The lid on memory

Ten years after the war, Lebanon still can't answer the question: where do you hide 17,000 corpses?

The tenuous voice on the soundtrack belongs to law professor Emile Sheaib. What he has agreed to impart to film-maker Bahije Hojeij for his documentary film *Makhtufun* (Kidnapped) is more than a story, it is a state of mind. Where the law demands precision, the abduction in 1985 of Sheaib's son, André, brought him not just tremendous suffering, but ambiguity. Sheaib's particular nightmare is to inhabit the disorder of a narrative with no ending.

The narrative has had frequent interruptions. When his son was kidnapped Sheaib became easy prey for extortion. As he puts it, a 'cornucopia of middlemen' approached him offering information on André's supposed whereabouts, in exchange for cash. Caught between a need to find his son - or at least discover what happened to him - and a refusal to let a potentially good lead slide, Sheaib borrowed money and sold his belongings to raise the ransoms. All to no avail. Nothing has been heard from André Sheaib.

Last October, an organisation called the Committee of the Families of the Kidnapped and Disappeared in Lebanon sought to remind the government of the 17,000 or so people who vanished between 1975 and 1990, the long night of Lebanon's wars. The committee, established in West Beirut in 1982, launched a campaign to find common ground with the authorities, who have assiduously avoided investigating the fate of the disappeared.

The pattern of official prevarication was set in the 1980s, when three parliamentary committees were established. Their efforts came to nothing, since the militiamen who arranged the abductions were far more powerful in those days than Lebanon's supine legislators. Yet when
the conflict ended, the families of the disappeared discovered that they faced an obstacle more perverse than the chaos of the war years: national amnesia.

Those who inherited power in Lebanon were the most capable of the wartime commanders. Several measures abetted their metamorphoses into pillars of the post-war oligarchy, absolving them of responsibility for their wartime crimes. As a result, even an award-winning documentary such as Hojeij’s was too hot to be broadcast on national television – it might have disturbed the postwar serenity decreed by the authorities.

The most notable of the government’s self-protection measures came in August 1991, when Omar Karami’s government issued a general amnesty pardoning those who had engaged in a variety of wartime crimes, including the fomenting of civil and confessional conflict and politically motivated murder. While most war criminals were exonerated, however, pardon was denied to those who had engaged in bank fraud, the smuggling of antiquities and the selling of property to foreigners without a licence.

The Committee of the Families was incensed. Its members had not spent eight years trying to secure the release of their loved ones only to sanction absolution. When the committee was first established, perhaps as many as a thousand people were abducted by the Israelis and their Lebanese allies. The majority were Muslims and their abductors believed them opposed to the Christian leadership which the Israelis had helped bring to power. This determined the initial religious composition of the committee, which was largely Muslim.

However, the war was ecumenical in its selection of victims. In the mid-1980s a similar grouping was established in predominantly Christian East Beirut to demand the release of individuals caught ‘on the other side’. The Muslim-Christian divide appeared not to affect the relatives of the disappeared, who merged into one group at the war’s end, in spite of militia attempts to stir up religious animosity between the families at the height of the hostilities.

The families’ task changed once the fighting stopped. Rather than attempting to obtain the release of those abducted, the families concentrated on gathering information on their fate. Implicit in this was a recognition that the kidnapped were dead. Many had long accepted this. More problematic are those who continue to presume the contrary. Practically all those in the committee believe their relatives are still alive.
Their hope resides in a sophism that plays on the fact that many of those abducted vanished without a trace: where, they ask, does one hide 17,000 corpses?

Where indeed? And yet the same could be asked of 17,000 living human beings who, one must presume, are languishing in approximately 17,000 cellars and eating up the reserves of their increasingly destitute captors. There is a further paradox in the committee’s post-war demands: though most members assumed the disappeared were alive, the committee’s representatives sought for several years to persuade the state
to declare the missing dead, if a commission of inquiry so determined.

This posed major problems for the authorities. Virtually everything in
the new republic makes the appointment of a commission of inquiry
improbable. Not only would it embarrass several former warlords who,
as elected parliamentarians, would be called upon to approve its
establishment, but it would also reopen a Pandora’s box of wartime
recrimination.

Lebanon’s leaders have also been reluctant to approve a measure that
is potentially harmful to business. After Rafiq al-Hariri became prime
minister in 1992 there was a concerted effort to put a lid on memory.
Hariri sought to introduce a new social order, the central tenet of which
was that Lebanon had jettisoned all its wartime enmities. Hariri’s society
was to be inherently harmonious, united by a desire to make money and
entice foreign investors to Beirut. The imbroglio of the disappeared was
an impediment to both the political order which sustained Hariri and
the vision he was trying to peddle. His successors have stayed on course.

The committee’s demand for a collective declaration of death raised a
host of legal problems, particularly with the Muslim judicial hierarchy.
The Muslim courts have authority over personal status issues, including
inheritance, and such a declaration would have bypassed them. The
authorities’ misgivings were compounded by the fact that they deny
responsibility for the disappearances: the state, they argue, was absent
during the war years.

Hariri thought he had solved the problem in April 1995 when
parliament passed a law shortening the period required for families to
have abducted relatives legally declared dead. While this was done to
speed up inheritance procedures, it was rejected by the families because
it forced them to initiate judicial proceedings to effectively ‘kill’ their
loved ones. To add insult to injury, the government ignored the
committee’s proposals for new legislation on the disappeared.

The episode was preceded by an unusual statement in January 1995
from the parliament speaker, Nabih Birri, himself a one-time militia
leader. As parliament prepared to discuss the draft law on the legal
declaration of death, Birri bluntly announced that there were no
survivors among the disappeared. The statement was revealing in that a
public figure could blithely admit that thousands of people had been
murdered, without provoking a public backlash.

Retribution is a matter on which the Committee of the Families
remains divided. The more pragmatic understand that the authorities will reject their demands, even the obtainable ones, for as long as they believe the families seek retribution. Others, following the example of Chile and Argentina, play on officials’ fears by insisting that now is the time to bring former wartime leaders to justice.

That is unlikely, however, and for now the pragmatists prevail. The committee has been so marginalised in recent years that President Emile Lahoud has neglected to meet with its representatives. It was to avoid becoming inconsequential that they reformulated their aims in October, reducing them to three demands which the government might eventually consider.

First, the committee called, once again, for the formation of a commission of inquiry which would publish its findings within a year. Significantly, it did not request a collective declaration of death. The authorities find a commission of inquiry distasteful, but might accept some sort of body which declares that the disappeared have not been found, while avoiding pronouncing them dead.

Second, the committee called on the government to institute a social programme to assist relatives of the disappeared. And finally, it requested that 13 April, regarded as the date of the start of the Lebanese war, be set aside as a ‘day for memory and the disappeared’. It called, in addition, for the building of a monument to the victims of war crimes. Both demands may be acceptable to the state, within certain limits, and the symbolic force of a well-designed monument should not be underestimated.

Timorousness is a potent feature of Lebanon’s post-war psyche. The authorities are likely to postpone a decision for as long as they can but at some stage, the Committee of the Families calculates, they might become uncomfortable. The families may then be given something to alleviate their burden, though it will certainly fall short of an answer to the question: What happened?

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