

Does Hezbollah remain a competitor for sovereignty within the Lebanese Republic?

PhD. student **Georgian Ionuț STAN**¹

Abstract

The confessional distribution of power was created as a mechanism for stabilizing and guaranteeing access to power among the main religious communities, and the Taif Agreement contained elements interpreted as steps toward reducing the exclusively confessional nature of institutions. In fact, the abolition of political confessionalism is also a national goal, as it is included in the preamble to the Lebanese constitution. Hezbollah, a political and paramilitary organization that claims to represent an important part of the Shiite community, is sometimes described as a "state within a state," which has given it characteristics of a competitor to the sovereign powers of the Lebanese state. After a long period of presidential vacuum, the parliament managed to elect a new president, following intense political negotiations both internally and under external pressure. Proposals have been made, and official discussions have taken place on the creation of a plan to centralise weapons and disarm Hezbollah, but the parties involved, and Hezbollah's firm stance make effective implementation unclear. This article aims to shed constitutional light on these new developments and attempt to answer the question of whether Hezbollah remains a competitor to sovereignty within the Lebanese state and whether, in this context, the seeds of abolishing sectarian power distribution are emerging.

Keywords: competition, sovereignty, monopole, power, distribution, sect, religion.

JEL Classification: K10, K19

1. Introduction

Although there have been and still are other situations in which the state has faced internal actors who effectively challenge sovereignty, in the constitutional and Weberian² sense of the term (monopoly on legitimate coercion), the case of the Lebanese Republic is particularly unique. Here, political power is not exercised exclusively through state institutions but is distributed through a confessional arrangement. Within this system, an actor who claims to represent a religious community not only undermines the state's monopoly on legitimate force, thus becoming a competitor in the exercise of state sovereignty, but also participates in institutional political life, from where, at certain moments, he evades the rules of democratic competition for power. In other words, they operate simultaneously both within and outside the constitutional order, through their own armed structures, which strains the very idea of the indivisible sovereignty of the state.

By comparison, the case of the Taliban, until the withdrawal of the North Atlantic Alliance troops in the fall of 2021, constituted a form of competition to the sovereignty of the Islamic Republic of Afghanistan, because in large territories they replaced the authority of the state, exercising classic functions of sovereignty: law

¹ Georgian Ionuț Stan - Doctoral School of Law, Bucharest University of Economics Studies, Romania, stanionut23@stud.ase.ro.

² Max Weber, *Politics as a vocation*, Oxford University Press, New York, 1946, pp. 3-4.

enforcement, the administration of justice, tax collection, and the exercise of coercion. At this stage, the constitutional order was openly and simultaneously challenged. After 2021, with the abolition of the republic and the complete takeover of political power, the Taliban no longer challenged the sovereignty of the state, but established a new de facto constitutional order, even if it lacked international recognition.

Of course, the two cases are not similar in all respects, and the comparison is limited to the dimension of competition for sovereignty. In the former Islamic Republic of Afghanistan, the state structure was not confessionalized, and Islam explicitly dominated the legal and institutional framework, in a form close to theocracy, without a formal division of power between religious communities. In contrast, in the Lebanese Republic, the existence of numerous and relatively balanced confessional communities, the majority of which are proportional, is enshrined in the constitutional architecture of the state. This makes possible not only the institutional sharing of power between confessions, but also the emergence of an actor who, benefiting from a certain religious and political legitimacy, manages to compete with the state both in terms of internal sovereignty and external sovereignty.

In the case of the Lebanese Republic, Hezbollah, which we will discuss in this article, appears to exercise the powers of a para-state, but recent developments, the election of the president after the institutional vacuum, and political initiatives on disarmament may signal a recalibration of the balance of power which, in certain scenarios, could reduce or even abolish its status as a competitor to sovereignty.

Thus, we propose to analyse the extent to which Hezbollah still meets the practical conditions that qualify it as a "competitor for sovereignty" and what constitutional and international relevance the election of the new president of the Lebanese Republic and his intentions regarding disarmament have for restoring the state's monopoly on force. Are there signs that the confessional mechanism of power distribution is about to be abolished or recalibrated?

