The Sovereignty of the Lebanese State

Reality and Aspiration!

By

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Sovereignty is embedded at the core of the state's very concept. It constitutes a fundamental characteristic that sets the state apart from other forms of authority. To fully comprehend this notion, one must delve into the theoretical underpinnings of the modern state, providing an essential framework for understanding the nature of sovereignty as articulated in the Lebanese Constitution and evaluating the extent to which this concept is realized and exercised within Lebanon's political landscape. Thus, this article will focus on three key dimensions: the Modern State and Sovereignty, the Lebanese Constitution and Sovereignty, and the manifestation of sovereignty in Lebanon's political reality.

1. The Modern State and Sovereignty

Sovereignty is a modern concept intrinsically linked to the evolution of the modern state, which gradually emerged through a specific historical process within the Western context reshaping the very definition and nature of authority—its forms, institutions, and spheres of operation. Whereas authority was once personalized and intertwined with other societal functions such as the economy, social relations, and religion, the modern state evolved into a stable entity founded upon the idea of law as an impersonal system of public norms. It became characterized by unity and centralization, with a distinct bureaucratic apparatus rooted in a legal-rational framework, clearly set apart from other social activities.[1]

The conceptual shift in the understanding of authority began with Thomas Aquinas, who liberated politics from the confines of theology, redefining it as a reality accessible through reason alone.[2] This shift gained momentum with Niccolò Machiavelli, who presented politics as an autonomous realm, pursued for its own sake, thus establishing it as an independent subject of inquiry. For Machiavelli, the legitimacy of political power is determined by its ability to endure, dominate, and expand.[3] The evolution of this idea culminated with Thomas Hobbes, who regarded authority as an artificial construct, a product of human will—an art and an innovation born of human ingenuity.[4]

The greatest obstacle to the rise of the modern state was the medieval European order, rooted in a plurality of authorities—whether through the competing powers of kings and feudal lords or the duality between temporal authority and ecclesiastical power. This necessitated the dismantling of all forms of authority external to temporal power and the revocation of their legitimacy. This pivotal task was championed by Marsilius of Padua, who called for the consolidation of authority within the sphere of temporal power, viewing it as the true heart of the political body. For Marsilius, authority draws its

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[1] The most significant discussions on the modern state and its characteristics can be found in the following references: Graeme Gill, *The Nature and Development of the Modern State*, Macmillan press, 2003, pp. 8-24. Andrew Vincent, *Theories of the State. The State. Its Nature, Development and Prospects,* Cambridge, Polity Press,1990, pp. 3-19. John A. Hall, *The State,* Routledge, London and New York, 1994.

[2] See: Bertrand Badie, *The Two States*, Madarat for Research and Publishing, Egypt, 1986, p. 29.

[3] See: Charles Benoist, *Machiavellianism Before, During, and After Machiavelli*, Plon Publications, pp. 1907–1935.

[4] See: Thomas Hobbes, *Leviathan*, op. cit., pp. 175–205.

legitimacy from the collective will of the people, who constitute the very foundation of human legislation.[5]

The exclusivity and centralization of power paved the way for the emergence of the concept of sovereignty, a notion pioneered by Jean Bodin, who viewed it as an essential attribute that enables temporal authority to safeguard society and maintain its order. Bodin captured the essence of sovereignty through a striking metaphor for just as a ship would be nothing more than a load of timber without the main keel that supports its sides, bow, stern, and deck, so too would a republic cease to be a republic without a sovereign force—one that unifies all its members, parts, mysteries and bodies into a single cohesive body.[6]

For Jean Bodin, sovereignty is a pure, indivisible essence, ever-present, much like the very existence of God. It is a supreme, original authority, inherent and absolute, deriving nothing from others and not subject to others in any subordinate relationship. This authority is answerable to no one, delegated by none, and stands entirely on its own. Sovereignty wields the power to enact laws for all, to command and forbid at will, with no recourse for appeal or opposition to its decrees. It monopolizes the right to declare peace and war, levy taxes, and administer oaths of allegiance, all of which require its explicit consent. It holds the right to compel obedience from any member of the political body, while remaining impervious to any external human coercion. Ultimately, sovereignty is the authority that reserves for itself the final word.

