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Lebanon's JFK: who killed Hariri?

Shrouded with inconsistency, the special tribunal for Lebanon could be sending the country back towards civil disorder.

10/8/2010

Dead or alive, America's J.F. Kennedy and Lebanon's Rafiq Hariri conjure up thoughts of conspiracy. Who really so meticulously and masterfully staged the slaying of Lebanon's Premier Rafiq Hariri in 2005? Is Hezbollah being framed for a Lee Harvey Oswald destiny?

Today, Lebanon is perched on a precarious precipice, a return to the savagery of civil strife – perhaps condemning the ingenious Lebanese people to a Hobbesian existence: where life may be 'short, brutish and nasty.'

The Court of History

Things are not straightforward in Lebanon, for polity labours under the burden of history. In particular, the court of history will harshly judge the country's masters of politics. By the 1989 Taif Agreement, many of these politicians and their movements were given a coup de grace, unburdening them of their misdeeds and absolving them of their crimes. It was the National Reconciliation Agreement - deftly brokered by the Saudis - which ended the 15-year-civil war during when atrocities of all kinds were committed by locals and foreigners.

Maybe this is at the core of the Lebanese miasma: the many guilty parties that committed crimes during the civil war were 'recycled' for the post-war task of governance and

reconstruction. A decision which was undoubtedly at the expense of the Lebanese people, denying them a fresh start without the cabals of leaders who executed a war that spared no community, no religion, and de-sacralised the state and legality.

Just as there are questions today about the killing of Rafiq Hariri, there are unanswered questions and an absence of justice in the killing of former Premier Rashid Karami. The same goes for President Rene Moawad, or President elect Bashir Gemayel, and Kamal Jumblatt. That, in addition to the atrocities committed by the Christian Kataib of the Lebanese Forces at Palestinian refugee camps of Sabra and Shatila, there was also the suffering and atrocities of Damour, Tell Azza'tar and the Krantina. So too does justice remain unanswered for the ordinary Lebanese citizens, women in particular, who were victimized widely and by all the warring factions.

This is what makes the STL an oddity in Lebanon, atrocities that far outweigh the Hariri assassination - and murders on par with it - will never face justice. This is not to detract from Hariri, a figure larger than life and a philanthropist par excellence. Acknowledging Lebanon's bloody past is an important task in order to situate justice in a wider context that does not shorten history: the killing fields of Lebanon began way before 2005.

No warring party in the Lebanese civil war can claim innocence.

Bellemare's Court

News of a possible indictment against Hezbollah a few months ago caused a significant stir in Lebanon and Middle East region as a whole. The symbolism of a joint visit by Syria's Assad and the Saudi monarch to Beirut was not a good omen.

In addition, Shaykh Hassan Nasrallah was essentially forced into addressing the public himself through two long live televised sessions, the first of which was on the 9th of August 2010. Maybe what Nasrallah presented was partly a speech of crisis, but its value to Hezbollah was worth every moment spent out of his hiding.

Nasrallah often emerges in the definitive moments that have shaped Hezbollah's rise to power - Israeli withdrawal from southern Lebanon in 2000, various high profile prisoner swaps, the summer 2006 (thirty-three day) Israeli indiscriminate bombing campaign, and several key addresses lambasting pro-American allies in the region (such as Egypt and Saudi Arabia).

Hezbollah and Arab public opinion

Nasrallah's vindication speeches, coupled with previously classified footage, specifically on the 9th of August seemed to have impacted greatly on the 'Arab public'. Most notably his suggestion of raising the possibility of Israeli involvement in the murder of Hariri.

Though he had no answers, his questions of why Israel is excluded from the STL's investigations fed suspicion about the STL's work and the evidence that might have been fabricated by so-called false witnesses. The speeches struck a chord with a majority of Arab citizenry and the Lebanese in particular. Nasrallah's words sowed doubts about the STL as an impartial and apolitical instrument of justice.

Many of the heavy weights of Lebanese politics, as well as Sunni leaders, have rallied behind Hezbollah. Even morbid enemies of Hezbollah, such as Marwan Hamada, are not happy with the hypothesis of an indictment against Hezbollah. Furthermore an investigative judge has issued 33 arrest warrants against various Lebanese figures, including allies of Premier Saad Hariri.

