

# **THE NATIONAL DIALOGUE PARTY POLITICAL PROGRAM**

## **INTRODUCTION TO THE POLITICAL PROGRAM By Mr. Fouad Makhzoumi**

Beyond any doubt, Lebanon is witnessing severe and crippling crises in various fields: the political, economic, judicial, and civil. One should add to all these public affairs, administrative and public health fields as well as all other domains prevalent in Lebanon's life. The Lebanese citizens who were promised a global recovery since the conclusion of the National Reconciliation Accord, known as the Taef Accord, are still longing for a free, strong, and independent Lebanon where justice and equality prevail. However, the bitter truth reveals a deceptive situation indicating that it is impossible to undertake such a change because the implementation of the Taef Accord was hampered by narrow sectarian interests since the first day of its conclusion. This led to a policymaking illustrated by the presence of various "big machines" that elaborated an inconsistent, unfair, and uneven electoral system. By the same token, the collapse of the economy due to the destructive Lebanese civil war followed by an economic policy made for the benefit of those same sectarian interests, have completely disintegrated the middle class whose people have fallen into the poor class without mentioning that many of them have become the poorest. All of this was done for the benefit of a class composed of rich and enriched people, very few in number who made their fortune in the name of recovering the national cohesion and in the name of an alleged economic renaissance; their money has been taken from the pockets of the working class and in their name. There is also a larger category of enriched parasites that constitutes, at its best, a big group of religiously fanatic subjects.

The party sees that it has become necessary to elaborate a general and comprehensive political program that would empower the Lebanese citizen to free himself from personal allegiances and confessional sectarian and local leaderships; a program that would free him from the political, social, and economic situation resulting from such leaderships. All this is done in order to integrate him in a political, social, economic, administrative, judiciary work and thought that would reflect a clear outlook for the Lebanese.

The National Dialogue Party has put forth its political program to deal with the crucial and imminent matters for Lebanese citizens; it is a political, social, economic, judicial and judiciary practical program that serves everybody by liberating him from confessionalism and clientelism and ipso facto from corruption and bribery. It aims, thus,

to remove parasitism characterized by marginalization in economy and politics, knowing that such parasitism will ultimately lead to clientelism.

The Party suggests improving the political system, which lacks democracy, the social system, which lacks effectiveness, the economic system, which lacks justice, and the judicial system, which lacks independence.

Thus, the National Dialogue Party sees that some important entitlements should be dealt with, giving them the necessary care, by finding the best means to overcome them with success. The conditions surrounding Lebanon requires strong determination and effort in order to prepare for a national future in which justice, freedom, and equality prevail. By the same token, we should find periodical solutions to such conditions in order to guarantee Lebanon's security.

Thus, we shall define in this program the basis that one should take into consideration and apply to reach a comprehensive renaissance through the tackling of different but synchronized issues of the disastrous crises that Lebanon has witnessed.

The political program is subdivided into several parts that deal with political, constitutional, economic, social, educational, environmental, health and military problems and matters that would serve the country and the citizen if reformed.

## POLITICS

Since its independence in 1943, modern Lebanon was founded on the basis of the unity of its people and coexistence that is mentioned in its constitution and that was later known as the non written Pact. Then, the will to live together was renewed in the National Reconciliation document better known as the Taef Accord. In 1988, fifty-eight members of parliament signed in the Kingdom of Saudi Arabia a Lebanese national reconciliation document, which was later known as the Taef Accord, proclaiming the end of the Lebanese civil war. At that time, this accord was the best one could ever reach under the shadow of the circumstances prevailing in the country. One should study anew thoroughly the texts of the Taef Accord to see the cons and pros of this agreement, in the light of developments and activities witnessed on the Lebanese scene. If the Taef Accord has rallied the majority of the local forces within the Lebanese plural society, and was approved by most Arab countries and had the benediction of the regional and international states, one should not separate the internal situation from its external environment, and should be aware that events in the region have a great impact on that situation. In the current flow of events, the Lebanese should find an internal formula that would realize a sort of unity based on a series of minimum required issues. This unity should find its sources in the National reconciliation document; and the civil society should recognize the importance of such work, on the intellectual and practical levels, in order to implement such an agreement, even if the authorities fail to do it. Society, and not only the State, is responsible for the national reconciliation and coexistence as well as the revival of the civil society. Here it is important to state that the unification and cohesion of civil forces will be reflected in a positive way, on the basis of the relationships among the multiple categories of the society on the one side and the three state powers on the other; it is also based on the relationship between Lebanon and its immediate environment as well as the outside world.

Thus, we believe it is necessary to elaborate a fundamental project that would pave the way for a comprehensive national renaissance that would treat main issues and questions pertaining to the Lebanese national affairs at its two levels: the internal and external; starting from the Lebanese crisis passing through the electoral law and the Lebanese Syrian relations, not to mention especially the opposition to Syria. We should also work very seriously on tackling the economic situation in its entirety, the most important issue of which is finding a solution to the public debt and its management.

The deteriorating economic situation impels Lebanon, in the current circumstances, to direct all incomes to serve the public debt, which reached 185 percent of the General Domestic Product.

Thus, in what follows, we shall present the basis of what we think will ensure a global renaissance through the tackling of tragic crises that Lebanon has witnessed.

## **Internal Political Situation**

What is required from the Lebanese, today and more than ever, is to work for a general intellectual, political, social, and economic renaissance that would not eliminate lessons learned from its past history but will transcend it to a promising and positive future. It is beyond doubt that Lebanon is part of this great Arab world on the geographic, historical and political levels as well as on the levels of conflicts, the most important of which is the Arab Israeli conflict; however, this does not mean that the Lebanese should not work on such a renaissance, which takes into consideration some of the Lebanese peculiarities and international changes, like liberal pluralism on the religious, intellectual, political, social or free market economy levels.

However, we should first admit that Lebanon is still suffering from an identity crisis, which is exploited by some forces in their relations with the Arab environment and other states. This led, and is still leading, to great internal tensions between many of the political religious and social institutions. The Lebanese experience has proved that some political forces are still relying on Arab or international forces to exercise control over the country, ultimately leading to the eruption of internal crises as well as to the limitation of the Lebanese capacity to launch real internal changes; such changes would serve the Lebanese citizen and his community. Such forces are also exploiting the heritage of tribalism, sectarianism, or regionalism. In return, it is beyond doubt that the Lebanese people are capable, when the will exists, to concentrate on internal reforms, and try to reduce the influence of external powers on the internal situation and launch a true, sincere, and constructive dialogue. It is true that the national reconciliation accord, elaborated through an entente among international Arab and national powers, guarantees the basis of coexistence, and finds a solution to the identity crisis, in principal, by consecrating the Arab belonging of Lebanon. However, the implementation of such an agreement cannot be realized without the Lebanese themselves.

In addition to the abovementioned issues, one should review the way we tackle some of the internal main aspects such as tribalism, sectarianism, confessionalism, the loyalty to the leader, regionalism, and the surrender to religious men; we thus should work to transform these aspects into positive forces, through the entire implementation of the articles of the national reconciliation document.

### **Problem Number One: Implementation of the Taef Accord**

The Taef Accord was an expression of a Lebanese, regional and international arrangement related to the balance of powers, internally and internationally. Its importance resides in putting an end to the civil war, the reunification of the government, the country and the army, and the dissolution of the militias as well as the amendment of the constitution. However, the big bane of this accord is that not all its articles were implemented. Its partial implementation is the reason why many forces reject it. Indeed, such an equilibrated accord should fully implemented. One should not implement some of the articles in a biased manner, ignoring the others, because this contradicts the accord in text and spirit.

## **What is the solution then?**

What follow are the most important points that should be implemented to solve this problem, and we shall deal with them in detail later:

- Elaborating a new balanced and just electoral law that the Lebanese would consider the best means to achieve their representation in political life.
- Creating the National Council for the Elimination of Confessionalism, and starting progressively to work for the elimination of political confessionalism from texts, as well as from judicial, political, and religious establishment.
- Reforming public education and reducing the cost of education
- Supporting the independence of the judiciary for the sake of protecting the people's civil, political, and legal rights; and this is done by respecting the laws pertaining to the third authority, ensuring total transparency and permanent supervision, including civil and media supervision if necessary in the first phase.
- Activating the National Economic and Social Council in order to deal with the economic crisis.
- Exercising the authority of the state on all Lebanese territories by the use of its own forces and taking into consideration the regional factors and obligations due to the conflict with Israel.
- Putting an end to the issue of the displaced.

## **Problem Number Two: Confessionalism and Absence of Dialogue**

The Third Republic does not yet deserve its name, and one should not call it such as it is still a state where sectarianism, confessionalism and political allegiance to the leader prevail. The public institutions relevant to the state have become sectarian as well as the posts of the President of the Republic, the Speaker, and Prime minister. All have good relations with rich people as was mentioned above in the Introduction.

The prerogatives of the three powers have been concentrated in the hands of their heads on the alleged argument that they represent their religious communities. When in fact they are exploiting their institutional positions to extend their influence within their communities, and thus remaining in power with the help of their community.

Whereas the Lebanese constitution stipulates on the necessity of abolishing the confessional system, which was supposed to be a temporary and limited measure, confessionalism along with people who benefit from it that were the product of civil war and its consequences, have succeeded in controlling all of the state's institutions since the independence of Lebanon. The exception is the brief Presidency of Chehab which one might call rightly the second republic but which alas did not last long due to many reasons, the most important of which is the 1967 Arab defeat and its consequences on the Arab world including Lebanon.

If the Taef Accord has adopted a new formula that is more just in the distribution of powers among the religious communities, one should not ignore the negative results due to the keeping of the confessional system: on the humanitarian level the confessional system violates human rights, justice and equality, and on the political and legal levels it creates an imbalance in the Lebanese constitution which calls for the equality of citizens and the non discrimination on religious, political, social and economic grounds.

The basic and ideological stand of the party sees that confessionalism was and remains, a main issue on which are based many beliefs, political, partisanship and religious trends, which resulted in the eruption of many crises in the name of confessional and sectarian protection. It resulted also in long term conflicts; and we are still suffering from the negative implications of such conflicts at the political, economic, social, institutional, administrative, and judicial levels.

As for the problem today, it resides in the way of going from the theorization phase to pragmatic execution and this is done by differentiating between confessionalism and the religious concepts. Religions in Lebanon are a source of wealth, variety, and plurality. They form the values of the Lebanese society. Any religion in Lebanon calls for justice, equality, love, and cooperation for the interest of the society and other religious communities. The Lebanese are attached to their religions and consider them to be the source of their values and morals. However, confessionalism is a great evil that does not unite the Lebanese if misused, but, on the contrary, it separates them, and this is contradictory to the values of all religions. Furthermore, confessionalism hampers national dialogue since it huddles up inside the confessional cocoon and weaves threads that prevent constructive dialogue with the other. Thus, the talk on coexistence has been transformed into a slogan painted in glowing colors.

### **What is then the solution?**

We should call all Lebanese parties to take part in a national dialogue, in order to rectify the imbalance prevailing at all levels. Since the Taef Accord, the successive governments did not work seriously and wholeheartedly to remove the obstacles that hamper the holding of a sincere and effective inter-Lebanese dialogue.

It is important to have a brave and honest dialogue, working for the rectification of the imbalance in the political work and thought as well as in the bilateral relations with Syria. The Lebanese should also tackle the dialectic relationship between the religious and the political. The Lebanese constitution is a secular constitution, not a religious one, as it is not based on a particular religious legislation. Hence, it is the duty of the political system and the religious communities to separate the political from the religious and to not mix them. The Lebanese constitution, even if it gives each religious community its full rights, does not stipulate any particular religion for

the state; furthermore it does not consider the state law to be a divine one, but a result of man-made legislations in man-made institutions.

The Lebanese society has suffered a lot from intellectual, political, ideological stands regarding secularism and the issue of separating religion from state. The Lebanese system is one of a kind. Although it is not a system based on religion, its main reference is religion and confessional balance. Nowadays, there exist numerous political and social groups calling for a secular system that is not based on religion, a system, which respects religion in the private and public fields relative to the affairs of each religious community. Confessionalism causes the estrangement of the Lebanese from one another and leads to the increase of fanaticism. Since there are groups who believe that the abolition of confessionalism, in a country where 18 religious communities coexist, would lead to an imbalance between those communities, and since such stand stems from the fear of one or more communities controlling the others, such fears should be dealt with when confessionalism is abolished by adopting measures we shall mention later.

Here it is noteworthy to admit that confessionalism expresses a destructive entity crisis and therefore it should be dealt with most seriously and rationally.

Today's officials have become the protectors of confessionalism, since they are benefiting from the stirring up of fanaticism pretending that they are serving their religious community. They are capable of transforming questionable issues into ones special to the religious community. This paralyzes the capacity to fight against misgovernment, corruption, bribery, and thus applying objective scales for good governance, transparency, and questioning. Thus, abolishing confessionalism rectifies the behavior of officials without fearing that such rectification would result in a problem among religious communities.

Here are some of the issues that should be dealt with directly in order to abolish confessionalism in the next phase:

- 1- Abolish the declaration of religious belonging of the citizen when conducting official business, because this would compel him to remain under the authority of the leader of his religious community.
- 2- Forbid the exploitation of sincere religious sentiments for narrow political objectives.
- 3- The non exploitation of confessionalism that could create among citizens a pyramidal organization that would lead to the weakening of solidarity, unity, and national belonging.
- 4- Reject confessionalism, as it would generate a feeling of permanent frustration and repression, because of the discrimination it causes that is illustrated best in barriers that would prevent access to public service according to competence. For example, only one religion can accede to the presidential post, and another one to the speaker's post, and a third one to the prime ministerial one. As for the

- members of smaller religious communities, they are forbidden to accede to such positions and other important ones.
- 5- Refuse confessionalism because it consolidates clientelism, and decrease the role that one should play in public services according to his competence.
  - 6- Abandoning confessionalism, as it paralyzes the authority of the state, and maintains the disassembly of government and subject it to competition among religious communities and their leaders.

Such subdivision in government is the one that is keeping Lebanon subject to external pressures and demanding help for a particular religious community.

Thus, abolition of confessionalism suggests, from a theoretical point of view, creating conditions for justice and equal opportunities for each citizen; it limits also clientelism and increases the effectiveness of public administrations. It also permits the prevalence of a feeling of national belonging, which in turn limits the capacity of outside forces to exert their influences on the interior, especially in internal affairs.