2. The state and sovereignty

The concept of the state can be approached from several perspectives, namely sociological, legal, philosophical³, and political⁴. For the purposes of this article, we are primarily interested in the sociological approach. Even though constitutional doctrine does not entirely agree on the number of elements⁵, most of the doctrine considers that three elements make up the state: the population, the territory, and a power/authority that is exercised over that territory and that population⁶. Although, again, there are differences regarding the third element in terms of how this power or authority is named, we note that its characteristic must be exclusive or sovereign.

Thus, if a power is not sovereign or fully sovereign, a constituent element of the

³ Dan Claudiu Dănișor, *Drept constituțional și instituții politice, Vol. I. Teoria generală. Tratat*, C.H. Beck, Bucharest, 2007, p. 22.

⁴ Cristian Ionescu, *Tratat de drept constituțional contemporan*. 2nd ed., C.H. Beck, Bucharest, 2008, p. 91.

⁵ Dan Claudiu Dănișor, *op. cit.*, 2007, p. 22.

⁶ Vlad Constantinesco, Stéphane Pierré-Caps, *Drept constituțional*, Translation of the 7th edition by Diana Dănișor, Universul Juridic, Bucharest, 2022, p. 301; Mihai Bădescu, *Drept constituțional și instituții politice*, 15th edition, Hamangiu, Bucharest, 2023, p. 151; Ion Deleanu, *Instituții și proceduri constituționale – în dreptul comparat și dreptul român* -, Servo-Sat, Bucharest, 2003, p. 261.

state is called into question, and thus the very existence of the state can be challenged. That is why we considered it necessary to bring up the sociological analysis of the state at the beginning of this article, because in the case of the Lebanese Republic, the third element of the state has a real competitor in the political and parastatal actor Hezbollah.

In order to better understand what follows, we consider it necessary to briefly examine the doctrine of sovereignty, particularly regarding the monopoly of coercion, but we will also mention the external aspect of sovereignty, given that Hezbollah has weakened this aspect of Lebanese sovereignty as well, not just the internal aspect.

We can understand from the classical concept of sovereignty that "the state determines its own powers and fundamental rules, to which all rules applicable on its territory are subject, without exception, and for the observance of which it is the only one that can use public force, because it has a monopoly on armed coercion."⁷ Thus, according to the classical theory of sovereignty, sovereignty is seen as the foundation of state unity⁸.

When we refer to the content of sovereignty, sovereignty has two dimensions, the internal dimension and the external dimension, the first referring to the internal relations of the state with its elements and the second referring to the relations of the state with other states or other supranational structures⁹.

The doctrine notes certain shortcomings in the classical theory of sovereignty, but even with these shortcomings, since we do not have a more advanced substitute for this theory, it should be remembered that sovereignty has the following characteristics: it is a power of law, it is an original power, and it is a supreme power¹⁰.

The holder of sovereignty is usually the people, i.e., that part of the country's population composed of citizens, who may or may not be residents of the state in question. The exercise of sovereignty in a constitutional democracy is achieved through voting (in the broad sense) by citizens.

Returning to the content of sovereignty, namely its two sides, we are interested in the internal side, as we have already stated, that monopoly of organized coercion according to Weber, which assumes that internally, the state cannot have any competitors, groups, or individuals¹¹. In other words, the state is the only legal entity that can adopt rules of law and compel other legal entities to comply with these rules enacted by the state¹². The coercion that the state can exercise is not only of a police/military nature, but also economic and financial¹³.

Legal doctrine has even stated that when a group exercises power that competes with that of the state, there is no longer a monopoly, in the sense that there is no longer sovereignty or a state¹⁴. Taking this last idea into account, it seems that we can no longer speak of the Lebanese state as a true state.

⁷ Dan Claudiu Dănișor, *op. cit.*, 2007, p. 65.

⁸ Ion Deleanu, *Drept constituțional și instituții politice – tratat -, Vol. II*, Europa Nova, Bucharest, 1996, p. 49.

⁹ Dan Claudiu Dănișor, *op. cit.*, 2007, p. 75.

¹⁰ Ibid, pp. 65-66.

¹¹ Ibid., p. 75.

¹² Ibid.

¹³ Ibid. p. 76.

