Egypt, with its large Coptic community, fuel their alarm. The Muslim community of Lebanon is simply puzzled by this suspicion and distrust. But they have not found the way to communicate to the Maronites their readiness to participate as equals in Lebanese society, without any such ulterior designs. Their concentration has been on the threat of Maronite domination over themselves, and they have not even seen the stilling of this Maronite anxiety as a priority.

Shia Muslims find their community terribly deprived, and fear that they are intended, by the rest of the Lebanese, to be a permanent underclass. When they then find themselves treated with suspicion as potential subverters of Lebanese order (if only as a deprived class

that may seek to rise from its deprivation), and many of their number, in the Hermel area, even denied Lebanese identity cards, their fears turn into paranoia and radical disaffection. Many in the Bekaa are consequently inclined to look to the Syrians as their protectors, though in Southern Lebanon people look to Lebanon as their protection against Israeli incursion.

The Palestinians are in the worst case. Even when Lebanon acted toward them as a phenomenally generous host, they were full of fears and suspicions. That is not surprising, given the traumatic experience of their expulsion from Palestine. Now that they have acted on their paranoia over these many years, their fears have been turned into reality. They have so alienated the Lebanese communities, even those that were most friendly to them, that their protection must now lie, in large part, on the conscience of the international community. That is the way of paranoia, to bring on eventually the things it most dreaded.

To communicate across the barriers of these suspicions and overcome the paranoia in the other communities, it is necessary to build a sense of acceptance of the cultures and the fundamental aspirations of the different Lebanese communities across the whole of Lebanese society. As much as any one community fears the others, it will not do for the Shia community to feel they are not accepted as true Lebanese by the Christians, for the Maronites or the Druze to feel under constant threat from their neighbors, for the Sunni, with their strong civic sense of providing stability in the society, to feel they are under perpetual observation as potential subversives. It is here that the internal tasks of building cohesion in Lebanese society coincide with external service tasks toward the Arab and Western worlds.

Another striking parallel to Northern Ireland occurs here, for in Northern Ireland too there is a problem of conflicting nationalisms, British and Irish. The pluralist solution there is to recognize that both nationalisms are legitimate, and to accommodate them both practically in the whole fabric of the society's life. In Lebanon, there is a conflict between a Western-oriented Lebanese nationalism and an Arab nationalism. There can be no prospect of internal peace or a return of Lebanese society to a functional state if either nationalism is frustrated or denied its proper outlet. Both need to be accommodated in a distinct State, with its special "genius," able to perform real services to both hinterlands. The "genius" in this case is the Lebanese talent and vocation for pluralism and freedom, evidenced in Fakhr-ed-Din II, evidenced in Michel Chiha and many others.

Lebanon has understood well how to perform a commercial service between the Arab and Western worlds as bank. There is more to it than that. Lebanon has spiritual and cultural services to perform toward both worlds as well.

The Maronites have believed they were communicating well to the West, and that they and their Lebanon were understood and appreciated in the Western world. A single instance shows how mistaken that supposition is. When the Maronites hear horrified Western comment on the massacre in the Sabra and Shatila refugee camps, they are full of indignation. Why do the Westerners talk only of this massacre? Why don't they talk of Damour, of Zahleh, of Tripoli and Zgartah, of the countless massacres

and counter-massacres that have characterized the civil war? The answer is partly that the catalogue of massacres in unfamiliar places is too complicated for the Westerners to comprehend. But more seriously, the answer is that the Westerners are shocked by Sabra and Shatila not because of Lebanese involvement in it, but because of Israel's. The West has set much of its own moral stock in Israel, and has come to expect and require a standard of morality from Israel. It is consequently shocked at a striking instance of failure in moral responsibility on Israel's part. As for Lebanon and the Lebanese, the West knows little about them. Who are the Lebanese? For Westerners, they are strange people somewhere far off who are always having massacres, and are consequently beyond moral understanding or much moral concern on the Westerners' part. Their concern is only about a moral lapse by the Israelis. That is the measure of how successfully the Maronites have communicated any sense of Lebanon and its moral character to the West.