Thus, we should work in a scientific and constitutional manner for the eradication of confessionalism in order to achieve national cohesion and to consolidate unity and the feeling of belonging to one nation. To achieve such goals a national committee headed by the President of the Republic and including the Prime Minister, Speaker as well as people from various sectors, should be created. It should put forth a plan to abolish confessionalism in a progressive manner as stipulated in the Taef Accord. Such an accord stipulates the creation of such an organization the “National Council for the Abolition of Confessionalism.” The committee would start immediately putting forth a media policy that would help national cohesion and the development of a sincere and constructive dialogue. It also undertakes progressively practical measures to abolish confessionalism and supervises the implementation of such measures. It will also carry out the elimination of texts of confessional nature. Knowing that civil society should seek the creation of mixed and non confessional gatherings, schools, clubs, and parties, as it substitutes progressively the prevailing religious institutions and forces with non confessional ones.

It is clear that the Lebanese are not united in their political thoughts as confessionalism and sectarianism enable leaders to speak on their behalf for personal objectives, and are still prevalent in the political thought of most Lebanese. Despite of our belief in the richness of political and social life in Lebanon because of the plurality of religion, culture and social life, and the necessity of such communities and sects to carry out a positive role in public life and the true dialogue, we are aware that confessionalism is harmful to the real role of religious communities. In the same manner, sectarianism harms the real role each sect should play and hampers the development of dialogue. Thus, the Lebanese should adopt the concept of national belonging, as a rallying concept that prevents some leaderships from investing badly in the religious communities and sects. However, the prevailing problem up till now is that most of the political forces have no interest in developing the concept of

patriotism and practice it, as this concept is absent in the minds of many politicians, so that issues such as confessionalism and sectarianism, are still prevalent in our Lebanese society.

In order to realize the basis of a true national belonging, the only guarantee to prevent outside influences, we should review our history books and recognize all differences imposed on citizens in our modern history. The concept of national belonging should be a main issue to be dealt with in civic education books, as it could contribute in making the citizen conscious of his rights and obligations; it also puts an end to the role of confessionalism and sectarianism and supports the process of national dialogue.

### **Problem Number Three: the Practice of Power**

Among the problems of the post Taef era is the political practice. Government in the shadow of Taef has generated new phenomena stemming from the nature of power and its practice in the shadow of the new constitution. The most important of those are the Troika in case of agreement of the three presidents, the Doika system, and the power of Parliament in case of disagreement.

#### **1- Troika**

The Speaker seeks to participate in the affairs of the executive power. Despite the preamble of the constitution which stipulates the separation of powers, the balance and cooperation among powers, separation means, in fact, religious and sectarian tensions, and the eventuality of conflict, whereas a balance protected by cooperation is the model illustrated by the Taef Accord. Such a balance should be achieved alongside cooperation, but such a fact should not mean the constitution of a troika system of rule that would eliminate the role of constitutional institutions, as this happened in the first years of rule following the Taef Accord, when it was impossible for the parliament to control the government's activities or propose a confidence vote, or even supervise the acts of ministers and suggest a confidence vote on an individual basis. Cooperation should be controlled by the President of the Republic. As for the concept of the Troika, it was made on the basis of giving more advantage to cooperation than to the separation of powers, which resulted in crippling the state and its institutions, preventing the nomination of civil servants. The three presidents have gathered in their persons the prerogatives of public institutions; thus their differences would harm the institutions and this in turn led to the consolidation of confessionalism and sectarianism.

### **The Authority of the Parliament**

The authority of parliament stems from making the term of the speaker and his deputy four years making it difficult for a no confidence vote against the speaker and his deputy after two years. Because such a vote requires a majority of two thirds, the attempt for a no confidence vote against the speaker would lead, because of the confessional system, to a major confessional problem

## **Doika**

When two presidents agree without the consent of the third, the latter is weakened. One should point out that such a rapprochement could be transformed into a confessional tension in some cases that would paralyze the activities of constitutional institutions, as is the case with the Troika, or create confrontation among institutions.

What is then the solution to avoid falling into such a false political ruling?

It is important to note the importance of the separation of the executive, legislative, and judicial powers and ensure equilibrium among them from the practical point of view. The 1926 constitution has established the principle of the separation of powers; and the situation remained as such notwithstanding the various constitutional amendments since the 1930s, passing through 1943 and ending with the huge and rational amendments that were introduced in the constitution in 1990.

It is also important to note that the executive power should not control the parliament through its exceptional legislative prerogatives, or that the parliament controls the decision of the executive power under the threat of a no confidence vote or hampering the projects it suggests. One should point out that the only power that has no prerogative of controlling the others is the judicial one, as it enjoys a lesser degree of independence than the others, especially in matters pertaining to nomination or job rotation of civil servants.

One should admit the principle of the separation of powers, in a way that the Lebanese judiciary is transformed into a constitutional power independent by itself, and this would lead to the consolidation of its role to equal the other two powers and in protecting liberties and guaranteeing public rights. Besides the judicial nominations, rotations and promotions should be exercised by the Higher Judicial Council. The constitution should also stipulate the prerogatives enjoyed by such a council

One should also not exercise simultaneously a ministerial and parliamentary role. That is if a member of parliament becomes a minister, he should resign from his parliamentary post. In the same token, if a minister was elected as MP, he should resign from the Council of Ministers, because it is inadmissible to join together the executive and legislative powers. It is not permissible that an individual is at the same time executing a certain policy and supervising the execution of that same policy. This constitutes a violation of the principle of separation of powers.

It is noteworthy to indicate that such a fact would change by activating the role of the political parties changing the electoral law into the proportional system and carry out elections in Lebanon on the basis of a single district.

#### **Problem Number Four: Frustration of Christians**

Undoubtedly, the Lebanese society with all its components has been witnessing a state of deep frustration. This is not limited to some Christians only, but such a frustration has started with the Christians for political reasons. After the ratification of the Taef Accord, ideas spread that indicated that the Christians were in a state of frustration, and this was illustrated in the 1992 general elections when an important part of Christian voters and candidates boycotted the election process.

True, there was a sort of unannounced boycott and announced estrangement distance among many Christians with the third Republic. For this reason, the Lebanese should deal with various factors that led to such a state of despair among many Christians. This has compelled in the past the visit of Pope John Paul II to Lebanon following the special Synod for Lebanon.

The Christians were subject to a series of political and psychological shocks that contributed to the creation of such a frustrated state. Such shocks include the downfall of General Aoun following his proclamation of the war of Liberation against Syria with an Arab-Iraqi support and a French encouragement, the armed deployment of some militias following the downfall and the subjection of the Kataeb party headquarters to theft and dilapidation, the assassination of Dany Chamoun, the 1992 general elections, and the imprisonment of Samir Geagea.

What contributed to the increase of such a state of frustration is that some of the Christian leaderships have expressed during the presidential terms of Hrawi and Lahoud a feeling of despair, especially in the field of political reform. As many parts of the Taef Accord have been implemented, the part regarding sovereignty was not been implemented, especially that part that stipulated the redeployment of the Syrian armed forces in Lebanon in conformity with the Taef Accord. Thus, many Christians linked the idea of the Syrian army presence in Lebanon with being controlled by Moslems.

It is noteworthy to mention that the Maronite Patriarch played a major role in leading the Christians, especially in the post-Taef period, which witnessed the absence and the marginalization of many leaders. The Maronite Patriarch also provided legitimacy to the solution based on the Taef Accord. He undertook, with the benediction of the Vatican state, many supportive stands to the constitutional legality issued from the Taef Accord.

What is the required solution then to deal with the feeling of injustice?

Thus, we should put an end to the war issues once and for all, including that of the displaced, the forced displacement of people inside Lebanon and emigration. Thus, the case of the displaced should not be a political card. Furthermore, emigration should be dealt with rationally. The situation is grave as the following information reveals: between 1975 and 1990, about 900,000 citizens left the country. Fifteen years after the civil war has ended, a huge number of Lebanese citizens are applying for emigration because there are no job opportunities in their own country. As a result, thousands of Lebanese youngsters, men and women, leave their country each year. And since the unemployment rate is still high and the economic problem is increasing, the emigration process will not stop. Thus, one should deal seriously with culture, agriculture, industry, and elaborate a modern, just, and transparent law to grant citizenship and find a solution to its relevant problems.

It is also important to consolidate the Lebanese Diaspora in order to support the just and right Lebanese causes, and to strengthen the social ties, develop the economic relations on all levels. Thus, it is the duty of the Lebanese government to establish healthy and practical relations with the Diaspora, and attract them to Lebanon by granting those who deserve it the citizenship and the right to vote, and by founding an Emigrant Council that would deal with political, social, and economic issues related to the Diaspora.

### **Problem Number Five: The Political Representation**

Most of the debate concerning the electoral law is confined to the subdivision of the electoral districts and the relationship such a subdivision has with the right, just and equal representation, knowing that a sound representation suggests that the member of parliament represents the whole of Lebanon and not only his electoral district.

What is the solution then to a sound representation?

The solution resides in reforming the electoral process, through a proportional electoral system that takes into consideration the confessional local dimension and the national non confessional one.

Such a reform ensures justice, as the proportional system allows the representation of all trends, categories, organizations, and political parties. This would increase the level of political life as the proportional system leads to an increase in competition and programs. It allows also a representation that reflects the growth of the social force and political currents, which would lead to the creation of non confessional alliances among the main currents.

At this level, the National Dialogue Party sees that it is necessary to reach a just and comprehensive electoral law. Thus, it is necessary in the first phase to elaborate a realistic electoral law with regards to the differences among the religious communities' leaderships. It should guarantee a right representation to all parties and takes into

consideration the national equilibrium by resorting to small districts. Let us take for example, the case of Beirut. The subdivision of the capital should be reviewed: it should be divided into three districts, but different from the current division with the recent electoral law, but in a way that would ensure the election of a member of parliament through an effective choice of electors. The elections should not be a mere participation to cover the control of one party with a great number of candidates and electors. Thus, we see that it is necessary to readopt the small district system.

Taking as a basis the principle of evenness between Christians and Moslems, the two wings of the country, we see it is necessary to take into consideration that no big difference in the proportion of votes occur between one district and another, as is the case with the current electoral law. It is sufficient, for example, that a candidate obtain 3000 votes in a region to become a member of parliament representing the whole of Lebanon, whereas 40000 votes do not allow another candidate in another region to win a parliamentary seat.

The party sees that it is necessary in a second phase to adopt a more representative system than the current one, that is a majority electoral system with collective votes (that is allowing the elector to vote for a number of candidates equivalent to the number of seats in the district), because the majority system is ill-favored and is applied only in six out of 211 countries which carry out the electoral process.

The electoral majority system with districts comprising a number of electoral seats affects a just representation and reduces its legitimacy. For a correct representation, one should resort to a proportional electoral system, based on small districts so that elections take place on the level of the Qaza. This will contribute to the development of political life as it allows the different components and religious communities of Lebanon to participate in the electoral life in a way that is equivalent to their respective social and political dimensions. Furthermore, it is important to elaborate an electoral law that would guarantee the right and just representation, but most important is to free the electors, Moslems and Christians alike, from being subject to the local political forces that have the supremacy in forming the electoral lists. It is important that the true will of electors stems from the outlook of the Lebanese people and expresses their desires.

However, the proportional electoral system which should be adopted on the basis of Lebanon forming one electoral district, is the most ideal solution that respects the spirit of the Taef Accord. It also contributes to the establishment of a true political life based on parties, far from confessionalism, sectarianism, and localism.

However, it seems that most of the political forces in Lebanon are not prepared yet for such an electoral system.

The main problem in the political life resides in the absence of political parties that would reflect the outlooks of the Lebanese people, not to mention the propagation of confessionalism. Thus, it has become imperative to work for the development of the laws concerning political parties as well as the general principles that organizes such parties. It

is possible to establish a bi-party or a multi-party system based on alliances among parties. Yet, it is imperative that the new party law abolish confessionalism and sectarianism, respects the principle of commitment to the national principles in conformity with the constitution and the national reconciliation document.

It is also important to resort to referendums as an effective means in the framework of direct democracy, and respect the will of the people in certain matters suggested by the authorities, and undertake the necessary constitutional amendments.

The Lebanese society should also fight corruption. The first step, in this direction, would be the struggle against the corrupt political culture and pay attention to the general interest.

It is also important that the money used for political purposes be controlled in conformity with the principle of equality, and this is done by elaborating laws that would supervise the financing of political parties and electoral campaigns. Thus, the state should not be lenient on such means; it should prevent them and forbid bribery. This is because such matters will ultimately lead to a lack of confidence in the authorities, the dissolution of the state, distrustfulness with regards to the elaboration of laws, to resorting to personal interests, to the squandering of public money, to the increase of charges on taxpayers, and to the slowness in the activities of the public administration and formalities.

For all the above mentioned reasons, it is necessary that laws be elaborated for the sake of general interests, to control illicit enrichment and to increase the prerogatives of the financial control organizations, especially the Government Accounting Office.

## **ON FOREIGN POLICY**

The Lebanese agree that Israel is their main enemy that occupies Lebanese and Arab territories. That is the cause of the refugee problem; a problem which causes fear due to a sectarian imbalance that an eventual settlement of the Palestinians would provoke. But, the Lebanese foreign policy is also based on good relations with the Arab states. This is because the Arab world constitutes the strategic, political, and economic dimension of Lebanon. Lebanon should establish the best of relations with the world on the basis of equality, sovereignty, non interference in Arab States' internal affairs, and the necessity to reactivate the joint defense policy. It couldn't be otherwise, for Lebanon is one of the founding members of the Arab League in 1945. It is also one of its most active members.

However, one should review the structure of the Arab League, which failed to tackle and find solutions to important issues such as the Lebanese and Palestinian crises for instance.

### **Problem Number Six: Relations with Syria**

Lebanon's relations with Syria assume a special aspect based on the proximity of the two states, social interconnection, and historical development, not to mention that Syria is the gateway to the Arab world. Such special relations were embodied by the conclusion of a series of joint treaties and the creation of a Higher Lebanese Syrian Council. After Syrian Withdrawal, Syria has an effective and indirect influence on Lebanon's internal affairs and this consecrated its political and security role in the country. However, there should be a kind of Lebanese-Syrian understanding that serves the interest of both countries.

### **How should one reach a Syrian-Lebanese understanding?**

The main problem with Syria stemmed from the fear that some Lebanese had reservations about Syria's policy in Lebanon, as they consider that the Syrian authority sided with a group of Lebanese at the expense of others, and it favored its interests over Lebanon's interest.

Thus, the Lebanese should coordinate with Syria on issues pertaining to foreign policy, which was concluded in the "Fraternity, Cooperation and Coordination" Treaty. This treaty affirms "the distinguished fraternal links based on proximity, history, belonging, common fate, and common interests."