¹⁴ Dominique Turpin, *Droit constitutionnel*, P.U.F., Paris, 1999, pp. 18-19, *apud* Dan Claudiu Dănișor, *op. cit.*, 2007, p. 76.

Ultimately, the external aspect of sovereignty implies that the state is independent externally, both in its relations with other states and with international and supranational structures and is not subordinate to any other state. However, as constitutional doctrine also notes, external sovereignty is closely correlated with internal sovereignty¹⁵. We could say that when internal rules do not prevail within the state and there is competition between certain groups in relation to the state when it comes to sovereignty, the independence of the state is also affected.

Even more so when those groups begin to compete directly with the state in international law, both sides of sovereignty are called into question.

3. The statehood and sovereignty of the Lebanese Republic

The Constitution of the Lebanese Republic will soon celebrate its centenary, having been adopted in 1926, just before Lebanon gained independence in 1943¹⁶.

On the surface, Lebanon meets the necessary conditions to be considered a true state, if we refer to the sociological analysis of the state. The Lebanese state has a territory whose borders are enshrined and described constitutionally in Article 1 of the Constitution of the Lebanese Republic¹⁷.

However, when we analyse the other two constituent elements of the state, some questions begin to arise.

Although most of the Lebanese population speaks Arabic as their mother tongue and shares a relatively common cultural identity, the country is divided into numerous religious communities. The state officially recognizes 17 religious groups, according to one author¹⁸, or 18, according to another¹⁹, the most numerous of which are Maronite Christians, Shiite Muslims, and Sunni Muslims. This confessional division is directly reflected in the structure of political power. Since independence from the French Republic in 1943, the Lebanese Republic has operated based on a sectarian power-sharing system, in which each major religious community enjoys institutional representation in both key state leadership positions and state administration²⁰.

It can be said that the Lebanese confessional system has deep historical roots. Since the Ottoman era, when this territory was under the administration of the Ottoman Empire, there have been political and administrative arrangements designed to accommodate the various religious communities in the region²¹. For example, after the inter-confessional violence of the 1840s between Maronite Christians and Druze in the

¹⁵ Dan Claudiu Dănișor, *op. cit.*, 2007, p. 77.

¹⁶ See: Georgian Ionuț Stan, „The Separation of Powers as a Unifying Factor of the Nation”, *Perspectives of Law and Public Administration* 14, no. 1, 2025, pp. 63-69, available at: <https://www.adjuris.ro/revista/articole/An14nr1/3.pdf>.

¹⁷ Lebanese Constitution, available at: <https://www.lp.gov.lb/backoffice/uploads/files/Lebanese%20%20Constitution-%20En.pdf>, accessed on 20 November 2025.

¹⁸ Michael T. Kindt, *Hezbollah: A State within a State*. In: Michael T. Kindt, Jerrold M. Post, Barry R. Schneider (editors), *The World's Most Threatening Terrorist Networks and Criminal Gangs*, Palgrave Macmillan, New York, 2009, pp. 123–144, available at: https://doi.org/10.1057/9780230623293_6.

¹⁹ Imad K. Harb, „The Failure of Political Sectarianism in Lebanon”, *Journal of South Asian and Middle Eastern Studies*, vol. 47 no. 4, 2024, p. 1-19, available at: <https://dx.doi.org/10.1353/jsa.2024.a970302>.

²⁰ See: Georgian Ionuț Stan, *op. cit.*, 2025, pp. 63-69.

²¹ Imad K. Harb, *op. cit.*, 2024, p. 1-19.

Mount Lebanon area, the Ottoman authorities experimented with a system of local government that distributed power among representatives of the sects as a measure to ease tensions between some religious communities²².

Finally, when we analyse the third element, namely the sovereign power exercised over the population and within Lebanese territory, the most controversial discussion arises, as the state does not have a monopoly on coercion. Of course, it is not the Constitution of the Lebanese Republic that directly tells us that there is a competitor to the monopoly of coercion within the state, as the Lebanese fundamental law establishes the opposite in the same Article 1, which describes the Lebanese state as sovereign²³.

However, the same fundamental act, which recognized the sectarian reality at the level of the Lebanese state, because otherwise the abolition of the confessional system would not have been proclaimed a national goal, can be said to facilitate this competition for the monopoly of state coercion, because Hezbollah, which presents itself as the representative of the Shiite religious community, not only participates in the competition for political power, but also competes with the Lebanese state for sovereignty.