This concept has become fundamental to the definition of the modern state, positioning it as the supreme entity with ultimate authority over internal decision-making—a sovereign state wielding supreme power and monopolizing the legitimate use of coercive power. In this context, Max Weber defines the state as: "A political enterprise of an institutional character whose administrative leadership successfully claims the monopoly of legitimate use of physical force in the enforcement of its rules."[7] Thus, what is referred to as the centralization of coercive power has become an essential element of the state, establishing it as the exclusive authority in managing the public sphere. This is not a role the state acquires or is granted; rather, it is intrinsic to the very essence and meaning of the state. A state is defined not only by the functions it performs but also by its exclusive right to perform them. When this exclusivity is eroded—or when the state relinquishes it—the very concept of the state begins to unravel, and the meaning of sovereignty fades away.

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[5]See: History of Political Thought, op. cit., p. 215.
[6]See: Jean Bodin, *The Republic*, Book I, Chapter VIII: On Sovereignty, pp. 1–12, 122–123.
[7] See: Max Weber, Political Writings, Cambridge University Press, 2007.

2. The Lebanese Constitution and Sovereignty

Although the Lebanese Constitution is rooted in the theoretical foundations of the concepts of the state and sovereignty as developed in the Western tradition,[8] its structure and legislative formulations are imbued with a distinct Lebanese identity. It emphasizes the finality of Lebanon's entity,[9] upholds its unique social fabric, and is carefully attuned to the fragility and sensitivity of its diverse sectarian components. Furthermore, it positions Lebanon within the global arena on the basis of international legitimacy, while affirming its Arab belonging and identity.[10] This complex interplay has shaped a constitution built upon a delicate and highly sensitive equation, balancing: the spiritual ethos of the East with the rationalist mindset of the West; a social contract with deep-rooted organic solidarities; liberal modernity with rigid traditional frameworks; universal principles with specific local constraints.

Sovereignty is referenced twice in the preamble of the Lebanese Constitution, underscoring its role as the spirit of the Constitution and a fundamental, immutable principle that both conditions and informs the interpretation of all other constitutional provisions[11] The Constitution explicitly states that Lebanon is a "Independent, Indivisible, and Sovereign state." This statement fully encapsulates the essence of sovereignty, affirming that the state is a unified entity, not subject to fragmentation, with comprehensive and absolute authority over the management of public affairs. Furthermore, the Constitution affirms that "The people are the source of authority and sovereignty; they shall exercise these powers through the constitutional institutions." This clause does not contradict or negate the first; rather, it complements it, as the state embodies the will of the people, making that will tangible and visible. Thus, state sovereignty and popular sovereignty are inseparable, forming a unified concept. Accordingly, the text affirms that the people exercise their sovereignty exclusively through the state, thereby precluding the legitimacy of any institution or internal entity—whether civil, military, or

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[8] The Lebanese Constitution states in its preamble: *"Lebanon is a parliamentary democratic republic based on respect for public liberties, especially the freedom of opinion and belief, and respect for social justice and equality of rights and duties among all citizens without discrimination. The people are the source of authority and sovereignty; they shall exercise these powers through the constitutional institutions. The political system is established on the principle of separation of powers, their balance and cooperation. The economic system is free and ensures private initiative and the right of private property."*

[9] The Lebanese Constitution states in its preamble: *"Lebanon is a sovereign, free, and independent country. It is a final homeland for all its citizens. It is unified in its territory, people, and institutions within the boundaries defined in this constitution and recognized internationally…Lebanese territory is one for all Lebanese. Every Lebanese shall have the right to live in any part thereof and to enjoy the rule of law wherever he resides. There shall be no segregation of the people on the basis of any type of belonging, and no fragmentation, partition, or settlement of non-Lebanese in Lebanon."*

[10] The Lebanese Constitution states in its preamble: *"Lebanon is Arab in its identity and in its affiliation. It is a founding and active member of the League of Arab States and abides by its pacts and covenants. Lebanon is also a founding and active member of the United Nations Organization and abides by its covenants and by the Universal Declaration of Human Rights. The Government shall embody these principles in all fields and areas without exception."*

[11] The use of the terms sovereignty and state in the Constitution—without any explicit definition or specific interpretation—indicates that their meaning, scope, and application are to be derived solely from universally accepted theoretical and intellectual frameworks. Foremost among these is the state's exclusive authority over public affairs.

otherwise—that emerges outside or parallel to the state and claims the authority to represent or speak on behalf of the people, or any segment thereof.