This treaty also comprises a series of principles, the most important of which is the reaching of the higher degree of cooperation and coordination in the fields of politics, economy, security, culture, science, agriculture, industry, and trade; it also stipulates the formation of organizations to achieve the goals of the treaty.

The treaty comprised a series of points organizing the foreign policy of the two states, including the one that stipulates that Lebanon and Syria are two Arab countries committed to joint Arab pacts, have a joint fate, and are supportive of one another on issues linked with security and national interests.

Under the label of “Lebanese Syrian Relations,” the accord stipulates: “Lebanon, with its Arab identity, is tied to all the Arab countries by true fraternal relations. Between Lebanon and Syria, there is a special relationship that derives its strength from the roots of relationships, history, and joint fraternal interests. This is the concept on which the two countries' coordination and cooperation are founded, and which will be embodied by the agreements between the two countries in all areas, in a way that accomplishes the two fraternal countries' interests within the framework of the sovereignty and independence of each of them. Therefore, as strengthening the bases of security creates the climate needed to develop these bonds, Lebanon should not be allowed to constitute a source of threat to Syria's security, and vice versa.”

As for the privileged relations, they were in fact illustrated in the “Treaty of Fraternity, Cooperation and Coordination” that was concluded in Damascus in May 22 1991, between the Republic of Lebanon and the Syrian Arab Republic.

The solution resides in the amendment as well as the implementation of the above mentioned treaty and the Taef Accord.

### **Problem Number Seven: Palestinian Presence**

Figures concerning the number of Palestinians present in Lebanon are contradictory: 600, 000 according to the Palestinian Red Crescent; 400 000 according to the Lebanese state; 300,000 according to Israel; 319,000 according to UNRWA.

Paragraph 11 of UN General Assembly dated December 11th, 1948 stipulates that the UN Assembly “resolves that the refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practical date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the governments or the responsible authorities.”

What is then the solution to the Palestinian problem in Lebanon?

It appears that the Palestinians’ “Right of Return” is linked to their right as individuals regardless of their national rights. Only they have the right of compensation for their lost or damaged property, whether they chose to return or not. Finding solution to the Palestinian refugee problem has become a part of the Madrid Middle East Peace conference. Thus, Israel cannot but abide by the international legitimacy and UN Resolution 194, knowing that Lebanese and the Palestinians reject the naturalization.

Anyways, the Lebanese government should remove the obstacles to the relations with Palestinians, and deal positively with the issue of their legal status in Lebanon, and examine their civic and social rights, which should include a permanent residency for those that are on Lebanese territories, and a treaty between Lebanon and Palestinian authority stipulating reciprocity in the fields of labor, social security, taxes, and removing conditions with respect to foreign appropriation allowing foreign investments in fields that are not linked to security and the nation's higher interest. The government should grant Palestinians legal security and offer them social and medical care, and permit them to work in jobs that are forbidden to them such as engineering and law and other higher level professions.

Lebanon has taken part in the Middle East Peace Process since the 1991 Madrid Conference on the basis of land for peace and a just and comprehensive peace to the crisis in the region and the commitment to UN Security Council resolution 425 as the sole solution to put an end to the Israeli occupation in South Lebanon, without changing its firm stand regarding its commitment to other Arab rights, such as the Palestinian right and the Syrian right in conformity with UN Security Council resolutions 242 and 338.

### **Problem Number Eight: Lebanon's Foreign Relations**

Lebanon will never have a real foreign presence if it does not show true interest and does not promote Lebanon's image to the world. Lebanon's image is still affected by the civil war and many Westerners believe that Lebanon is still going through a war. This is because Lebanese officials have not promoted their country recently showing its touristic, educational and health advantages.

How can we improve Lebanon's relations with the world?

It is necessary that Lebanon enjoys excellent relations with the European states especially after their unification and transformation into an international power at all levels. Lebanon has benefited and is still benefiting from its special relations with each of France and the Vatican; it is also taking part very seriously and effectively in the European-Mediterranean partnership and is benefiting mostly from such an alliance.

As for Lebanon's relations with the United States, the sole superpower in the world, it should be based on positive attitude, because Lebanon, with its modest means compared to those of the United States, has no interest in creating an enmity with the US; and the only choice Lebanon has is to develop a positive strategy to deal with the world and activate the Diaspora institutions.

It is important that Lebanon plays a distinguished role in the United Nations, as it is one of its founders. Its role stems from its religious, civilizational and cultural position, as it is the crossroad of civilizations and cultures, knowing that the world today is witnessing a wave of radicalism and a so called "clash of civilizations". The world is looking for a model of coexistence among civilizations, cultures, religions, and thoughts,

as a substitute to the clash of civilizations prevalent in the East and the West. Lebanon could serve as a model if its people develop their relations and benefit from their plurality and harmonious society.

## **PARLIAMENTARY AND CONSTITUTIONAL SYSTEM IN LEBANON**

In 1920, the French mandate proclaimed the creation of Greater Lebanon with its current borders. In 1926, Lebanon has elaborated a constitution that has been subject since its promulgation up till now to many amendments. In 1975, a destructive civil war erupted in Lebanon and ended by the conclusion of a national reconciliation accord in the Saudi city of Taef.

When we review the demands and suggestions relating to reform, which were debated before the promulgations of the Taef document, we deduce that they all tackled political reform. This accord comprises a series of important reforms that became, by including them in the texts of the constitution, a national pact that could be added to the two constants of the Lebanese system: the 1926 constitution and the 1943 national pact. However, the value of the accord resides in the implementation of the reforms it has stipulated.

We notice that 15 years after the elaboration of the Taef Accord, there are still many promises included in the document and points included in the amended constitution that have not been implemented:

- 1- The problem of the Lebanese displaced shall be solved fundamentally by their return to their localities. However until the present day, not much has been done to solve this problem.
- 2- Elaborating a new electoral law which should be just, balanced, and ensure true representation.
- 3- Adoption of an expanded administrative decentralization; this issue was neglected by successive governments.
- 4- Adoption of a comprehensive and unified development plan capable of developing the provinces economically and socially. This issue is still under study
- 5- Revision and development of the curricula in a manner that unifies textbooks on the subjects of history and national education. Attempts are still staggering on this matter.
- 6- Education shall be provided to all and shall be made obligatory for at least the elementary stage. It is strange that this issue has not been tackled yet.
- 7- Spreading the sovereignty of the State of Lebanon over all Lebanese territories. This issue is still being debated.
- 8- Creation of a national council whose task will be to examine and propose the means for abolishing sectarianism. This council has not yet seen the light.

### **Problem Number One: The Legislative Power**

In Lebanon there is one council exercising the legislative power. During the mandate era, half of the deputies were appointed. Following independence, all deputies were elected on a sectarian basis according to the 6/5 formula (that is six Christians to five Moslems). Since 1943, many electoral laws have been promulgated that preserved the election concept and the sectarian formula in the successive parliaments. The number of deputies varied between 44 and 108 during the 1943-1992 period. This number increased to reach 128 deputies in 1992, divided equally between Christians and Muslims.

The deputy in the Lebanese parliament enjoys a series of advantages and guarantees the most important of which are: monthly remunerations, social aid from the deputies' fund, registering a car tax free, the right to have a special passport for all family members, an indemnity salary till death, even after death his wife and family members can benefit. Enjoying an immunity on the political level.

What are the suggested solutions offered by the National Dialogue Party on this level?

The party suggests the following:

- 1- Abolition of Law 25/1974, which grants the deputy, even after he leaves the parliament, an indemnity salary that his family could benefit from after his death.
- 2- Forbidding the combination of deputyship and ministerial post.
- 3- Readopting the election of the speaker for a period of one year (or two years at most) and amending article 44 of the constitution that the Speaker and the Vice Speaker of the Chamber stays in office for the length or the Chamber's term.
- 4- Changing the Chamber of Deputies' term, that is defined to four years, is an act that violates the constitutional texts.
- 5- Abandoning the habit adopted by the Chamber of Deputies to ratify a law in one single article.

### **Problem Number Two: The Duality in the Executive Power**

The Lebanese constitution adopted the principle of duality of the executive power. According to this principle, the president of the republic does not enjoy actual prerogatives and is not responsible for decisions made by the cabinet; the government takes all responsibilities in charge. As such, the decisions of the President must be countersigned by the prime minister and the minister or ministers concerned.

Since 1926, Lebanon has witnessed a series of politicians that have acceded to the presidential post; some of them were nominated during the mandate era, others elected by parliament members. However, the nomination procedure was abandoned after independence and all presidents were elected since then directly by the parliament.

The constitution fixed the duration of the presidential term to three years. But an amendment was introduced to the constitution changing it to six years.

Many attempts were made since independence to extend or renew the term but all have failed with the exception of the renewal of Bishara el Khoury's term and the prolongation of the terms of Elias Hrawi and Emile Lahoud.

Despite the fact that the executive authority has become, with the recent constitutional amendments, controlled by the council of ministers, the constitution preserved some prerogative to the President of the Republic that were granted in the past, and it added new prerogatives. However, the president cannot exercise his prerogative independently from the council of ministers, since his decisions, with the exception of the decree designating a new Prime minister and the decree accepting the resignation of the Cabinet or considering it resigned, must be countersigned by the prime minister and the concerned minister or ministers

Such an ambiguity in some of the constitutional texts relative to the prerogatives of the President of the Republic resulted in interferences and encroachments between each of the Prime minister and President of the Republic that resulted in dissensions, hampering harmony and understanding between the two.

What is the solution to implement the principle of duality of the executive power?

In order to avoid any disequilibrium or vacuum and ensure an atmosphere of cooperation among members of the executive power, we suggest the following solutions:

- 1- Article 33 of the constitution stipulates that “the President of the Republic in consultation with the prime minister may summon the council of ministers to extraordinary sessions by a decree specifying the dates of the opening and closing of the extraordinary session as well as the agenda”. Thus, a conflict may arise if the two presidents do not agree on the matter. The only gateway then would be to resort to the council of ministers and take the decision with a majority of votes.
- 2- Article 56 of the constitution stipulates that the President of the Republic “issues decrees and requests their promulgation; he has the right to ask the council of ministers to review any decision that the council has taken within fifteen days of the decision's transmission to the Presidency. If the council of ministers insists on the decision or if the time limit passes without the decree being issued or returned, the decision or decree is considered legally operative and must be promulgated.” But, such time limit does not apply to the prime minister and ministers...Logic impels the prime minister and minister or ministers to respect the same deadline imposed on the President.
- 3- Article 53 of the constitution stipulates that “the president designates the prime minister in consultation with the president of the chamber of deputies based on parliamentary consultations, which are binding and the content of which the president formally discloses to the prime minister”. This matter has given rise to question: Is the President bound to adopt the numerical result of the consultation,

or does he enjoy a discretionary power in nominating the prime minister? In other words, do the terms *binding consultations* mean that the president of the republic is compelled to nominate whoever obtains the numerical majority, or do they mean only that the president is bound to undertake such consultations? Opinion over that matter varied. And we see that the closest interpretation to reality is the one that takes into consideration the spirit of the text: if the text considers the consultations to be binding; they are also binding in their results; and logic suggests that one should take into consideration the opinion of the parliamentary majority; leaving the matter to the discretionary power of the president of the republic would lead to a conflict and confrontation or even a political crisis in case the parliamentary majority holds to its candidate to the prime ministerial post when the confidence vote takes place. Thus it is better, to avoid any misinterpretation, to add the term “in their results” to the phrase binding parliamentary consultations.

- 4- Point four of article 53 of the constitution stipulates that the president of the republic “issues, in agreement with the prime minister, the decree appointing the cabinet and the decrees accepting the resignation of ministers.” In this interpretation there could be a conflict between the two presidents as the constitution does not mention a way to settle the conflict. The constitution affirms in its preamble that the Lebanese political system is established on the principle of separation, balance, and cooperation amongst the various branches of government. Thus, it is supposed that such cooperation prevails among the members of the executive power. In case of disagreement in the formation of a cabinet, and the persistence of the two presidents in their stand, it would be better then that new consultations be carried out. If it appears that the majority supporting the prime minister maintains its stand, the president then would have to abide by the majority opinion and designate anew the prime minister giving him the liberty of choosing his ministers.
  
- 5- Point 12 of article 53 of the constitution stipulates that the president of the republic may, in agreement with the Prime minister, call the council of ministers to an extraordinary session, whenever he deems this necessary. But what would happen then if no agreement is reached between the two parties? To avoid such matter, it is better to grant the president of the republic solely the right to call the council of ministers to an extraordinary session whenever he deems this necessary, and relegate the settling of the conflict to the council of ministers which will decide with a majority of two thirds (of the number of ministers or the votes).

### **Problem Number Three: Constitutional Amendments**

The constitutional amendments have transferred the executive power to the council of ministers. For this reason, the council of ministers was created whereas it was inexistent in the previous constitution, and the prerogatives of the prime minister

were fixed, whereas such prerogatives were not mentioned previously except in two constitutional articles.

The council of ministers meets in a place specifically designated for it, and the president chairs its meetings when he attends. The legal quorum for a council meeting is a majority of two thirds of its members. It makes its decisions by consensus. If that is not possible, it makes its decisions by vote of the majority of attending members. Basic national issues require the approval of two thirds of the members of the council named in the decree forming the cabinet.

Each minister has a ministerial portfolio, and sometimes more than one. There are state ministers or ministers without portfolios or administrative responsibilities. The first government that was headed by Prime Minister Omar Karami (1990-1992) comprised 12 state ministers most of them “warlords.” His last cabinet formed on October 26, 2004, comprised six state ministers, including one woman.

What are the solutions to the Problem?

Forming a government in the ways we have indicated above poses a problem and requires solutions:

- 1- Does the designation of a prime minister require a parliamentary majority? The answer is yes. But what is the size of such a majority? Is it the majority of the number of MPs? Or the majority of those who agreed to designate a certain candidate? Logic supposes adopting the majority capable of ensuring a parliamentary majority to the prime minister designate during the confidence vote.
- 2- Could an MP avoid consultations, or take part in consultations without designating a candidate, who according to him, is capable of forming a government? In the first instance, avoiding consultations or not designating a candidate appears to be an act of free will; however because he represents the “whole nation” (article 27 of the constitution), and is responsible for public affairs and the country’s policy, he is compelled to take part in every issue that aims to serve the nation’s interests which he represents. Designating the best prime minister lies within the framework of such interests. As for the question of the MP’s right to delegate to the president the power to nominate a prime minister, such a stand does not differ from the one relative to the non participation in the consultations or designation process.