4. Hezbollah – a state within a state?

We preferred to use the phrase "Hezbollah – a state within a state," the title given to a chapter by Michael T. Kindt in "The World's Most Threatening Terrorist Networks and Criminal Gangs,"²⁴ inspired by Dominique Turpin's idea that when a group competes with the state for the monopoly of coercion, we no longer have sovereignty, and we no longer have a state.

However, out of constitutional rigour and the belief that no constitutional theory is absolute, these theories being often subject to criticism and revision, we somewhat mitigate the severity of the phrase and do not contest the statehood of the Lebanese Republic, but rather appreciate that it has a special characteristic, just as the concept of sovereignty has a special characteristic.

It is worth mentioning that the monopoly of state coercion has limitations that have been studied in doctrine, and a German author has even proposed another vision aimed at accommodating this principle to current realities.

Thus, he critically analyses Weber's concept of the state, defined by the legitimate monopoly of violence, and shows that this model is increasingly contested in the contemporary world²⁵. The author explains that international interventions in states in conflict or post-conflict focus too much on rebuilding national state institutions, without considering local and global realities²⁶. He identifies three major challenges to the classical state: the privatization of violence (armed groups, private military

²² Ibid.

²³ Lebanese Constitution, available at: <https://www.lp.gov.lb/backoffice/uploads/files/Lebanese%20%20Constitution-%20En.pdf>, accessed on 20 November 2025.

²⁴ Michael T. Kindt, *op. cit.*, 2009, pp. 123–144.

²⁵ Herbert Wulf, „Challenging the Weberian Concept of the State: The Future of the Monopoly of Violence”, *ACPACS, Occasional Papers Series*, nr. 9, Brisbane, Australian Centre for Peace and Conflict Studies, 2007.

²⁶ Ibid.

companies), the internationalization of the use of force, and globalization, which weakens state control over territory and the economy²⁷. The author argues that the attempt to strictly restore the state's monopoly on violence is unrealistic²⁸. Instead, he proposes a new model, a legitimate public monopoly on force, divided into several levels — local, national, regional, and global²⁹. This system would operate on the principle of subsidiarity within a common regulatory framework established from the top down, at the international level³⁰. In addition, sustainable solutions must include traditional and local structures of authority, not just modern state institutions³¹. In conclusion, the author argues that, although it seems utopian, this multi-level model better reflects the reality of today's world than the exclusive insistence on the classic nation-state³².

It must be said that Hezbollah occupies a somewhat paradoxical place in the Lebanese political and constitutional landscape, being simultaneously an armed resistance movement and a political party integrated into state institutions³³. Hezbollah is also considered a terrorist movement by other states. After the end of the civil war between 1975 and 1990, Hezbollah evolved from an initially antagonistic position towards the state to direct participation in the electoral process in the 1990s and, subsequently, to obtaining parliamentary seats and ministerial posts³⁴.

Electorally, Hezbollah has established itself as one of the main political forces representing the Shiite community, the largest denomination in Lebanon, alongside the Amal party³⁵. Its electoral support base comes mainly from historically marginalized Shiites, who see Hezbollah as a defender of the community and a provider of social services³⁶. This popular legitimacy, combined with its own military arsenal and willingness to use it, gives Hezbollah increased power in Lebanese politics³⁷.

Although there have been discussions in the past about disarming various groups within the Lebanese Republic, the 2008 Doha agreements did not require Hezbollah to disarm, allowing it to retain its military wing and, implicitly, its power³⁸. This unique situation gave it a position of influence different from other similar groups that chose to enter the Lebanese political arena³⁹. The 2006 war with the State of Israel and the political crisis of 2007–2008 further strengthened popular support for Hezbollah, with

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibid.

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

³³ Krista E. Wiegand, „Reformation of a Terrorist Group: Hezbollah as a Lebanese Political Party”, *Studies in Conflict & Terrorism*, 32(8), 2009, pp.669–680, available at: <https://doi.org/10.1080/10576100903039320>.