Despite these two unequivocal constitutional provisions affirming state sovereignty, the founders of the Lebanese Constitution demonstrated a clear awareness of the historical and structural complexities of the Lebanese reality. They recognized that Lebanon's organic, non-civil, and non-contractual social composition, along with its traditional patterns of organization and consciousness, lacked the objective foundations necessary for the establishment of a modern state with absolute and comprehensive sovereignty. This challenge necessitated a delicate reconciliation: on the one hand, affirming the state's authority as the supreme and sovereign entity, and on the other, incorporating Lebanon's religious and sectarian communities as integral and enduring components within the political system.

This dynamic was clearly reflected in the foundational discourses that shaped the early conception of the Lebanese political entity, particularly in the approaches of Michel Chiha and Kamal El-Hage. Michel Chiha regarded sectarianism as a natural and structural phenomenon, a hallmark of civilization, and the defining feature of Lebanon's uniqueness and distinctiveness. He conceptualized Lebanon as a federation of sects, much like Switzerland is a federation of cantons. In his view, Parliament was essentially an assembly of sectarian elites, tasked with maintaining the delicate balance among Lebanon's religious communities living under the principle of coexistence. Kamal El-Hage, on the other hand, argued that sectarian identity is deeply embedded in Lebanon's very essence and that the greatness of Lebanese nationalism stems from its ability to unite two great religions under a higher spiritual fraternity. He famously declared: "If sectarianism were to disappear, Lebanon would vanish along with it, and so would Arabism."[12]

Of course, Chiha and El-Hage did not envision sectarianism as an exclusionary or divisive force, nor as a struggle for power and influence. Rather, they viewed it as an intersection of spiritual and civilizational legacies, a distinguishing feature that set Lebanon apart from its surroundings and endowed it with a unique identity. However, this line of thought failed to distinguish between religious and political identity, or to separate the cultural and moral depth of society from the principles of political organization, which are all based on rational considerations and modern philosophical foundations that define the nature of the state and the concept of the public sphere. This conflation led to ambiguity in the very notion of the state, rendering its existence fragile and contingent, while elevating the sect—and the collective sectarian order—to a primordial and immutable reality that supersedes the state itself.[13] As a result, the state, conceptualized as a federation of sects, became

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[12] See: Michel Chiha, *Face and Presence of Lebanon*, Lebanese Seminar Publications, Beirut, 1962, p. See also: Walid Khoury, *Committed Philosophy in the Thought of Kamal Al-Hajj*, Taqueen Website, 2015.
[13] This contrasts with the endeavor of Marcel Du Bois, who dismantled all parallel and competing authorities to the temporal authority, especially the authority of the church, turning them into civil bodies like any other, all of which are subject to the authority

structurally dependent on sectarian entities, drawing from them not only its organizational framework but also its justification for existence and continuity.

This framework played a fundamental role in shaping the Lebanese political system, embedding itself in the principles of parliamentary representation, power distribution, and decision-making processes. Rather than consolidating authority within a unified state structure, power was fragmented and dispersed, creating a system that undermines state cohesion and simplicity, obstructs the fluidity of decision-making and disrupts the continuity of constitutional institutions. Moreover, by granting sectarian entities legislative and judicial authority over personal status laws, the system entrenched an intricate fusion between religion and state, effectively institutionalizing a dualism wherein both religion and the state exist as sovereign, independent entities, each wielding authority within its own domain.