In addition to the issues regarding the cabinet formation, there are questions about the structure of the council of ministers. Transforming the council of minister into an institution presupposes that a certain structure be elaborated similar to that of the chamber of deputies, and elaborating an appropriate internal regulation. In the absence of such a regulation a series of questions arise, the most important of which are:

- 1- What is the legal status of the deputy prime minister, and what are the prerogatives that he enjoys in the absence of the prime minister? It is true that the constitution does not mention a deputy prime minister, but all formed governments have always included this post. Thus when the internal regulation is elaborated, the role of the deputy prime minister should be defined and his prerogatives mentioned.
- 2- Could a certain number of ministers call for a session? The holding of sessions is an issue decided by the prime minister only. Such a right should be given to a defined number of ministers (one third for example).
- 3- Could a minister have the right to include a certain subject relating to his Ministry in the agenda of the council of ministers. Such an issue is a prerogative of the prime minister who informs the president beforehand of the subjects included on the agenda. It would be better that the Minister be allowed to include subjects proper to his ministry and leave the task of discussing them to the council of ministers.
- 4- Does the prime minister have the right not to sign decisions or decrees adopted according to rules in the council of ministers? Such an issue constitutes a violation to the principle of cabinet solidarity.
- 5- Are the decisions of the council of ministers effective and obligatory once decided? The answer is no, as they need the signature of the President of the Republic, the prime minister and the appropriate minister. They also need to be promulgated according to the laws.

## **ELECTORAL LAW**

Lebanon has witnessed since its independence many electoral laws that failed to consolidate national unity among citizens and achieve democratic objectives. Such a failure in achieving national cohesion and spreading the democratic spirit, resulted in generating chambers of deputies that were weak and do not represent the outlooks of their generations. Thus, we suggest the following:

- 1- Canceling or reducing the amount of the financial guarantee that should be paid by candidates.
- 2- Allowing the voter to cast his vote in polling stations in the districts of residence through electoral cards.
- 3- Adopting one election day for all electoral districts.
- 4- Making the political age similar to the civil legal age, thus, all citizens who are 18 years old have the right to vote.
- 5- Ensuring equality in the use of media and electoral campaigns.
- 6- Providing a ceiling for electoral spending.
- 7- A person cannot hold both positions of MP and minister at the same time; he has to give one for the other.
- 8- Charging the mission of monitoring the elections whether to a neutral government formed by retired figures, known for their honesty and expertise, or to a neutral government formed of politicians known for transparency and objectiveness. However, in either government, the members are not supposed to be candidates for the elections.
- 9- Giving the Supreme Judicial Court the authority to name the judicial committees that will monitor the elections and set the rules and procedures.
- 10- Issuing an electoral law that adopts the small district as an electoral district.

## THE JUDICIARY

The judiciary is an essential element of a democratic state. While the legislative and executive authorities are linked to one another according to the Constitution, and while each of the two authorities can pressure the other (such as the dissolution of the parliament and withdrawing confidence), the judicial authority has a special nature, and it yields to different rules of control and accountability.

This authority should be autonomous. Its independence personifies the state of law. The principle of separation of authorities adopted in Lebanon requires the preservation of such autonomy. However, the autonomy enjoyed by the judiciary in Lebanon is subject in many cases to harmful acts or influences or interference from the executive and legislative authorities.

The interference of the legislative authority in the affairs of the judiciary is illustrated in the creation of special courts in particular cases to be dealt with outside the framework of the judiciary. Issuing retroactive laws means a sequestration of rights and liberties, or promulgating laws the aim of which is to annul a court verdict.

Most of the times, the executive authority interferes in the works of the judiciary, and this happens in various ways:

- 1- Giving the government the authority to activate some cases.
- 2- Attempting to step over the law, or abstaining from complying to a judicial verdict.
- 3- Using immunity to protect the government from all judicial revisions and hindering the pursuit of the administrative employees without a special permission.
- 4- Controlling the appointment of judges as well as their training, promotion, transfer and discipline.

Among the important judicial bodies, we have the Supreme Juridical Council Court, and the Council of Judicial Inspection. Since half of the members of the mentioned council are appointed by a decree, this means there is in no autonomy for judicial authority and a violation of the principle of separation of authorities. The best solution would be to give the judicial body the freedom to choose the members of the Supreme Judicial Council. As for the judicial inspection body, it is formed of 11 judges who are appointed by a decree.

What is the solution then?

Here, we suggest that the Supreme Judiciary Council be given the right to choose judges and keep them in their position until they retire.

By the same token, the Constitutional Council is one of the new commissions designated by the constitution after the 1990 amendments. The Council's mission is to

supervise the constitutionality of laws and to arbitrate conflicts that arise from parliamentary and presidential elections.

Today, 10 years after the foundation of the Council, which revealed certain imperfections, we suggest the following:

- 1- Article 19 should be amended in order not to limit the appeals to those who do not have interest in consulting or appealing. The mentioned article limited such right to the President, Prime minister and Speaker, as well as MPs and heads of religious communities. Can we consider such people to be harmed from any law that is issued in violation to the constitution, a law which they promulgated and approved. The right of appeals should be given also to citizens, associations, syndicates, and unions.
- 2- The choice of the Council's member should be extended. Nowadays, members who are chosen are either judges or lawyers or law professors. Yet, there are people who hold post graduate diplomas but do not work in the higher educational field, the judiciary or law, who can contribute positively in the work of the council.
- 3- The law that forbids dissenting members to a decision from mentioning the dissent or even hint at it, it only allows to orally report the dissent. This is a non-democratic style in the judicial work.
- 4- The citizens should be given the right to invoke the monitoring of the constitutionality of the laws before the Constitutional Council.
- 5- The judicial courts should be able to transfer the issue of unconstitutionality to the Constitutional Council to settle it; this would happen when it appears, while examining a certain case, that a text of law contradicts one of the rules of the constitution, the text is necessary to settle the case.
- 6- The Constitutional Council should have the right to review any law published in the official bulletin without consultation from any of the bodies defined by the law.
- 7- An article should be put to this new way of doing things, such as the tendency of the chamber of deputies to overlook the decisions made by the Constitutional Council. An example of such behavior is illustrated by the prolongation of the term of the chamber of deputies mentioned in the previous electoral law (from four years to four years and eight months) without taking into consideration the decision of the Constitutional Council, according to which the prolongation is against general principles and parliamentary customs.

## **PUBLIC ADMINISTRATION**

Reform is considered to be, with the tax and public debt issues, one of the most important issues that the Lebanese public opinion is concerned with. The Lebanese administration has been facing many problems such as money squandering, the excessive number of civil servants, the lack of productivity, the non application of labor laws, (in some cases such laws as are so old and inefficient that they cannot be anymore), and administrative routine. There is also direct interference of politicians in the administrative work at all levels.

All of these reasons were behind the disorder in the performance of the administrations and the public institutions; hence, the cost of services has increased and the performance has slowed down.

What is then the problem hampering the good running of the administration in Lebanon?

The central body of the state, which includes ministries, and public administrations, is witnessing many problems and deficiencies at all levels (structure, human resources, laws, regulations, and management). Such administrative defect made public administrations inefficient and incapable of carrying out their usual and required tasks. Furthermore, the administration is witnessing noticeable growth in its volume, this is because public services have developed and increased because of the increased needs of the citizens; new ministries were created, and the department and administration of a given service doubled. Whereas in the past there were no more than seven ministries, today there are three times more ministries. For all these reasons, we could summarize the problems of the administration as follows:

### **Problem Number One: The Structure**

- Absence of a development and planning ministry, such absence means that the process of coordination, planning, and development among ministries are separated from the economic, social and development needs.
- The structure of the administration has become archaic and its volume has increased.
- Existence of organizational gaps in the creation some of the administrative posts.

### **Problem Number Two: Duplication**

It happens when more than one administrative unit perform one task. This means a conflict of prerogatives which leads to confusion as it is difficult to delimit responsibility, as well as doubling of public expenses. An example is household solid wastes. Such an issue was the responsibility of the Interior Ministry, municipalities and the Council for Development and Reconstruction. This led to a conflict among these public bodies over the management of such an issue, from the concession of collecting

wastes in Greater Beirut and its suburbs, to the dumping ground of Naemaa, and lastly to the directory plan of sanitary plumb lines. In another development, duplication is clear in the prerogatives between Interior Ministry and the municipalities, on the one hand, and the Ministry of Transport and Public Works, General Directorate of Civic Organization, on the other.

### **Problem Number Three: Clientielism**

Such as giving the job to a person for political reason – See below.

### **Problem Number Four: The Human Factor**

The human resource in public administrations has many defects in the selection and designation process as the competition system for selection according to qualification is neglected. In addition to the random appointment based on contract and employing labor in violation of the rules and without being in need. Article 86 of the government decree number 113 dated 1959 stipulates that contract with an employee is of limited duration and task. In reality, the contracts are renewed by the Council of Ministers without taking into consideration need or capacity. Thus, the Lebanese administration is suffering from: a high surplus in wageworkers and contract workers who reached 10,000 in 1995. In most cases, there is a deficiency in the posts of the administrative staff. For example the number of posts defined in the staff of the telecommunication ministry is 7,834 posts, occupied by 2,129 civil servants (1995), in other words there are 5,705 vacant posts. On the other hand, there are 2,380 daily wageworkers and contract workers. There is also a decrease in the scientific qualification as there is a shortage in the recruitment of the human factor and of training civil servants so that they are up to date; furthermore there is no respect for the principle of the qualified civil servant in the right place.

### **Problem Number Five: Legislative Text and Organizing the System of Work**

- Non application of administrative legislations and systems in a proper and determined way.
- The administrative legal texts are either not applied or branded as irrational and not objective.
- Most of the systems and legislations are elaborated to tackle particular urgent tasks, and thus, without scientific planning and sometimes according to personal interests.
- The administrative work is very archaic and does not follow new developments.
- The public administration lacks register and orders necessary to the good management of the administrative operations.

One can deduce from the abovementioned facts that there is a difficulty in defining the causes of such defects in the public administration as they are linked to political

corruption, in particular, and to a divergence of opinion relative to the causes of such corruption because of different political points of view. However, one should admit that the main problem of administrative corruption is the interference of politicians in the public administration, by appointing and promoting civil servants. Here one should mention that the Lebanese administration is still suffering from the same corruptions that it has endured in the past decades, even before the Ottoman rule, during the French mandate, following National independence, and during the recent civil war and its aftermath.

### **What are the solutions to be taken in order to reform the administration in Lebanon?**

The means put forth to deal with administrative corruption throughout the ages were based mostly on finding day-to-day solutions to administrative corruptions. It follows that it did not eliminate the causes of administrative corruption. Furthermore, the interference of politicians, capitalists, and other influential people in the running of public administrations, led to obstacles that hampered any serious attempt to reform the administration. The only successful attempt of administrative reform, even if relatively, occurred under the term of President Fouad Chahab, between 1958 and 1964. President Chehab believed that reforming and modernizing the Lebanese administration were two main conditions for settling the economic and social problems of the country. Accordingly, three months after acceding to the presidential post, he launched his ambitious program of administrative reform. In December 1958, he adopted Decree number 193, which defined the basis of reform at all levels of the administration.

Thus, there is a need to find a comprehensive plan to develop the administration, complementary to economic and social developments plans. Therefore, any attempt made to reform the administration should be included within the framework of an objective and well studied plan that tackles administrative affairs on the political, organizational, and economic levels. Hence, the administrative reform process should contain pivotal points that tackle many important issues (modernizing the main laws, administrative decentralization, advising the public sector, dealing with corruption).

### **Generalities**

- Ensuring political support to implement the administrative reform and stop the interference of politicians in administrative affairs. Such political support should include not only officials but also those who are outside government, as the administrative reform should take place irrespective of political tendencies. But, one could say that it is impossible to carry out an administrative reform without carrying out in parallel a political reform.
- Administrative reform process requires such a support; furthermore, it is impossible to carry out such a reform without a true financial planning.
- Public opinion should exert pressure on the political authorities, which are often the stumbling block to any reform process on the administrative level.

- In the structure
- Reconsidering the administrative organization and implementing the Taef Accord in order to enhance the administrative decentralization and expand prerogatives. Since administrative decentralization is not an objective but a form of administrative organization, the reforms thereof are necessary to prepare the appropriate legal frameworks and necessary legislations to ensure the administrative reform.
- It is imperative to define the field of the administrative centralization through the central body of the state, in order to avoid any clash between the different prerogatives and tasks. In order to fix such frameworks it is necessary to
  - Reconsider the structure and the prerogatives of the ministries in light of a scientific and comprehensive study.
  - Ministries that have the same goals and tasks should be merged such as Ministry of Public Health and the Ministry of Social Affairs or Ministry of Foreign Affairs and Ministry of Emigration.
  - A ministry of development and planning should be established. Otherwise, the Ministry of Public Planning should be rehabilitated after putting an end to the multiple councils that implement projects for the state (Council of Development and Reconstruction, Council of Execution of Development Project, Council for the Execution of Grand Projects for the City of Beirut). It is also very important to keep and review all the studies made by these councils.
  - Activate the role of the Higher Council of Privatization by modernizing its structure and attracting qualified and experienced people. As for the privatization of the public services (electricity, water service, telephone), the option in the current situation is to privatize the management of these sectors, while the state preserves the assets held by such services. We can always refer to international consultants like Merrill Lynch and Arthur Anderson.

In another development, one of the aspects of intertwining between the centralized administration and public institutions is the task of monitoring performed by the former on the latter. Supervision is necessary to control the projects of public institutions within the framework of a comprehensive national plan and to avoid an eventual duality. Thus, internal and external administrative control bodies should be modernized; and councils implementing projects should be controlled.

As for the interior administrative control, the public institutions are under the authority of the Central Inspection, in compliance with the rules of the amended article of by-law number 115 dated June 12 1959, in addition to the Revenue Court and the Civil Service Board, which have Supervisory prerogatives. However, there are issues that need to be guaranteed to revive these control bodies:

- Activating and supporting them and putting an end to the influence of politicians.
- Dealing with the problem of vacancy by issuing decrees that designate the winners in the employment competition.
- Implementing the rules and the regulations enforced in the disciplinary regulations during the trials, specifically Article 95 from the employees regulation and article 14 from the Decree number 7236 issued in 1967 regarding the rules of prosecution in the Disciplinary Council.