³⁴ Lina Khatib, *How Hezbollah holds sway over the Lebanese state*, Chatham House, 2021, available at: <https://www.chathamhouse.org/2021/06/how-hezbollah-holds-sway-over-lebanese-state/02-influence-through-state-institutions>, accessed on 20 November 2025.

³⁵ Jeffrey Feltman, *Hezbollah's role in Lebanon*, available at: <https://www.brookings.edu/articles/on-hezbollah-lebanon-and-the-risk-of-escalation/#:~:text=which%20is%20rooted%20in%20Lebanon's,an%20Iranian%20asset%20holding%20Lebanon>, accessed on 20 November 2025.

³⁶ Ibid.

³⁷ Ibid.

³⁸ Krista E. Wiegand, *op. cit.*, 2009, pp. 669–680.

³⁹ Ibid.

the war casting the group in the light of a defender of Lebanese sovereignty⁴⁰.

A weakening of Hezbollah's authority can be seen after the events of October 7, 2023, in the State of Israel, and especially with the death of Hezbollah's leader on September 27, 2024⁴¹. Hezbollah is nevertheless trying to preserve its base and ethos of "resistance," while a growing part of Lebanese society is challenging its costs and agenda, and sectarian divisions are deepening⁴².

In this context, Hezbollah still presents itself as a genuine competitor to the Lebanese state in terms of its monopoly on coercion, especially domestically, because this actor has armed forces at its disposal. Thus, in terms of internal sovereignty, it seems to be devoid of content according to Weberian theory. One factor that mitigates this competition is this actor's participation in the political life of the Lebanese Republic, meaning that we can consider that Hezbollah does not deny Lebanese statehood.

And regarding the external aspect of sovereignty, we can see that Hezbollah competes with the Lebanese state, especially if we look at the long-standing relations between this actor and the Islamic Republic of Iran⁴³. In practice, Hezbollah ignores the Lebanese state's status as an actor in international law and maintains relations, of a state-like nature, we might say, with the Iranian state.

5. The election of the new president and disarmament intentions

Recent events have prompted us to evaluate the direction of the Lebanese state constitution, whether it is indeed the path to reducing or abolishing competition to the monopoly of legitimate coercion.

Historically, this is not the first time such intentions have arisen; in the past, they have even been put into practice. In 1991, the Lebanese Parliament passed a law dissolving and disarming all militias except Hezbollah, and at the same time, the Lebanese army proceeded to disarm Palestinian factions active in the south of the country⁴⁴.

On January 9, 2025, the Parliament of the Lebanese Republic elected General Joseph Aoun as President of the Republic, ending an institutional vacuum that had lasted more than two years⁴⁵. Aoun, a former army commander, was sworn in before the legislature and, in his inaugural speech, stressed the need for political reform and the rule of law⁴⁶. He also affirmed the state's exclusive right to bear arms, reinforcing the principle of the monopoly of force by the legitimate authorities⁴⁷.

⁴⁰ Ibid.

⁴¹ Emile Hokayem, „The death of Nashrallah and the Fate of Lebanon”, *Survival*, Vol. 66, No. 6, 2024, pp. 33-40, available at: <https://doi.org/10.1080/00396338.2024.2432192>.

⁴² Ibid.

⁴³ Zeinab Ghasemi Tari, „Challenging the Proxy Narrative: Hezbollah, Iran, and the Reimagining of Islamic Resistance in the Ummah”, *Middle East Critique*, 34(3), 2025, pp. 359–367, available at: <https://doi.org/10.1080/19436149.2025.2524643>.

⁴⁴ Imad K. Harb, *op. cit.*, 2024, p. 1-19.

⁴⁵ See: <https://carnegieendowment.org/middle-east/diwan/2025/01/reaction-shot?lang=en>, accessed on 20 November 2025.

⁴⁶ Joseph Aoun inaugural speech, available at: <https://nna-leb.gov.lb/en/politics/750867/update-president-aoun-delivers-inaugural-speech-p>, accessed on 20 November 2025.

⁴⁷ Ibid.