Better than this needs to be done. The Lebanese, all the Lebanese, need to communicate to the Western world, but not only on their own behalf, rather on behalf of the whole Arab world for which they are the bridge to the West. Lebanon's is the society that comprehends both. And for the Arab world, there is a spiritual and cultural service due from Lebanon as well. It consists in the deepening of its own pluralism, and the communication of it to the Arab world. The Arab world has its own paranoia toward the West, based firmly in bitter experience that began with the Crusades and culminated in the imperialist and neo-colonialist assaults by the West in modern times. The Arab world needs to gain confidence and security in its own assured place and dignity in the wider world, so that it can act comfortably as an equal in international society. And that is an assurance that Lebanon, from its own experience of pluralism and freedom, can mediate to the Arab world. A truly consequential attention to these external tasks will require of Lebanon that it keep its internal Western and Arab loyalties and aspirations in honor as well.

6. The current situation.

The Israeli invasion has, besides devastating the whole country up to Beirut, terminated the factional fighting that has gone on since 1975 and removed the Palestinians as an effective political or military force in Lebanon. The Maronites are left in charge of what there is to be in charge of in Lebanon, but under the terrible burden of both Syrian and Israeli occupation, and the pressures from both these occupying powers to do things that would compromise them and the Lebanese State beyond tolerable bounds. For all this pressure, the Maronites are in the position of having won so total a victory, with respect to other Lebanese groupings, that they face the grave dangers that every political force faces after too sweeping a victory, namely that, with no internal restraints on them, they will squander their victory and lose it all again. The Muslims, both Sunni and Shia, and the Druze, find themselves catastrophically stripped of power, and make some strong efforts, with great difficulty, to accommodate themselves to this turn of events with grace. The other Christian communities, always sensitive to the effect of anything done by Christians in Lebanon on fellow members of their own communities in other Arab countries, evidence great anxiety that the Maronites, in their current position of relative power (subject always to those occupying forces), will over-reach and bring down retribution

on all the Christians of the Middle East. These fears are likely overstated, as there are many very responsible voices among the Maronite establishment, people who are acutely aware of these dangers.

But however perceptive the present government of Lebanon may be, the occupying powers make it most excessively difficult to walk the narrow line that their circumstances call for. The Syrians, and the other Arab states as well, demand things of Lebanon that would make it impossible to live next to the enormous military power of Israel, or come to any modus vivendi that would induce the Israelis to withdraw their occupying force. The Israelis demand things of Lebanon that would break its link with the Arab world and hence its economically essential role as banker to the Middle East.

The most basic needs are for a State, something strong enough to negotiate its way through these immense external pressures, and for a level of cohesion among the Lebanese that will enable that State to function in the critical period of negotiating its freedom from the occupying powers. The level of cohesion that would constitute a nation is simply out of reach at this stage. The ruling coalition is compromised, in the eyes of many of the citizens, by the degree to which it relied on Israeli assistance through the years of conflict since 1975. But the Lebanese are very forgiving at present. The Maronite community mourns its lost hero, the President-elect Bashir Gemayel who was assassinated in September 1982. The rest of Lebanese society had begun to place its hopes in him prior to the assassination, but it is even easier for them now to see a symbol of hope in his brother, the present President of the Republic, Amin Gemayel, whose face is seen looking out from posters on walls and in windows in all quarters, even most conspicuously in the Palestinian camps.