As for the external supervision, one should think about the issue of the parliamentary control, especially monitoring the texts of the administrative reform, and inciting the MPs to question the reasons behind any legislative text or its misinterpretation, or even via the parliamentary committees in the Parliament or even through secondary committees that could play a large supervisory role over the executive authority and the administration. Knowing that the characteristic of such control is that it is an efficient one as it is parliamentary and democratic which do not hamper management.

### **The Human Factor**

Dealing with corruption among civil servants is the basis of success for any administrative work and to achieve general interest. This could be achieved through the selection of the human factor, by competition and equal opportunities, without differentiating between sects or religion, or between man and woman. In addition to all this we should guarantee training for the means and possibilities and take as a base the retribution principle for the evaluation of a good work and what follows in promotion, permutation, disciplinary, penal and civil responsibilities and especially taking care of the civil servant after retirement.

In order to tackle the corrupt human factor in administration, one should adopt the following:

- 1- One of the main solutions to the surplus of personnel and the administration's structure is to recommend optional incentives for early retirement within the abilities of the public treasury and rehabilitate the exceeding number of the young civil servants and distribute them among ministries and public administrations according to vacancies.
- 2- Aiming at reaching equal opportunities for all Lebanese to be able to get public positions and not prevent any sect from monopolizing a specific high position. Furthermore, it is important to achieve equality between men and women as both genders should have the same right to be employed in different fields.
- 3- It is imperative to abolish the employment according to the sect at the top level and stress the neutrality of the public post. Selection should be made according to qualifications not according to personal interests
- 4- Application of the regulations stipulated in Decree number 58 dated December 12, 1982, concerning the issue of waged workers and contractual and temporary civil servants, by resorting to competition based on the principles of qualifications

- 5- The educational qualifications of the employee must be defined. The qualifications required for the job the employee is applying for should be defined.
- 6- Creating a training program for all civil servants, as it guarantees previous preparations and continuous training, which would improve performance. Because such a program increases productivity and strengthens human relations among civil servants and updated skills in their fields by the use of the most developed means.
- 7- Adopting a studied program in the civil education for all civil servants aiming at achieving moral values, which would reflect positively while dealing with others, and performing their task most completely.
- 8- The adoption of a reward system and implement it. As the civil servants should be provided with the (material and moral) motives that encourage them to increase their efforts and show a better performance so that he does not lose his salary if he is showing a better performance. Conversely, the civil servant should be sanctioned if he doesn't do a good job. Knowing that the incentives mentioned in bylaw number 112 dated June 6<sup>th</sup>, 1959 (Civil Servants regulation) comprises:
  - Material incentives: monetary reward, as stipulated in article 26 of the civil servants regulations, and is granted to a civil servant who performs a certain task that is highly appreciated
  - Moral incentives: such as promotion, as stipulated in article 33 of the civil servants regulations, which means reducing permutation for six month (within the motivation policy) or retard it (according to the sanctions' policy), in addition to the granting of medals and decorations of "civil servants" as adopted in developed countries.
- 9- The adoption of an assessment system for the employees' performance in support of the reward system.
- 10- Renovating the fundamentals of the salary scale through a fair and realistic policy based on functional ranking according to the kind of functions and the importance of the responsibility related to the job. Moreover, the scales in different ministries and the private sectors should be proportional, as it its not permissible that there is so much difference in salary, sometimes three times, between two equivalent jobs.

### **Regarding the Legislative Texts**

- Compiling all the legislative texts in a scientific volume on the basis of the rules of organization. Some of these rules should be reconsidered and redefined. Such work would improve the administration's and civil servant's output as the civil servant has easy access to the texts regulating his function.
- The law of illegal enrichment should be renovating and applied. All top and middle level employees should declare their wealth.

## **Organizing the Working Procedures**

One cannot really talk of administrative reform without using modern procedures for work, which eliminates useless tasks. This would ensure services low cost and efficiency. In this field, one can suggest the following solutions:

- Avoiding the administrative routine by reducing the applications and the procedures in order to save the time of the citizen.
- It is also essential to modernize the public administration by introducing computerization and electronic equipments that would ease people's procedures and reduce their plight.
- Adopting the internet and the information or the so-called "electronic government." Yet the Lebanese administration is still very far from this kind of work. To activate the process, the authorities should put forth a general plan to automate the public administrations, identical to the December 25, 1994 plan. Encouraging the of the administration led to the development of orientation and improvement of quality of civil services. By the same token, one should take into consideration the proposal made by the congress held in Beirut, in April 2002, under the title of "applications of electronic governments and its benefits to the citizens. It was organized by the office of the minister State for Administrative development. The objectives was to have a general knowledge about the experiences made in that field the program of electronic government, on the regional and international level

The Lebanese administration is suffering currently of grave problems on different levels and natures. Undoubtedly, these problems are largely related to the economic problems of the country, not to mention the interference of politicians, and wealthy people in the state's administration provoking a total disorganization. Such a reality demonstrates the need to carry out the administrative reform by taking into consideration the correlation among the administrative, economic, and political issues. Thus the process of administrative reform should be based on following pivotal points:

- Structure: Reviewing the administrative organization, and change the framework of administrative centralization and merge some ministries and councils.
- The Human factor: adoption of honesty and integrity and the principle of abolishing sectarianism in appointment. Abolish the employment according to the sect in the first degree posts. Adopting training programs for all civil servants, and modernize the base of putting a salary scale, as well as adopting the system of motivation and reward and implementing it
- The legal texts and the organizing the work procedures: Compiling all the legislative texts in a scientific volume on the basis of the rules of organization. Avoiding the administrative routine by reducing the applications and the procedure and aim for an electronic government and activate internal and external control.

## ECONOMY

After the end of the destructive civil war in the early 1990's, and after the damage in all areas and in all sectors, the successive Lebanese governments that were formed in that period had to spend huge sums of money on reconstruction, especially in the field of infrastructure and Beirut city center in order to reconcile the Lebanese.

The private sector contributed largely in the reconstruction process that comprised institutions and private services. The high spending spree, especially on public level, led to a spur of growth especially in the early 1990's. But, this high growth came at a huge cost because of the accumulation of a monstrous public debt. This public debt resulted from corruption, fraud, nepotism, and red tape forcing the government(s) to resort to foreign aid especially after holding international conferences like Paris I and Paris II and to resort to "Swap" operations that were implemented very recently in order to reduce the interest rate on public debt.

This rapid growth occurred in particular sectors, because of external monetary transfers to particular directions, and because the private sector resorted to short term investment with high profit, such as the reconstruction sector, treasury bonds, with interest considered to be high at that time. However, such rapid growth was reduced progressively until it stalled, in some periods, and regressed perhaps in other periods. The reasons behind this may be the absence of clear vision among officials during those periods as they did not make a distinction between growth and development. Growth means a period of years where GDP increases. This is what happened during the years following the civil war. As for development, especially the comprehensive and perpetual one, it requires a growth in all sectors and regions and in all the classes forming society.

The truth reveals that the post war period witnessed a growth in certain sectors at the detriment of others. Groups and particular classes benefited at the detriment of other groups and categories. By the same token some regions developed at the detriment of other regions, because the officials at that time confused the private issue with the general one and they oriented their policy in a particular direction serving their own interests at the detriment of the general one. This led to an increase in poverty, economic disfiguration, for income was distributed unevenly among citizens and regions. Furthermore, unemployment rate and emigration increased. The gap widened between ambitions and reality, as officials represented the militias' interests, which took part in government, the "nouveaux riches," and the interests of the political money, which aimed for rapid gain rather than perpetual development.

## **Problem Number One: Unbalanced Public Spending and Unbalanced Economy**

Today, Lebanon is witnessing a concentration on some sectors in which it is overprotective such as the sector of construction and contracting. Officials believed that in the aftermath of the war the huge expenditures in that sector will have a snowball effect, as other sectors would grow with the growth of the latter. However, reality showed the inanity of such a concept: the economy was disfigured as the construction sector grew in an unnatural way, resulting in the catastrophic decline of other sectors, destroying the industrial base, and contributing to the growth of the intermediary economy, which plays the role of a broker and not that of a producer. This boom also led to a sharp real estate crisis, as half the national income was frozen in the buildings and apartment, which no one wants to buy, thus, hampering growth in other fields.

We believe that the private interests and sharing spoils among officials led to adopt the disastrous theory. Building the airport, in the manner and price it occurred, permitting Solidere company to build a gigantic and costly seaboard without any economic benefit are examples of squandering which were reflected with the increase of public debt (200 percent of the GDP) and led to the emission of treasury bonds with high interest rates. This in turn made the industrial, agricultural and tourist sectors suffer from a misdistribution of investments and monetary transfers, which were directed at the based-income economy, as well as to competition and rapid profit.

What are the solutions suggested by the party for an economic revival?

### **In the short term:**

We must reorganize our economic priorities. In fact, and after the concentration of successive governments on the construction and services sectors, we call upon current and future governments to concentrate on the agricultural, industrial and export sectors in order to bring balance to the growth of the Lebanese economy. Government(s) could subsidize long term investments in these sectors or give (or facilitate giving) long term soft loans to these sectors maybe by creating specialized banks for this purpose, in cooperation with the banking sector. Private banks in Lebanon have a high ratio of deposits (\$61 billion) to GDP (\$20 billion), which could be directed towards the real productive sector (like agriculture and industry) and away from the rent-seeking sector (like services and speculation on real estate). It is worthwhile to note that a large fraction of deposits in commercial banks is invested in speculation on real estate.

### **In the mid-term**

We must decrease the cost of production by ending all monopolies in the public sector. It is an irony that the public sector in Lebanon is the biggest monopolist in the country. In fact, the public sector owns monopolies like electricity production, phone services, water supply, etc... leading to high production costs, in comparison to costs of such services in other countries in the region. The high cost of production in Lebanon is also a result of corruption, fraud, nepotism, and red tape especially in monopolies owned by the public sector like electricity.

Therefore, we call for putting an end to red tape by privatizing administration and management of public sector monopolies. These monopolies are part of what is called the “welfare state.” Due to the civil war, services produced by these monopolies deteriorated leading to cost overruns which was intensified by corruption, fraud and nepotism in these institutions. We believe that if policy makers in Lebanon agree on safeguarding these institutions against any intervention by politicians, we start a long journey of a thousand miles to improve revenue collection and monitoring of these institutions.

### **In the long term**

We must work for balanced growth of all sectors and in all areas through continued cooperation between the private sector and the public sector. We should redirect the private sector towards big projects in industry and agriculture, especially projects that have forward and backward links. Such projects could be established in export processing zones to promote exports. The big size of these projects could enable the country to benefit from economies of scale in production. We also call for the “coupling” between the agricultural and industrial sectors since agro-industrial complexes could benefit both sectors. These agro-industrial complexes require labor-intensive technologies, which reduce unemployment, especially in rural areas of the country. We also call for promoting investment in high-tech industries by working for a common Arab market, which opens doors for Lebanon to enter big markets and reap the benefits of economies of scale. Furthermore, we call for complete cooperation between the private and public sectors to reorient students in high schools and universities towards new specializations needed in the Lebanese labor market in the long run like agricultural and industrial engineering and management and away from traditional specializations like law, medicine, and civil engineering.

### **Problem Number Two: Ruling Class, Nepotism, Bribery, Corruption**

It is tragic to see officials complaining about the economic situation, as it is their responsibility. It is alas the real image of the previous and actual authorities. This reality had a negative impact on the Lebanese economy, which was disfigured as it grew in an abnormal way in some fields while it regressed in a catastrophic way in others. Officials, for example declare openly their condemnation of the political confessionalism but in practice they do the exact opposite. Political confessionalism was consecrated after the war and this was illustrated in practice in an economic confessionalism by means of nepotism. The Middle East Airline company, for example, was put under the direction of Mr. X, and Intra company given to Mr. Y, while the Lebanese casino was put under the direction of Mr. Z, and so on and so forth. The state acted (and still is) on the basis of political confessionalism, tribalism, nepotism, and political money. As for the general interest, it is neglected to the benefit of private interests. By the same token, it was made absent in the economic policies aiming to perpetuate growth. Squandering, bribery and corruption increased, the public debt increased and the state was incapable of controlling it, the private was confused with the general, and this confusion harmed the public institutions leading to their paralysis and incapacity to undertake reforms. The economy became subject to the will of the troika’s policy and nepotism. The administrative reform

failed, the social problems increased with uneven income distribution, migration increased, unemployment rate increased, emigration increased tremendously, poverty increased... Above all, deals in economy by mutual agreement and without bidding increased in the postwar era so that every president, minister and/or official disposed of some fund...

### **What are the solutions suggested by the National Dialogue Party in this field?**

#### **In the short term**

It was proved to the citizen that resorting to scientific concepts, studies and statistics, that the quality of rule and rulers, the way of governing, are one of the most important factors to achieve perpetual growth. We believe that we must have a new and just electoral law culminating in a new team of public officials. But, if such a new team of public officials is hard to reach, we call upon present public officials to reach a consensus, agreement, commitment, or conviction that they must work together to attain fair and just sustainable development. Such a conviction begins by asking all public officials at all levels to implement the latest law that was passed to stop the making of illegal fortunes at the expense of the public sector in all its forms of corruption, fraud, nepotism and red tape. Furthermore, public officials should agree to end factional political and economic disputes and the merging of private and public interests at the expense of public sector money. We call for closing all monetary funds that were created after the war like the monetary fund for the displaced and the monetary fund for the development of the south, which became like war prizes granted to public officials leading to corruption and red tape. In our opinion, the money in these funds should be included in the government's budget allowing the parliament to monitor how the money is spent. In this regard, we call for improving all public sector monitoring institutions, which contribute to the ending of all forms of corruption and fraud.

#### **In the mid-term**

We must mobilize public institutions and separate the powers of the different branches of government. The parliament, for example, has been second partner to the executive branch (cabinet) in the distribution and allocation of spending (or prizes) although the parliament should be monitoring the cabinet to prevent any forms of corruption! On the other hand, the executive branch (cabinet) has always interfered in the functioning of the judicial system, which is supposed to monitor and question all other branches of government! This political and institutional confusion led to economic confusion! Good governance cannot be attained without an independent and strong judicial system that puts an end to all unconstitutional and illegal activities. The judicial system is the only guarantee for good governance.

#### **In the long term**

We call for a new social contract, maybe through an economic Taef Accord that all groups in society agree upon probably under the patronage of parliament. Hence, a new comprehensive dialogue among Lebanese that includes all groups and sectors of the country like labor unions, business associations, public officials, academicians is needed to reach a comprehensive national plan for growth and development. Such a plan could become an economic constitution and would be

implemented in stages over the long run on condition that the implementation would not be hindered by changes in government(s). In this context, maybe a new specialized ministry or an existing ministry could play the role of caretaker of the plan. The ministry of economy and trade, for example, could be empowered to implement such a plan. It is important to mention that the plan must include a project to revamp the civil service, not necessarily by firing civil servants, but on the contrary by retraining and reemploying them in different ministries and public sector institutions according to vacancies.