This structure entrenched a consociational[14] model of governance, where power is not simply exercised by a central authority over various groups, but rather shared within the center itself. In this framework, the political core is not unified but rather a composite of sectarian opposites, rendering it inherently fragile and perpetually susceptible to fragmentation. As a result, what emerges is not a single political center but rather multiple competing centers of power. Likewise, state sovereignty is not absolute but instead fractured into multiple sovereignties, each corresponding to a different sectarian entity.

The Taëf Agreement marked a critical turning point in Lebanon's history, aimed at containing internal collapse. The architects of the agreement recognized the dangers of sectarianism and its destructive impact on the state structure and political system over decades. In response, they sought to purge politics of sectarian influence, stripping sectarian groups of their political and sovereign status and restoring them to their social and religious roots. This was encapsulated in the abolition of political sectarianism.

Yet, there was a prevailing sense of apprehension surrounding this bold and decisive step knowing that abolishing political sectarianism was not merely a matter of legal procedures and political arrangements; it required a profound shift in collective mindsets, a break from the grip of sectarian allegiances, and the dismantling of tribal-like structures. They recognized that ending political sectarianism is a political and societal process, one that could not be achieved through constitutional

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of a single master. The Lebanese founding process was to transform the Lebanese sects from social and religious components to political components.

[14] See: Khaldoun Al-Naqeeb, *Society and State in the Gulf and Arabian Peninsula*, Beirut, Center for Arab Unity Studies, 1987, pp. 171–175. See also:

Schmitter, P., Neo-Corporatism and the State, in Wyn Grant, Editor, The Political Economy of Corporatism, London, Macmillan, 1985, pp. 32-63. Also: Stepan, A., *The Stata and Society: Peru in Comparative Perspective*, Princeton University Press, New York 1969, p. 117.

texts alone but required societal change, a shift in mentalities, and a fundamental realignment of allegiances and communal identities.

Thus, the Taëf Agreement went halfway toward the abolition of sectarianism, eliminating it in public service jobs, in the judiciary, in the military and security institutions, and in public and mixed agencies in accordance with the requirements of national reconciliation. However, Grade One posts and their equivalents shall be exempted from this rule, and the posts shall be distributed equally between Christians and Muslims without assigning any particular job to any sectarian group but rather applying the principles of expertise and competence. As for political sectarianism, **Article 95** of the Constitution recognized its abolition as a national objective but stipulated that its implementation would follow a gradual transitional plan. The responsibility for this transition was entrusted to a "National Committee, headed by the President of the Republic and including the Speaker, the Prime Minister, and political, intellectual, and social figures. The task of this Committee shall be to study and propose the means to ensure the abolition of sectarianism, to submit them to the Parliament and the Council of Ministers, and to follow up the execution of the transitional plan."[15]

Thus, the abolition of political sectarianism became a constitutional reality, making any initiative or demand toward its implementation legitimate and legally grounded. However, the Constitution differentiated between the constitutional legitimacy of this abolition and its actual enforcement, tying its execution to the fulfillment of specific social, cultural, and political conditions. As a result, the abolition of political sectarianism exists as a constitutional principle, yet its implementation remains indefinitely deferred—a constitutional reality on hold.

3. Lebanese Reality and Sovereignty

The implementation of sovereignty is ultimately dictated by political realities, which unfold through solidarities, alliances, and power dynamics on one hand, and through practices, interpretations, and political discourse on the other. While the Constitution firmly establishes sovereignty as an absolute principle, it remains a theoretical construct unless actively upheld and consistently enforced across all spheres of public life. Although the Constitution serves as the ultimate reference for legitimacy and political authority, it has often been misinterpreted, circumvented, or rendered ineffective in the face of shifting power dynamics. These imbalances have enabled the imposition of political custom over constitutional law, allowing distorted interpretations of sovereignty to take hold. In effect, this has given rise to an informal, unwritten parallel constitution that governs the distribution and exercise of power. As a result, Lebanon faces a profound and unbridgeable gap between constitutionally defined sovereignty and de facto arrangements.

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[15] Article 95 of the Lebanese Constitution.

It can be said that Lebanon's political reality since the Taëf Agreement has represented a setback for state sovereignty, which has been undermined at times by external interference and, at other times, by deliberate internal obstruction and misinterpretation.