Regional implications

Saad Hariri knows that he is expendable as far as Syria goes. Nasrallah is a folk hero in Syria where his pictures decorate walls and windows of all kinds. Hezbollah has been conducting a war by proxy which could one day convince the Israelis to return the Golan heights to Assad. Hezbollah's stock will continue to be high for the foreseeable future, both politically and publically in Syria. Conversely Saad Hariri does not enjoy such reverence. Cynically it could be alledged, that his public declaration of Syria's innocence of any involvement in his father's death, was to court favour.

Saad Hariri may be now investing all of his political bets on an indictment against Hezbollah. He should however hedge his bets. Lebanese President Michel Suleiman voiced doubts about the STL's credibility in his UN speech last month. Maybe his statement divulges the fear that the rush to seek justice at all costs may unhinge the future of Lebanon's social peace.

Saad's dilemma

In any other country, a Premier whose father's murder is being investigated would step down until the courts hand down their judgement. Yet Hariri and Hezbollah's shared spotlight of opportunities and perils may gauge Hariri towards public interest; a personal agenda and mourning should be secondary in the case of a clear clash of interests.

The Lebanese government's agreement with the STL is now an international matter that may not be revoked. If he chose, as Hezbollah would like him to, Saad Hariri can discredit the STL. Yet Hariri may be waiting for the moment of 'truth.' Perhaps only then will he choose to grant a pardon to the 'guilty' individual or individuals.

The question is whether he should wait and prove his leadership before the indictment. Doing this would grant him political immortality, but at the heavy cost of upsetting international allies.

As for Hezbollah, it is feeling undue pressure over possible indictment. Statements by Hezbollah high-ranking cadres such as Minister Nawwaf Moussawi perhaps prematurely reveal panic. The party may no longer be hopeful that the Saudis or others could succeed in stopping the STL. But the writing is on the wall, which could mean that Hezbollah may not co-operate any further with the STL.

Hezbollah will not accept conviction it believes is based on false claims and evidence. An indictment no matter how insignificant or limited would by implication, mean that whoever pressed the button was acting on instructions from above. This development would be catastrophic for the future and standing of a formidable political party.

A legacy of resistance

Hezbollah has red lines: its resistance is not up for grabs. In its own rhetoric, what Israel and the US could not get by force in 2006 will not be granted to them by default through the STL. Even if the STL indicts Hezbollah, the bulk of the Arab public will not subscribe to the verdict. Like in Kennedy's case, there will always be question marks about the real culprit or culprits.

Hezbollah cares not for political power. Its political values and objectives have more to do with liberating Palestine and Jerusalem than gaining seats in the Lebanese parliament. Its second political manifesto revealed to the world last year, affirms this political philosophy. What the world should fear is an indictment that condemns Hezbollah to the political wilderness.

Hezbollah is capable of pragmatism, and Nasrallah has done a great deal to turn a band of religious zealots into master politicians, contesting power at every level and through legal, democratic and constitutional channels. Hezbollah would be the biggest loser if it were to be dragged into a civil war or a sectarian showdown with the Sunnis. It enjoys wide following in Lebanon and the wider Arab World.

Indeed, since it is assured of its innocence, even if an indictment is issued against Hezbollah, it will not turn it into a villain. Its own 'truth' should be pursued with zest, zeal and through legal and political means.

In the big scheme of things, especially when justice does not seem to be clear-cut, bending the law so that Hezbollah does not have to break it may not be a bad investment in the future of Lebanon.

The STL failed to strike when the iron was hot. An indictment coming five years later after the killing may not be enough to either impact on the party indicted or to absolve the

STL itself from inconsistencies and confusion: pointing the finger at Syria first but without issuing an indictment.

Lebanon was murdered for 15 years during a vicious civil war; it was murdered when Hariri and other compatriots were killed, and it was murdered again when the Israelis dropped thousands of tons of bombs on Lebanon during 2006. It would be a shame to murder it once more by butchering a process of justice whose outcome is not assured.

A 'rush to judgement' may prove calamitous for all.