### **Problem Number Three: Public Debt, High Interest Rates, Taxes...**

There are external economic transfers mostly directed to rapid profit in the construction field and the treasury bonds. And we have a public debt that is more than 200 percent of the GDP, and a debt service that have reached 3 billion dollars yearly, that is 50 percent of the budget, a squandering in expenses that reached 20 percent of public debt, knowing that one third of the public debt was spent on *Electricité du Liban* notwithstanding that the power is often down. Some Lebanese banks are beginning to hesitate in buying treasury bonds, as some international institutions have lowered their ranking. According to the World Bank Lebanon will not be able to avoid an unending financial catastrophe, as the state cannot continue to pay the public debt's interest rates indefinitely. According to some international financial institutions, the SWAP is not the solution, because the public debt could reach 45 billion dollars in three years (at the end of June 2004, the general public debt reached 35 billion dollars including an interior debt of 6.18 billion dollars, equivalent to 53 percent of the General public debt. External debt reached 4.16 billion dollars while the internal debt was equivalent to 47 percent of the general public debt)

The financial and monetary managements are responsible of the accumulation of the debts in the postwar period. The Central Bank for example was issuing treasury bonds that were more than the Treasury's need in order to ensure a high level of profits for those individuals and banks who subscribed. It also made clearance in dollars, which made the shares of the Lebanese Banks figure on the International Exchange markets, and they needed to issue more treasury bonds to preserve a high level of profits. This lead to a vicious circle destructive to the economy because of the continuing dollarization and high interest rates. The Parliament contributed to this circle as it allowed the use of the dollar currency in business transactions, promulgated the law creating Solidere Company, and allowed to free the capital of this company in dollars! Thus, we encourage the independence of the Central bank in order to resolve the crisis.

### **What are the solutions we suggest in this field?**

#### **In the short term**

We must reorder economic priorities. Isn't it better to spend on productive sectors that have potential and high value-added like industry and agriculture than to continue to spend on nonproductive projects? We call for aggregating all government expenditures and tax revenues under the same budget including public sector spending on investment projects (which sometimes occurs from outside the budget) executed by the CDR (Council for Development and Reconstruction) and other councils. Here, we call for imposing a ceiling on spending and to have periodic appraisals of such spending in order to end all forms of red tape. We call for cooperation between monetary and

fiscal authorities to coordinate the two policies to have a better pro-growth and stable economic environment leading to a gradual decrease in interest rates and public debt. It is worthwhile to mention that some international organizations have prescribed shock therapy to attain such results. However, shock therapy requires fast and dramatic collapse of the Lebanese pound causing serious and catastrophic socio-economic consequences; hence, we don't agree with such a prescription. It is estimated by some international monetary organizations that the true price of the American dollar is about 3,000 Lebanese pounds. In our opinion, a sudden collapse of the Lebanese pound from 1,500 (the pegged price) to the dollar to 3,000 would cause a socio-economic catastrophe with unforeseen dire consequences. It is better to go in other directions by imposing ceilings on unproductive spending like high fringe benefits to public officials, too many bodyguards, subsidized gasoline consumption of public officials and military personnel, etc... It is also good to improve collection of taxes and charges, like electricity charges. Public officials should put an end to their intervention in public sector institutions to allow effective revenue collection in such institutions. It is good to start to implement all laws that govern revenue collection and to impose fines on all illegal activities.

\* For example, all laws governing illegal use and adjustments to seashores and riversides should be implemented. In fact, many adjustments were made on more than 20 million square meters of public riversides and 8 million square meters of public seashores. The government should implement the law that was passed in 1925 that governs such issues. It was estimated that implementing the law would benefit the treasury by around 700 billion Lebanese pounds yearly, or 450 million American dollars. It's good to know that "Solidere" alone is using an area of 450 thousand square meters of seashore.

\* The government should also impose fines on many illegal practices of "Solidere" activities that were implemented after the passing of an exemption law on October 20, 1992, at the end of the term of the cabinet formed by Premiere Rachid El-Solh. This exemption law is in contrast with Law 117 that was passed in 1991. It is worthwhile to mention that the Ministry of Public Works had demanded the collection of 83 billion and 750 million Lebanese pounds as fines on the illegal activities of "Solidere", but the judicial system exempted "Solidere" from these fines based on Decree 3808 on September 8, 2000.

\* Maybe it is good to collect all fines but not by adopting 1-1-1993 as the date when these illegal activities occurred, because the government would lose huge sums of money since many illegal activities occurred between 1975-1991 and later between 1995-2001. It is worthwhile to note that no distinction should be made between large and small institutions according to Decree 4810.

### **In the mid-term**

We call for a new and modern tax system. The tax legislation in Lebanon is a mixture of the legacy of the Ottoman Empire and French laws under the French mandate. In fact, all earnings that have a rent-seeking nature are all tax exempt by law! Furthermore, the tax revenue is inequitably divided so that 20% comes from direct taxes and 80% comes from indirect taxes. We observe here that Lebanon is one of the countries in the world that have a low ratio of tax revenue to GDP (only 13%). Hence, we call for modernizing the tax system and tax laws even if it hurts the clique of corrupt and fraudulent beneficiaries from the current system. We call for

enlarging the tax base and increasing the number of taxpayers. We call for improving revenue collection and monitoring. Tax forms should also be modernized. A universal income tax should be introduced. All spending from outside the budget should be stopped. Tax collection and accounting should be computerized. We should also impose new taxes or increase tax rates on corporations and high-income groups even if the ratio of tax revenues to GDP rises to 40% as happened in Italy after World War II. We must balance the balance sheets of municipalities and the balance sheet of the National Fund for Social Security and end all forms of red tape. We must create a high learning institute to train and educate civil servants on how to fight corruption, for the government needs every pound it could collect from all aspects of life!! In this regard, and in order to raise revenues, we call for imposing high tax rates on commercial banks' profits especially after the exorbitant profits they made from buying government bonds at extraordinarily high interest rates. We also call for restructuring of public sector wages and salaries to guarantee economic justice across all sectors and institutions of the public sector. Maybe it's good to mention that indirect taxes like the TVA (VAT) tax could be abolished on many necessities that are consumed mainly by low-income groups, and the VAT could be raised on luxuries that are consumed by high-income groups, as is done in many European countries that impose VAT taxes. We also call for imposing new taxes like a tax on the interest rate received on government bonds and a tax on capital gains. It is worthwhile to mention that commercial banks have greatly benefited from such capital gains. Real estate prices have tripled and quadrupled in the past decade and commercial banks hold many real estate assets in their portfolios. Since there are no taxes yet on capital gains, banks made high profits out of these capital gains!!

### **In the long term**

To get out of the vicious circle of high interest rates and rising public debt, Lebanon should concentrate on agriculture, industry, and exports, as was done by the East Asian "tigers", including South Korea. We need a new partnership between the private and public sectors. A partnership that aims at decreasing interest rates and public debt. Banks should invest in agriculture, industry, and exports and away from government bonds. High interest rates could be a manifestation of inefficiency of the stock market and secondary market in the allocation of investment funds. The high dollarization rate of the Lebanese economy is also another manifestation of high risks and misallocation of investment funds. Hence, we call for aiding the banking sector in getting rid of the vicious circle of government bonds and dollarization to a new productive cycle of long-term investment opportunities. But, the Lebanese private sector has not yet entered the era of globalization. It still lives in an era in which individuals own most of private institutions. Such institutions cannot compete in a global economy. Turkey, however, which also has the same structure of ownership of private institutions has succeeded to globalize. One condition for success is an efficient stock market and auxiliary secondary market. Without such efficient markets, firms cannot globalize. Firms need to sell newly issued stocks to increase their size and compete globally. By the way, privatization of public institutions also requires an efficient stock market. So, before we start with such privatization, we call for "privatization" of private sector institutions by improving the small and weak stock market in Lebanon. When firms grow bigger in an efficient stock market, they can reap the benefits of economies of scale in a global market.

Speaking more about privatization of public sector institutions, we call for a pilot project in electricity where small electricity plants could be constructed in different areas of the country. Such plants could be owned and operated by local populations who have an interest in keeping these plants profitable, efficient and in good hands. If this pilot project succeeds, it could be expanded into other sectors like water supply, etc...

#### **Problem Number Four: Social Problems: Poverty, Unemployment, Pollution**

One of the reasons behind the civil war was that political authority at the time did not tackle the social reality in its economic policies. This reality was repeated after the war but with a higher intensity. Migration and unemployment increased. Emigration highly increased and poverty spread. Most studies reveal that the weight of construction was supported by those who earned limited revenues. The level of income in 1997 was less than that of 1966, and salaries in the 1990's and after are still four times less than those in the 1970s. Some studies reveal that 40 percent of the population does not benefit from health insurance and 30 percent resorted to debt to fulfill its needs. In the 1970s and before the outbreak of war 20 percent of the Lebanese benefited from 60 percent of income and wealth. After the war, we believe that the bad distribution of income and wealth is increasing. Some studies indicate that 2.4 percent of depositors owned in 1992 40 percent of the deposits. In 2002, they now possess 60 percent of the deposits. This is a proof that wealth is concentrated more and more in the hands of a minority of Lebanese. It is noteworthy to mention that life is very expensive in Lebanon. According to a study carried out by an International Institute, Beirut is considered to be the most expensive city in the Arab World. Other studies indicate that the minimum salary should be 600 dollars per month whereas today it is 200 dollars only. This means that a high percentage of the population lives below the poverty line. Things were made worse by the tax policy of the state especially when it could not control any more the public debt. Furthermore, it could not take its dues from influential persons and leaders. Thus, the state resorted to indirect taxes that attained the people with limited revenues. There is for example a loss of around two billion dollars yearly because the state is incapable of collecting taxes on income or electricity bills. All this reflects negatively on other domains, such as the National Fund for Social Security and increases the bad social conditions of the citizen.

#### **What are the solutions to the social problems?**

##### **In the short term**

We call for immediate redistribution of income and wealth. This is a slow process. If the government decides to redistribute income today, the results would probably materialize twenty years from now! Redistribution of income and wealth probably benefits the poor at the individual level. But at the macro level, redistribution benefits society as a whole, both rich and poor. When income is redistributed in favor of low and middle-income groups, aggregate demand increases, GDP increases, and even government revenues increase! This is the essence of the Keynesian theory (written in 1936) of John Maynard Keynes, which took the world out of the Great Depression that started in 1929. Keynes proved that depressions come from a deficient aggregate demand, which come from low purchasing power of low and middle-income groups. Income redistribution in their favor would boost aggregate demand, output, and government revenues. Hence, we strongly call for

income redistribution especially because income distribution in Lebanon is gravely unfair. Redistribution would benefit both the economy and social justice.

### **In the mid-term**

We call for increasing welfare payments given to low and middle-income groups after we observe gradual improvements in public sector finances. We call for the construction of free schools, infirmaries, hospitals, etc...especially in rural areas. We call for distributing free food, medicine, clothing, and fruits (maybe after the government buys surplus agricultural products). We call for strong cooperation between the private and public sectors to train and retrain people in remote areas to help them stay in these areas and promote growth and development of such areas. Constructing large agro-industrial complexes in these areas would help reduce high unemployment because these industrial complexes tend to be labor-intensive. We also call for encouraging people in remote areas to buy and build small and medium-sized businesses that could be subsidized to help people stay in these areas and put an end to internal and external migration.

### **In the long term**

We call for comprehensive labor policies and periodic surveys of labor market needs in cooperation with the Central Directorate of Statistics. We must improve the labor market by reducing the search period. We must improve private and public employment agencies, which now cover the greater Beirut area only. We must inform workers of potential job opportunities through all communication forms, including the Internet. We must pass new labor laws to limit the use of foreign cheaper workers and to make sure that when such workers are only hired when the dire need for their services is documented. We also call upon universities to reorient students towards new specializations needed in the future, or else the proliferation of more universities in Lebanon would only lead to more disguised unemployment!

Last but not least, we must hold pacts and enter treaties that are good for Lebanon and its neighbors regarding the hiring of workers (maybe Syrian workers) who could help us build agro-industrial complexes in export processing zones. We call for total economic cooperation between Lebanon and its neighbors (especially Syria) to reap the benefits of globalization. We also call for implementing tax laws not only on Lebanese workers but also on foreign (Syrian or other) workers. Maybe these solutions could help us get out of the crises we have caused since the end of the civil war.

## **EDUCATIONAL AND SOCIAL REFORM**

Associations defending women have a modern view of the role of men and women and believe that they are equal in rights and obligations. Such associations have participated in the four International Conferences, which tackled the issue, in particular the Beijing Conference. They have been influenced by the objectives of these conferences where there were exchanges of different points of view and information; furthermore, thanks to these conferences, awareness increased concerning the importance of the inclusion of woman in the development process, which would result in ameliorating her condition and social position in society, confirming her active role in public life, and increasing her participation in the development process.

Lebanese laws dealing with women's affairs are as follows:

- 1- Political rights, 1953
- 2- Equal rights to inheritance (to non Moslems), 1959
- 3- Woman's right in choosing citizenship, 1960
- 4- Freedom of transport, 1947
- 5- Abolition of penalty rules regarding the prevention of pregnancy, 1983
- 6- Unification of the retirement age for men and women as stipulated in the Social Security law, 1978
- 7- Recognizing the capacity of women to witness in the real estate registrar, 1939
- 8- Recognizing the capacity for a married woman to practice commerce without a permission from her husband, 1994
- 9- The right of a civil servant in the diplomatic corps who marries a foreigner to continue her tasks, 1994
- 10- Capacity of a married woman to conclude life insurance contracts, 1995
- 11- Conclude the treaty condemning any sort of discrimination against woman, 1996
- 12- Reducing the justification regarding crimes of honor, 1999
- 13- Equality between insured men and women, vis-à-vis the children, the offers of the Social Security National Fund, department of sickness and mother care and family indemnities, 2001
- 14- Equality for men and women civil servants regarding the benefit from the offers of the civil servants' cooperatives, 2001.

### **Problem Number One: Woman's Role and her Position in the Lebanese Society**

The pending problems regarding this issue are:

- 1- Benefiting from media and telecommunications for awareness of social issues.
- 2- Finding means to coordinate with Parliament to include social issues in the official activities and programs.
- 3- Including the gender issue in the development process to train and encourage women, particularly the poor ones in cities and rural areas to join popular bases having economic and social objectives.
- 4- Abolishing the justification for crimes of honor.