At the external level, Israeli occupation and repeated violations have posed the greatest challenge to Lebanese sovereignty. Israel has consistently, and under false pretexts, breached Lebanon's airspace and territory on a near-daily basis, with little to no effective international deterrence. This challenge has exceeded Lebanon's ability, both as a state and as a people, to confront or prevent it alone—given Israel's technological superiority, overwhelming military capabilities, and the persistent international complacency in addressing these violations. At the same time, the Lebanese state has largely neglected or disregarded this issue for decades, creating sovereign vacuums that various actors sought to fill. This, in turn, facilitated the emergence of alternative security structures, stripping the state of one of its core sovereign functions: national defense and security.

Israel was not the only threat to Lebanon's sovereignty. Before the Israeli invasion, Palestinian armed groups established security enclaves that expanded across large areas of Lebanon, interfering in political affairs and undermining state authority. This was followed by Syrian tutelage, which lasted for nearly three decades, playing a destructive role in Lebanon's political life and constituting a blatant violation of its sovereignty. This was followed by Hezbollah's expanding military arsenal, which, at its core, serves as a strategic extension of Iranian influence in the region turning it into a covert form of Iranian tutelage over Lebanon.

These challenges were beyond Lebanon's capacity to confront alone. However, the Lebanese will—expressed through its people, institutions, and collective solidarities—persistently rejected all forms of external tutelage, reaffirming the imperative of restoring full state sovereignty over Lebanese territory. This determination was powerfully demonstrated in the March 14 movement, whose momentum led to the end of Syrian presence in Lebanon, and later in the October 17 revolution, which directly challenged the deep-rooted structures that undermine state sovereignty.

On the domestic front, sovereignty was further undermined by the creation of security arrangements that contradicted the principle of full state authority. This was most evident in the military arsenal of Hezbollah, which was established on an ideological foundation foreign to Lebanese society and driven by the political imperatives of Iran's Wilayat al-Faqih[16] (Guardianship of the Islamic

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[16] Wilayat al-Faqih (Guardianship of the Islamic Jurist) serves as the foundational pillar of Hezbollah's ideological framework, shaping both its internal organization and political doctrine. It is not merely a religious concept, but a governing principle that dictates the legitimacy of political authority and action. According to this doctrine, the Wali al-Faqih (Guardian Jurist) is vested with divinely granted authority, inheriting the full powers of the Prophet and the Hidden Imam in all matters related to governance of Muslims. As the sole source of legitimacy, he determines the validity of any political action, legal framework, or allegiance to authority. Consequently, Wilayat al-Faqih stands above the authority of the state, with the power to legitimize, delegitimize, or even oppose and overthrow political authority. Not only does this create a dichotomy between the sovereignty of the state, which should have the final

Jurist) regime, aimed at exporting its revolution. Hezbollah insisted on retaining its arms completely independent of the state, continuously expanding and advancing its arsenal, and broadening its regional military operations, entirely detached from state authority and decision-making. As a result, Hezbollah monopolized the decision of war and peace, depriving the state of its exclusive right to control legitimate arms and preventing the full extension of state sovereignty over Lebanese territory. Additionally, Hezbollah transformed large areas of Lebanon into exclusive security zones, prohibiting state forces from entering them. These developments directly eroded the sovereignty of the Lebanese state, undermining its very foundations.

Hezbollah was fully aware of the anomalous nature of its armed status within the Lebanese state. To secure political legitimacy for its weapons and shield itself from international prosecution, it sought to establish a domestic framework that would provide the necessary legal and political cover for its military presence. By leveraging its military superiority, Hezbollah successfully imposed the "Army, People, and Resistance" triad—an equation that emerged from the Doha Agreement, which was brokered to end Hezbollah's armed takeover of Beirut. This agreement was endorsed by all major Lebanese political factions, including the March 14 Alliance. However, what many failed to acknowledge—or perhaps deliberately ignored—was that this triad effectively granted Hezbollah's military presence an independent status, separate from both the people and the army, placing them on an equal footing with the same authority and legitimacy of both the Lebanese Army and the people. This arrangement undermined the foundations of the modern state, destabilized the national social contract that unites the Lebanese people, and—most significantly—amounted to an implicit admission that the state has relinquished aspects of its sovereignty to Hezbollah.