What can one say to the Maronites now, as they carry the weight of steering the State through this perilous time, under the hopeful but judicial gaze of their fellows in the other Lebanese communities? The Maronites have suffered terribly through the civil war, as have all the others too. They believe themselves the primary representatives of the Christian spirit in the midst of the heartland of Islam, in a land that they experience as hallowed by Jesus himself, who walked there, and by the earliest experiences of the Christian Church. One can only say to them now, in the most brotherly way and with all awareness of the agony they have been through and their present dangers: "Love your enemies, do good to those who hate you, bless those who curse you, pray for those who abuse you.... If you love those who love you, what credit is that to you? For even sinners love those who love them. And if you do good to those who do good to you, what credit is that to you? For even sinners do the same. And if you lend to those from whom you hope to receive, what credit is that to you? Even sinners lend to sinners, to receive as much again. But love your enemies, and do good, and lend, expecting nothing in return, and your reward will be great, and you will be sons of the Most High; for he is kind to the ungrateful and the selfish. Be merciful, even as your Father is merciful." (Luke 6, 27f., 32-36).

This is a heavy text to invoke on the Maronites. It is done seriously by one who came among them as priest as well as fellow human being in search of their peace. These gospel texts that force us to the edge of paradox often become intelligible only when their teaching is most frightening, but when suddenly they make good secular sense, and point to the way of living meaningfully through our real problems, those that our really experienced life is about, rather than succumbing to them. For the Maronites, not only those in positions of power and responsibility but the whole community, there is no other way to break through the circle of recriminations and vengeance that threaten to overwhelm their society, and give to their whole society, not themselves only but all the Lebanese, the strength to overcome the many external threats that weigh on them. This is not advice against being strong, against establishing order, against insistent demand for justice. But it is advice to treat every part of the Lebanese society with trust.

It is a time for Maronite generosity. That is difficult for a winning force that feels itself dreadfully wounded by its recent experience. The President of the Republic, Amin Gemayel, appears to realize this need for generosity and for building a cohesive society, and it becomes more and more clear that he has in this the support of his powerful father, Shaikh Pierre Gemayel, who carries such importance in the Kataib Party. Other Lebanese have responded with a great readiness to place trust in the President and the government he has formed around him. The opportunity is there, even in so dark an hour for Lebanon as this, to build the society that Lebanon has so long wanted.

7. The utility of this interpretation.

Clearly this report, based on a month's consultation with a great number of persons in all the Lebanese communities, can claim nothing more than the value of an initiation into the troubles of Lebanon. RH has promised copies of what he writes to many persons in Lebanon, and looks forward to their criticism and corrective responses to even this first assessment. His reading of the Lebanese situation will have to go through the maturing that will follow from further discussion with Lebanese. To the extent that this method of analysis brings to light factors which, though well enough known to the participants, have not stood out in this particular sort of relief, it is hoped that this process of interpreting may be of some use to them as well.

ANNEX TO THE REPORT ON VISIT TO LEBANON BY RAYMOND G. HELMICK, S.J.

A PROJECTED PROGRAM OF LEGAL ANTHROPOLOGY.

April, 1983

One conclusion that kept impressing itself on RH through his January visit to Lebanon was that the anxieties felt in the various Lebanese confessional communities are very frequently expressed in terms of fears, in each of several communities, that the whole of Lebanese society will come to be dominated by another community through the medium of its traditional concept of law.

Each of the very different communities that together make up the complex pattern of Lebanese society has its distinctive culture. In each case, a tradition of law constitutes one important expression of that culture, deeply ingrained in the consciousness of the members of that community.

The Maronites, especially, have great anxiety about an eventual "Islamization" of Lebanon, by which the Islamic Law would be established and all other communities than the Muslims reduced to the status of protected peoples. On the basis of this anxiety, they tend to exclude from power not only Muslims but every group, even other Christians who, they fear, might compromise with the Muslims in this regard. The other Christian communities are less vocal about this fear, conscious as they are of their co-religionists in other Arab countries who could be jeopardized if they were seen to treat Muslim sensibilities insensitively, but they share the anxiety and their readiness to share their lives with the other Lebanese communities is affected by it.