In the context of the internationally brokered ceasefire at the end of 2024, the Lebanese authorities officially committed that only state security forces could bear arms⁴⁸. This principle implies the complete disarmament of paramilitary groups such as Hezbollah. Consequently, the government ordered the army to draw up a plan for the gradual disarmament of Hezbollah, and in September 2025, the Cabinet approved a five-stage strategy to restore the state's monopoly on weapons throughout the country⁴⁹. The Lebanese Armed Forces launched operations in the south of the country to identify and neutralize unauthorized weapons depots, managing to destroy or confiscate significant stocks of weapons belonging to Hezbollah⁵⁰. The United Nations Mission in the Lebanese Republic confirmed the progress made by the Lebanese army in controlling unauthorized weapons in the south of the Lebanese state⁵¹.

It should be noted that at that time, Hezbollah did not oppose disarmament, but only for the southern part of the Lebanese Republic⁵².

These new developments in the Lebanese constitutional and political landscape create, we might say, the conditions for a move towards the classic concept of sovereignty (Weberian), but more will is needed, perhaps even from Hezbollah, namely to fully integrate into the rules of competition for power within the Lebanese constitutional framework, and in practice to renounce the parallel competition it is waging against the Lebanese state, both internally and externally.

6. Conclusion

If we compare the situation of the Lebanese Republic to Weber's concept of sovereignty, some constitutionalists might argue that the Lebanese state does not meet the classic definition of a state, as it does not have a monopoly on legitimate coercion. However, as we have shown, contemporary doctrine allows for a relativisation of this concept, and Lebanon's statehood, although atypical, cannot be denied. It is *sui generis*, just as the sovereignty exercised is fragmented and shared *de facto*.

After decades in which the state has functioned in this confessional balance, we are seeing concrete signs of the restoration of the monopoly of coercion, through the declared intentions to disarm Hezbollah. However, at this stage, Hezbollah remains a competitor for sovereignty, as it has its own armed force, political influence, and significant social legitimacy among the Shiite community.

The effective realization of the state's monopoly on weapons cannot take place

⁴⁸ See: <https://www.reuters.com/world/middle-east/israeli-defense-minister-says-lebanese-government-must-fulfill-commitment-disarm-2025-11-02/#:~:text=In%20Lebanon%2C%20President%20Aoun%20has,condemned%20as%20%22hasty%20and%20dangerous>, accessed on 20 November 2025.

⁴⁹ See: <https://www.aljazeera.com/news/2025/11/6/israel-ramps-up-lebanon-strikes-as-hezbollah-vows-to-defend-itself#:~:text=In%20Lebanon%2C%20President%20Aoun%20has,condemned%20as%20%22hasty%20and%20dangerous>, accessed on 20 November 2025.

⁵⁰ See: <https://www.reuters.com/world/middle-east/israeli-defense-minister-says-lebanese-government-must-fulfill-commitment-disarm-2025-11-02/#:~:text=Lebanese%20army%20sources%20told%20Reuters,the%20end%20of%20the%20year>, accessed on 20 November 2025.

⁵¹ See: <https://peacekeeping.un.org/en/unifil-statement-6-november-2025#:~:text=Today%2C%20UNIFIL%20peacekeepers%20observed%20multiple,of%20operations%20in%20south%20Lebanon>, accessed on 20 November 2025.

⁵² See: <https://www.reuters.com/world/middle-east/israeli-defense-minister-says-lebanese-government-must-fulfill-commitment-disarm-2025-11-02/#:~:text=Lebanese%20army%20sources%20told%20Reuters,the%20end%20of%20the%20year>, accessed on 20 November 2025.

by excluding Hezbollah, as a unilaterally imposed solution would risk reigniting civil conflict. Rather, disarmament is only possible through a negotiated process in which Hezbollah is an accepted party, with a transition from a political-military structure to an exclusively political actor.

Consequently, the success of consolidating Lebanese state sovereignty depends on the ability of institutions to integrate Hezbollah into the constitutional framework, not to exclude it. If this integration is accompanied by the renunciation of the military wing and full acceptance of constitutional rules, then a framework conducive to achieving the goal enshrined in the Constitution itself, namely the gradual abolition of the confessional system of power distribution, can be created.

Therefore, Hezbollah currently remains a competitor for sovereignty, but for the first time since 1991 there are some more favourable political and legal conditions for its eventual full integration under the constitutional authority of the Lebanese state.

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