- 5- Promulgating a law granting citizenship to the children of Lebanese women married to foreigners (Since Lebanon has signed, in 1996, the treaty condemning all sorts of discrimination against woman).
- 6- Ratification of a law on optional civil marriage.
- 7- Ratification of a law for protecting women against violence.
- 8- Permitting women to participate in political work.

The Lebanese woman is absent from the centers of decision-making in the administrative and political spheres. Her representation among the cadres of the Lebanese administration is nearly symbolic. Lebanese woman is also absent in the important political spheres, and even if she is represented in parliament, this representation takes place thanks to the “big blocks.” Thus, it is imperative to review this issue, knowing that the percentage of educated women is nearly equal to that of men. Whereas Lebanon is proud to be the most advanced Arab state in terms of democracy and public liberties, we see that there is discrimination and unfairness concerning the Lebanese Woman’s rights, particularly in the field of public affairs. Indeed, since independence and till the Taef Accord, the successive governments have not undertaken any step in this direction, with the exception of the Prime Minister Omar Karami’s cabinet, whereas neighborhood Arab countries have tackled this issue years ago. The Arab world is witnessing today the appointments of a great number of women as ambassadors, advisors, and ministers, in a step that is considered to be an opening to the active and effective participation of women.

#### **What are the solutions suggested by the National Dialogue Party in this field?**

- 1- Reviewing the issue of ameliorating and strengthening woman’s conditions, and working for making the education of women one of the principal pillars of development efforts.
- 2- Protecting the women’s rights by insisting on equality and equal opportunities.
- 3- Benefiting from woman’s capacities through her participation in the national revenue; in this way equality in citizenship, rights and obligation would become a legitimate right for women, in practice and not only for humanitarian considerations; this is because participation is the true way to reach human development.
- 4- Abolishing the laws that discriminate between man and woman.
- 5- Activate the woman’s role and appoint her in important political posts.

#### **Problem Number Two: Children’s Conditions in Lebanon**

True development comes through the children. The governments of the world fixed the year 2015 to eradicate the increasing poverty and misery that are ravaging the world, to generalize primary education, to reduce the percentage of deaths among children, and to fight against disease.

Lebanon has achieved some results concerning the equality among sexes in the field of education, as it is considered to be a necessary step toward equality between men and

women. The first international commitment regarding the generalization of education was issued in 1948 in the International Proclamation of Human Rights; this was reasserted later on during the Children's Rights Treaty in 1989 and during the International Summit for Children in 1990.

In spite of the fact that discrimination between the two genders in terms of social and cultural beliefs, is deeply rooted in the rural and urban regions, education is one of the main needs to reach development; education reveals the problem of the child's situation in Lebanon who represents the hope of tomorrow and the future of the country.

What are the conditions of the children in Lebanon, a country which has ratified in May 1991 the Children's Rights Treaty, and worked on implementing its rules and principles within programs adopted by Public Administrations and Civil Societies?

- 1- Lebanon has signed in 1999, through the Ministry of Social Affairs, the Decree number 700 relating to the interdiction of employing adolescents under sixteen years of age, in works that by nature are dangerous to their lives, health or morals. However, the Lebanese society is still suffering from school escapism and an increase in child workers that are under fourteen years of age. The indexes on the child's condition according to governorates, indicate that there are great differences among regions. This raises questions on unbalanced development in the Lebanese region, and on the great differences in life and health conditions even at the level of Beirut's different districts.
- 2- It is beyond doubt that families resort in such difficult life conditions to children's work. In the shadow of uneven economic developments in different parts of the world, the social problem of the youths is transformed into a series of crises that take the form of drug addiction, smoking, alcoholism, knowing that there no effort is made for finding solutions to the unemployment problem.
- 3- There is a rise of violent acts, the spreading of theft, and the suicide phenomenon which according to statistics is witnessing an increase since the mid-nineties, among youngsters under eighteen years of age, for it reached nearly 4.5 percent in 1996. As for the years 1998-2000, they witnessed a variation in the percentages of children committing suicide.
- 4- The crimes of honor committed by minors at the instigation of adults reached five crimes between the years 1998-2000, and the age of their perpetrators ranged between 16 and 18 years old.
- 5- The problem of the youth emigration to find openings for their future, as there are no care or job opportunities in their country. It has been said that emigration in Lebanon is natural as the Lebanese have been emigrating since the nineteenth century in a search for wealth and freedom, however the economic and social situation is reaching all classes and religious communities, and this is a warning against the emigration of qualified people and brain drain, who find care in the countries of immigration.

### **What are the solutions we suggest to deal with this problem?**

- 1- Protecting the children that are enduring difficult conditions from entering the labor market at an early age, by withdrawing hundreds of children from the labor market, ensuring a lodging for them, and supporting the families of the children workers by granting them substitute sources of revenues. Here comes the role of the civil society organizations, in cooperation with the Ministries of the Interior and Justice, to protect children from exploitation, in order to avoid situations prevalent in most of the countries where advantage is taken of the children's poverty to attract them to delinquencies.
- 2- Finding openings for children through useful leisure activities, such as sports clubs, summer camps, scouting.
- 3- Thinking about the youth's future by finding job opportunities in all sectors, and activating the productive sectors not supported by the state, such as agriculture, industry, handicraft. The Lebanese society, in general, is a young one (60 %). According to official statistics and figures, the level of education is high among both sexes, as it is 97 percent for males and 95 percent for females, knowing that such figures are relative and comprise only the primary phase.
- 4- No interrelation should be made between the Middle East peace process, which was the main concern for government in the last decade of the twentieth century, and the interests and basic needs of the Lebanese youth, because this led to economic crisis and public debts that were supported by youth; it also narrowed the job opportunities and increased the hard condition of work not to mention unemployment.
- 5- Granting liberties in political life. Indeed attempts have been made to prevent youth from taking interest in public affairs; furthermore, only the interests of a particular category of politicians were taken into consideration. Also, there was an emergence of confessionalism. All these factors confined the youth in traditional parties or sectarian groups that regenerated ideas of the past. Whereas, changes in the world have imposed a change in the political and social realities. Such realities compel to openness, supporting democratic views, taking advantage of religious and cultural pluralism and diversities. Such changes create new ideas and thus develop both the social and economic realities.
- 6- Encouraging cultural and political activities (within the party if taken seriously) which take into consideration the problems of youth, their thoughts and outlooks for a better future.
- 7- Finding job opportunities for youth
- 8- Encouraging youth to join non government organizations which tackle human development issues (human rights, children's rights, woman's rights, democracy)
- 9- Participation of youth in finding solutions and suggesting projects to the government, and pressuring the authorities in order to create a ministry for youth.
- 10- Activating the role of youth in the media that would deal with the main problems of the Lebanese youth.

## **SYNDICATES AND UNIONS**

Between May 1991 and May 1995, labor unions and union federations have been created in large numbers and their adherence to the General Union of Workers posed a big problem on April 24 1997. Ten licenses were issued relating to the foundation of unions. Those are:

- 1- Lebanese Federation of the Syndicate of Taxis and Transport offices in Lebanon
- 2- Federation of Labor and Employees' Union of South Lebanon
- 3- "Jabal Amel" Federation of Farmers Unions
- 4- Federation of National Trade Unions of North Lebanon
- 5- Federation of Labor and Employees Unions of Paper Industry in Lebanon
- 6- Federation of Labor and Employees Unions of Iron and Steel Industry in South Lebanon
- 7- National Federation of Labor and Employees Union in South Lebanon
- 8- General Federation of Metallurgy and Mechanics Labor Unions
- 9- General Federation of Labor Unions of Mount Lebanon
- 10- General Federation of Farmers Unions of Lebanon.

### **Problems Facing this Sector**

It is natural that the creation of such trade unions were preceded by founding decisions, including unions that never took part in workers federations

- 1- There are a great number of unions and syndicates that were founded by license granted by the Ministry of Labor; the number reached 84 syndicates out of the 269 that existed since independence, and more accurately since the promulgation of the Lebanese Labor Law on September 23<sup>rd</sup>, 1946.
- 2- Such is the trend of new syndicates and unions and the licenses granted to them. But, there is no justification to explain the presence of such a huge number of Unions. The only explanation that could be given is to provide for each profession a syndicate. Whatever the reasons, there is no justification for such huge numbers of unions and syndicates. The policy of creating syndicates was contradictory to the necessity of modifying the syndicates' structure as any new law regarding such modification will ultimately lead to a revamping of syndicate movement starting with the workers' commission on the level of one industrial plan, continuing with the worker's union of one profession and the union at the level of governorates and ending with the General Union of Workers.
- 3- The duality of measures adopted by the ministry during that period was not difficult to understand, as it formed part of a scheme to end the role of the Worker's Union and change its leadership. In reality, no conflict ever existed within the General Union of Workers or even the syndicate movement as a whole, or between the latter and the Ministry of Labor, concerning the necessity of amending the law relating to the syndicate's structure.

- 4- The main subject of conflict between the Ministry of Labor and the General Union of Workers' leadership was not of organizational or structural nature; it was about the interference of the state, represented by the Labor Ministry, in the interior affairs, of syndicates especially in the foundation of syndicates and workers unions as well as in elections, registries of the unions, and even in the syndicates' organizations, and other forms of interference in the internal structure of the syndicates.

The interferences had the following impacts:

- Division of the workers' union movement, represented by General Confederation of Workers, indefinitely. But which is more dangerous the division among workers' unions and syndicates influenced badly on the workers' commissions and base in the economic sectors.
- In a period of social unrest there is an absence of a unified workers union, and ipso facto the absence of a negotiator representing workers to talk with employers and government.
- The private sector and government gave signs of lack of interest in matters regarding workers' demands such as salary adjustments and social aids. Besides, there was an increase in dismissals of workers from their jobs.
- End of the successful experience of the follow up syndicate committee that is the alliance of school teachers and University professors and some of the categories working in the public field with the General Confederation of Workers.
- Decrease of the role of General Union of Workers in institutes and tripartite commissions such as the Social Security National Fund, and the Economic Social and Economic Council.
- Decrease of the distinctive role of the General Union of Workers in Arab and International Workers' Organization and unions.
- The loss of an important influential player who had an important role at the popular and civic levels during the war and in recent years.
- The presence of sectarian currents within the leadership of the Union and the increase of influence of the state within this leadership.

#### **What are the solutions suggested by the party regarding the syndicate?**

The economic changes need an activation of the syndicates' role to confront poverty prevailing even among middle class people.

Thus, it is necessary to activate the organizations of civil society as well as workers' unions to defend the rights of employees and workers to take into consideration their interests not those of politicians. The state should put forth a plan to evaluate the social situation and overcome crises and this would be done by a partnership between the private and public sectors because without such a partnership one cannot confront the present and future problems and developments. One should take into consideration the

interests of both parties and those of the citizens the state should also play an active role in the welfare of its citizens.

## SOCIAL SECURITY

Since the downfall of the Berlin Wall in 1989, the world is governed by one bloc. At the economic level, there is a hegemony toward globalization, privatization, market economy technology development, and the formation of large economic coalitions; whereas on the social level there is hindrance in role of the welfare state. The absence of such role led to many perils threatening the social protection systems and workers' rights such as the maintenance of jobs, health insurance, free education, and social security.

Lebanon is part of this changing world, as it is affected and influenced by the prevalent economic orientations: Liberalizing economy, adopting open-space and open-market policies, and resorting – in theory – to privatizations. All this is occurring in the shadow of the increase in the mass of public debt and its price volume, economic stagnation, the closing of many productive institutions and the great dangers affecting the workers and the persons with limited revenue. This in turn led to the intensification of the social crisis affecting mostly the social security issue. One cannot tackle the social security outside the framework of the social situation, and ipso facto outside the social policy. Indeed security forms part of a whole, and this whole is the adopted social policy.

What is the social policy adopted in Lebanon and what are the means to develop it?

- 1- In Lebanon, there are social expenditures on health, education, and others. But those are not performed within the framework of a social vision having well determined objectives, programs and institutions. When some officials justify the social aids, presenting the annual budgets figures in the fields of education, health and social assistance, they tend to neglect the social policy and programs. One of the French companies that elaborated the orientation plan for the Social Security showed the first defect represented by the absence of a clear vision regarding the social security; the same thing applies to health and education. It is therefore our right to ask: Is there a health policy? How can we allow the multiplication of health orientations such as social security, Health Ministry, doctor's syndicate, the cooperative of civil servants, internal security service and cooperative, mutual, assistance funds?
- 2- The body in which influential people in government have interest, is the first to be supported, whereas the bodies in which they have no interests is marginalized, neglected and deprived from the state's assistance even if the law clearly stipulates the state's obligations towards it.
- 3- The problem in the National Social Security Fund is due to the failure in legislation and assistance means regarding the three branches: the end of service allowances branch, assistance in health and maternity, family allowances, and these are branches that have not evolved since the creation of the fund with the exception of the family allowances, which was linked to the minimum salary to form 75 percent of the salary.
- 4- The second main problem in the Fund resides in the absence of administrative structure and more precisely the delimitation of the prerogatives of different services of the Fund.

- 5- The problem that is strongly debated is the lack of trust between the government and the administration of the Fund, more precisely between the Ministry of Finance and National Social Security Fund. This lack of trust has made the finances of the Social Security a subject of unending contestation. This is because the Ministry of Finance has doubts about the Fund's accounts. For this reason, the government refuses to allocate credits to the Fund and pay its accumulated dues. In addition to all this, there is the element of money and administrative squandering due to the fraud in hospitalization fees and a tendency to disregard the violations made by hospitals and surgeons, not to mention the squandering in investing the Fund's assets and the decrease of the aids value.

The question is: what is the government's responsibility in the crisis of the National Social Security Fund?

- Government's refusal to pay its dues to the three branches, as it has the role of an employer, its refusal to pay the settlement amounts on behalf of its employees who collected their end of services indemnities from the Fund estimate at a value of 74 billion Lebanese pounds.
- Suspension of its contribution to the branches of health and maternal allowances defined by law as a ratio of 25 percent from the Social Security Expenditure.
- Abstaining from paying its contributions in terms of subscriptions imposed on the insured of the special categories (taxi drivers, mayors, and others) and obliging the Fund to pay contributions of the three branches to public wage-earners, in violation of article 48 of the Social Security Law, and in opposition to what applies to employers from the private sector.
- Freezing the credits of the previous budgets since 1997 and until the last two years, the value of which is 240 million dollars, and which the Ministry of Labor has ordered to be spent, whereas the subsequently Ministry of Finance refused to pay, until the formation of the cabinet of Prime Minister Karami.
- The Government's proposal of a by-law that would annul the accumulated dues in terms of subscriptions. Such an annulment of debts would deprive the Fund of an amount of 2,200 million dollars, including 890 billion\$ to be paid by the state.