For their part, the Muslims point out that other Arab States have constitutions that generally guarantee religious freedom and equality of citizenship, and profess their readiness to live in Lebanese society on a basis of equality.

What is proposed here is a program of legal anthropology through which Lebanese jurists might find the relation of their many traditions of law to the basic civil law that is the expression of the Lebanese plural society, with its native genius of equality.

The model for this proposed program is a program that has been conducted over many years in Sudan. The problem in Sudan was a simpler one. Sudan's civil law was basically British law, brought in during the colonial period and generally very serviceable to the country, but unrelated to the native traditions of law. The legal anthropology program there concerned itself, in one part, with the native traditions as they affected land tenure. The local traditions of law dealt in much less paper than does British law, and an obvious effect was that people tended to lose their title to land as a result of this disparity. The program engaged judges, who took leave of their bench to work with law students in the university, and lawyers who brought through the courts cases that

were designed to establish, through precedent, firmly grounded standing and a home for the native traditions of law in the corpus of Sudanese civil law. In this way, without disruption or discontinuity in the law, civil law in the Sudan was made to this extent Sudanese, and the disparate traditions of law brought into organic unity.

Law in Lebanon is basically the Code Napoleon, established in Lebanon, very usefully, during the French Mandate period, and modified by legislation since. There are, in addition, the Statutes Personnelles for each of the confessional communities, which regulate matters of family law, basically marriage, divorce, and inheritance. These have no organic relation to the basic corpus of civil law, and this inorganic state of the law is a mirror of the fragility of Lebanese society.

The area that is of interest is the equality of citizenship, and the way each of the traditions, without losing its integrity, relates to this. It is certainly not proposed to upset the distinctions of the statutes personnelles, which clearly work well. But there are three distinguishable levels of law in Lebanon whose interrelation should be sought:

1. There are the areas of law that are governed by uniform public statute,

2. There are the areas that are disparately governed by the statutes personnelles of the different communities. This is the part of the different traditions of law that is conscious and public, like that part of an iceberg that is above the surface. The particular traditions of law that are so profoundly an expression of the culture of each of the communities are far more extensive than these areas of family law that are publicly acknowledged in the statutes personnelles.

3. There are further areas of the particular traditions of law that are below the surface, without public effect in Lebanese law but with deep cultural effect in the communities.

What should be sought in a program of legal anthropology in Lebanon is that there should be a corpus of civil law in Lebanon, coherent but respectful of differences, admitting distinctions of law where necessary in the traditions of the various communities, allowing for appeal to the disparate traditions in such a way that they would acquire standing and a home in Lebanese law, and yet bringing all of these strands into an organic relation, such that the corpus of Lebanese law would be a true expression of Lebanese society in its unity and its pluralism.

The program would need to be related to more than one University in Lebanon, so that it could adequately reflect and be accessible to the different traditions of law. Very likely it should be based in a distinct institute, which would relate to the different universities, but that is something that would have to be designed by those who would participate in it.

The faculties of law that have charters in Lebanon at present are at the Université St. Joseph, which was the only one until 1963, and at the Lebanese University and the Arab University since that time. A fourth entity that is just about to receive its university charter and

which would be most important to this proposed program is the Maqassed, the basic educational enterprise of the Sunni Muslim community.

This proposition has been put before significant persons in the various confessional communities in Lebanon, and in particular before a number of law professors. The initial response has been cordial, and of course not much can be read from such a response until the proposal is drawn up in articulate form and the relevant persons are able to judge it from a written document. This annex is intended to give them such a written formulation of the proposal, of a very preliminary nature and one intended not to preclude their modification and development of the proposal to suit those needs they would see in the society.

Support for the program should be sought from each of the three major cultural areas that meet in Lebanon: the Arabic-speaking, French-speaking, and English-speaking. Each of their three traditions of law has importance in Lebanon, and the active assent of representative establishments in each would be requisite to the working of this program.