In addition to the aforementioned challenges, Lebanon has developed a political custom that operates alongside the Constitution, based on discretionary and distorted interpretations of sovereignty.[17] Over time, this customary practice, once considered secondary and temporary, has become a primary and entrenched norm, gradually superseding constitutional principles in governance and resource distribution instead of the constitutional text itself. This phenomenon was evident during the Syrian tutelage and also when de facto forces leveraged their military dominance to impose a political custom and a security arrangement to serve as an unwritten, parallel constitution so as to establish a system that mirrors the balance of power and de facto authorities, resting on a foundation of eroded and disregarded sovereignty.

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authority, and the Wali al-Faqih (Guardian Jurist) as the exclusive source of legitimacy for any political act, statement, or principle, but it also places the Wali al-Faqih as the ultimate origin of all legitimacy—including the legitimacy of the state itself. Thus, in both its theoretical foundations and practical applications, Wilayat al-Faqih stands in direct and fundamental opposition to the concept of state sovereignty, which is derived from the sovereignty of the people.

[17] Such as: the sectarian quota system in the allocation of state resources, the designation of political parties as guardians of their respective sects under the pretext of national consensus, and the granting of Hezbollah's weapons a legitimate status and a sovereign function.

All of this underscores that the effectiveness of sovereignty is not solely dependent on its constitutional legitimacy; it must also become a tangible, objective reality rooted in the rules of the political game, collective mindsets, solidarity structures, and internal allegiances. This implies that the constitutional text represents only half the journey, while the other half depends on a political reality aligned with the spirit, principles, and provisions of the Constitution. This alignment has yet to be achieved in Lebanon, and as time passes, the gap between the state's theoretical sovereignty and its actual sovereignty continues to widen. Bridging this gap requires a long-term vision, compelling the Lebanese to pursue serious efforts toward creating the historical conditions and fostering the value system that will embed sovereignty as a deeply rooted reality and transform it into an inherent characteristic of Lebanese society itself.

Authors' Short Bio

Dr. Wajih Kanso is a researcher and academic specializing in philosophy, engineering, and political science. *He holds a PhD and a Master's degree in philosophy from the Holy Spirit University of Kaslik, in addition to a PhD and a Master's degree in mechanical engineering, intelligent control, and robotics from Wayne State University in Michigan, USA. He also holds a Bachelor's degree in political and administrative sciences from the Lebanese University.*

He has held various academic positions, teaching at Wayne State University in Detroit (1985–1990), the Faculty of Engineering at the American University of Beirut (1990–1994), and the Faculty of Engineering at the Lebanese University (1990–2014). Since 2010, he has been a professor in the Department of Philosophy at the Lebanese University, and since 2007, he has been lecturing at the Faculty of Religious Sciences at Saint Joseph University. He also served as the Director of the Royal Institute for Interfaith Studies in Amman, Jordan (2018–2020) and was an advisor to the Lebanese Minister of Education on university affairs (2009–2012).

Dr. Kanso has published over fifty peer-reviewed research papers in the fields of engineering, philosophy, religious thought, and public affairs. Since 1990, he has been writing weekly articles for newspapers and online platforms. He has authored several books, including The Idea of God: Truth and Meaning, The Philosophy of Religious Pluralism, The Religious Text: From Interpretation to Reception, The Arab Public Order: The Problem of Religion, State, and Society, The Philosophy of the Public Sphere, Imami Shi'ism Between Text and History, and The Imams and Politics.

Additionally, he has translated several intellectual works, such as The Sacred and the Secular, The History of Myth, An Introduction to Hermeneutics, Understanding the Philosophy of Gilles Deleuze, and Commentaries on Heidegger's Being and Time.

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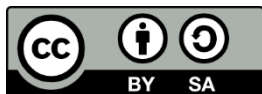
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