### **Why has the situation in the Health insurance reached the dangerous stage?**

The debts due by the state to the Fund equal 890 billion Lebanese Pounds, out of which 400 billion constitute the state's contribution to the branch of health and maternity; there are also 445 billion which are the debts of the public institutions, out of which one third is due to the branch of health and maternity. One must not forget the 450 billion Lebanese pounds due from private companies, out of which one third is due to the health insurance.

The abovementioned branch reached the present situation because of the following reasons:

- 1- A decision was taken to reduce subscriptions in the Fund from 38.5 percent to 23.5 percent, hoping to give enough time to the companies, which were silent about their situation to declare the number of employees and regulate their financial conditions with the Fund, especially concerning annulment of sanctions due to payment delays. Yet, this has not happened yet.
- 2- The state did not pay its due to the Fund, notwithstanding its obligation by budget laws to pay since 1998. Until now only 60 billion Lebanese pounds out the 890 billion due by the state have been paid.
- 3- Some public and private institutions have refrained from paying, awaiting the promulgation of a law by the parliament that would pay at intervals the debts due to the Fund. It was expected that this law would figure on the agenda of the general organization after it has been debated by the parliamentary commissions. This did not happen.

In addition to all this, an emergency commission was formed by the Fund that adopted a series of recommendations. Only the law on installments and the raising of 60 billion Lebanese pounds from the state has been implemented.

What are the solutions in this field?

- 1- Government is called to reconsider the level of spending on social issues, so that the credit allocated to these expenditures are not used in disseminated projects that are not in relation to one another. It should adopt a policy according to which expenditures are included within the framework of a well defined social plan.
- 2- Contract the squandering and the social expenditures stemming from political, family, and sectarian considerations, let alone corruption prevalent in public administration. All this diverts the social spending from its target.
- 3- The state should have a clear vision about the Social Security Fund in which it defines the kind of social security it wants, the social categories, which should benefit from such a fund, and what kind of administrative structure should be adopted in order to ensure all these contributions, the means of financing, the states part in financing. This vision is important to adopt following years of lack of trust between state and the Social Security. This is due to the spoils distribution system, which should be dealt with: such a policy leads to the designation of according, not to their qualification, but to their political and social positions as well as their degree of influence.
- 4- Activate the role of the Social Security by pumping new blood in the administrative body. The average age of the personnel is 53 years old. A system of incentives should be adopted to substitute the old sick elements with young ones as these would accompany the evolution and modernization of the Social Security system and rationalize the health expenditures and above all nominate new doctors to activate proper supervision and prevent them from being submerged to sectarian blackmail.
- 5- Not to submit to political or sectarian pressures. This is what happened when the administrative board decided to designate new doctors.

## EDUCATION AND TEACHING

There is a decline in the diffusion of knowledge in Lebanon (education, teaching, communication and translation). Some studies indicate that the most common form of education in Lebanon is that of repression and overprotection, which badly influences the development of independence, self-confidence and social qualification and leads to the increase of inconsistency and the incapacity of decision making, affecting the way of thinking, as the young get used not to put themselves into question or take initiatives.

Despite the achievements of the first half of the twentieth century in the field of education, teaching in Lebanon is still very modest.

What are the problems affecting the teaching sector in Lebanon?

- 1- The most dangerous problem is the decline of quality, and this alone hampers one of the main elements of progress, which is improving the quality of life. Thus, there are serious challenges to the constitutive elements of the education system, which influences the quality of education. These include the educational policies, schools, working conditions of educators, the school programs and teaching curricula.
- 2- The teaching issue is being dealt with worldwide, as there are daily researches on reforming teaching programs. The Lebanese government has taken the responsibility to reform the programs. After its attempt at modernizing the teaching programs, it appeared that they were not fully implemented by all schools. Even if they were applied in others, the practical element was not taken seriously, and thus teaching remained theoretical. This is because in most of the cases the modification was formal and did not take into consideration the material possibilities of the public schools such as the use of the computer, and program training and way to make research. It appeared that the Ministry of Education was incapable of meeting this important and urgent need. Add to this some programs were not adapted to be practiced in the field and thus remained theoretical.
- 3- The incapacity to afford alternative studies to the student such as programs, suitable building, development needs and national cohesion.
- 4- As for the programs, their application was very marginal as they did not take into consideration the differences between the private schools that has high quality teaching and material capabilities, and public schools with modest capabilities; Such differences created a gap and disparity among the social categories: the well-off who get a good quality education and the members of middle and lower middle classes who receive poor education.
- 5- As for the training of teachers, it is nearly absent in public schools and even in most private ones. No cadres were enrolled in having programs in both the private and public sectors as no concern was given to specialization issue in public schools. The influence played a big role in the enrollment of teachers, who were hired for regional, sectarian, and religious considerations. As for private schools,

- they adopted the same procedure but for economic consideration and this was reflected on students' acceptance and their success in exams.
- 6- Teaching took the form of information supply avoiding analysis and debates, thus, the programs lacked modern techniques of education.
  - 7- No supervision is practiced yet in private education, as private schools have a high level of autonomy and no real coordination is made with the ministry of education. Thus, we see it is necessary that such schools be supervised by the Ministry and coordination be made to avoid disparity in teaching in Lebanon.
  - 8- Public schools are not subjected to the same conditions stated by the Ministry of Education, as teachers are appointed according to political influence and sectarian considerations. Thus, we hope that the public schools receive good treatment in terms of building, equipment, administrative body, teaching body, keeping in mind that the number of students in these schools became highly superior to those in private schools. Normally, the public school students will all apply to the Lebanese University.

Solutions to this issue are as follows:

- 1- Providing every person with education through schools, and equal opportunities.
- 2- Elaborating a plan for public school buildings.
- 3- Dealing with remote regions where school attendance is not high. This issue has been neglected since independence. The fact that Lebanon has superceded other developing countries in education and school opportunities should not divert us from the reality that a great number of Arab countries (Qatar, UAE, Bahrain, and Kuwait) superceded Lebanon in the percentages of elementary education.
- 4- Developing public teaching.
- 5- Developing the structure of public and private education.
- 6- Developing and encouraging professional education.
- 7- Reconsidering the educational programs on the basis of latest developments in teaching programs worldwide, for education is a right for everyone. Ensuring flexibility in the programs to allow students to modify their orientation academically so that they can change university without losing academic year(s).
- 8- Ensuring human and technological capabilities to implement any modification in the program.
- 9- Hiring experienced and professional teachers in public schools, which are comprised of poor class students and most of the middle class.
- 10- State should not be content with erecting new buildings for public schools just to please the poor and the middle class; it should also consider the quality of teaching in particular that relate to languages, which have become a necessity if one wants to use the Internet, and know how to deal with data that has become the nerve of knowledge in the third millennium.
- 11- One should not mix education with narrow political needs of some politicians; those should not interfere in affairs related to teaching.

## THE LEBANESE UNIVERSITY

Like other institutions and properties, let alone humans, universities and institutions suffered from the destruction of the Lebanese war. Private universities that were established in Lebanon since the end of the nineteenth century, such as the American University of Beirut, the Saint Joseph University, and afterwards, the Beirut Arab University and the Lebanese American University, were all able to recover from war. The problem remained with the Lebanese University. Being a public institution that was a victim of war, the Lebanese University was marginalized and torn apart; whereas before, during the years that preceded the war, it used to gather elements of force and was strongly established. Since the Lebanese University is a public institution, it is linked to the State and its future depends on the will of officials who deal with state affairs. Revamping the Lebanese University is not an easy task; it is as difficult as to revamp the state itself. However, it is a very clear task, knowing that the Lebanese university comprises half the students attending higher education whereas it comprised one quarter before the war. It is disseminated in 47 branches spread in all parts of Lebanon and comprises all disciplines.

The Taef Accord stressed the necessity of reforming the University, but no effort has been made in that sense until now. The university is still suffering from serious material problems as no salvation program was put forth following the changes witnessed by the country.

What are the problems affecting the University?

If we take into consideration the policy adopted regarding the university, we will find out that it was subjected to the same kinds of measures as all public administrations: nepotism, separation, and division.

### **Among the most prominent problems:**

- 1- Designating professors, directors and deans according to sectarian considerations
- 2- Pursuing a policy of granting licenses to private universities on the basis of nepotism, regionalism and sectarianism and to the detriment of reforming the Lebanese University
- 3- The budget of the Lebanese University is barely sufficient to pay the salaries of the professors, as the number of students exceeds 70,000 (according to a 2004 report); if one compares its budget with those of the private Universities (AUB and USJ) he would realize how much the university is neglected, as so many students are ignored. It makes us wonder over the degree of concern the government has shown during the last decade; it is building the infrastructure but ignoring human development, on the basis of private interests not on a general one.

## **What are the solutions suggested by the National Dialogue Party to revamp the Lebanese University?**

Saving the Lebanese University should be one of the priorities of the state in general and the government in particular. Modifying its programs should take into consideration the changes affecting the world and local economy in order to link the University's graduates with the labor market; and this requires suitable disciplines.

### **Among the solutions, we suggest to revamp the Lebanese University:**

- 1- Abolishing nepotism and dealing with the university according to academic rules and institutional considerations.
- 2- Building one campus for all specialization in a specific area.
- 3- Equipping the university with the most advanced teaching technologies, training professors, attracting qualified people without taking into consideration the sectarian, regional, or religious belonging. Only qualification should be taken into consideration.
- 4- Linking the programs of the university with the markets. Coordinating with the private sector to train students, financing the university, and developing the students' experiences according to the teaching and market needs.
- 5- Focusing on foreign languages on condition that it would not be to the detriment of the Arabic language which should be taught very well as it is the mother tongue.
- 6- Looking for new specializations required by the economic, political, and social development.

Moreover, one cannot diffuse scientific culture without preparing the necessary structures. There is no creativity in the research activity and there is a decline in the number of scientific research centers; this is an indication of the lack of awareness for the need of science and scientists.

In developed countries, wealthy people and non profit organizations financed by the private sector finance such activities. The private sector also finances the largest part of research and development. The decline in the financing of scientific research from productive and services sectors in the Arab world could be explained by the absence of creativity.

There is also an absence of production in the arts field (literature, drama, cinema, music, plastic arts). Lebanon used to be an important cultural center in the Arab world. Now it lost this leading position because production is scarce and not financed; besides some of this production is subject to censorship.

Thus, there should be support for scientific research and reconsideration of the cultural production in order to consolidate Lebanon's position, not only as a tourist and leisure country, but also as a distinguished cultural center in the Arab world.

## NATIONAL EDUCATION

National cohesion includes national education, social integration, and cultural fusion.

What kind of problems are we facing on this level?

- In the curriculum of the subject “national education and civic education” there is no mention of creative thought.
- In this curriculum, no mention is made about competence or social integration, as if everyone belongs to the culture of his own community. A community that is supposed to provide school, hospital, university, and job.
- There is no mention of citizenship.
- As for the social integration, we mean by this the attendance of mixed educational institutions at the religious and geographic levels. This is an issue that has been adopted in big cities, especially the capital. However, the public school which was supposed to be a unifying factor as it is attended by common people, was divided; and the university had several branches within the capital itself.
- In spite of the fact that social integration is a necessity, especially after civil war, as it develops interrelations and interchanges and helps youth to mix and integrate, it is absent in practice.
- There are 13 universities that have been created since 1996, all include, with the exception of AUB, a one-type category of people varying ranging 80 and 100 percent. In the first sections of the Lebanese University, nearly 95 percent of the students are Moslems and in the second sections, nearly 95 percent of the students are Christians.
- There are debates and comments concerning the unified civic and national education book, and there are some books that are not produced locally, such as French or American books, that are used for the teaching of thousands of Lebanese students.
- Freedom and patriotism do not meet in one text, and the perception of the friend and the enemy is not the same, nor is the stand regarding the West.
- No effort is being made to elaborate one system on higher education that would be used by the Lebanese University and the private universities, as if Beirut were geographically bigger than Europe and the United States of America.
- The absence of national education relates to the national identity and reveals our past, present, and future. This education should be that is the unifying identity that delimits our friends and enemies and our relations with the outside world and our common national symbols.
- No agreement has been reached regarding the national education: a proof of this is the history book.
- Years after the publication of the new programs in 1997, the works were suspended, the books withdrawn from the market, and the programs were re-elaborated. This is because the authors of the history books have been effected by partisanship.

What is the solution then?

- Citizenship is something that should be taught progressively at school. It is not a term.
- Democracy is nonsensical without law, this means learning the meaning of law is a prevention against corruption. Laws are not to be learned by heart but to be put into practice.
- Unifying the Lebanese University, at least in Beirut, and adopting the administrative decentralization in the branches of the university. Moreover, one curriculum should be adopted following a coordination with all private universities on that issue.
- Encouraging sectarian, confessional, and regional integration and establishing mixed sporting clubs to establish an identity for the university.
- Higher education institutes, should define their strategic role in the social change at the national level
- History books should be written by historians. It is not impossible to write a history book that guides the students to the same national character; otherwise, it would be impossible to establish a state.
- The problem of sectarian history is that it gives a partial view of history. Political education should be established upon clear and brave options regarding the chosen subjects.
- The priority must be given to the national integration in any educational policy. The sectarian crisis is preventing the publication of a history schoolbook; and it is important to find a solution to the problem by progressively abolishing sectarianism. Of course, this does not mean that no history schoolbook should be written until this happens. Yet, there must be an agreement upon such an issue in developing a state based on citizenship.

## **MEDIA**

Lebanese media is witnessing a multi-faced crisis, an even sharper crisis than those that occurred to all Lebanese institutions as a result of the civil war that erupted in the country. In spite of the fact that Lebanon enjoys all kinds of freedom contrary to other third world countries, one cannot say however that this freedom does constitute true democratic practices, in the absence of an effective accountability.

### **Problem Number One: Media Policy**

The problem of the media in Lebanon is not in the freedom of information. The Lebanese press law guarantee to media companies a responsible liberty that is not enjoyed by the countries in the region. The problem is the absence of media policies linking the various medias. This has led to an anarchy in the information field; and this in turn led to the control of the Lebanese media by foreign external forces. There are also problems related to the multiplicity of the media, the absence of complementarities between the activities of the media and those of other sectors, and the concentration of media in big cities.

### **Problem Number Two: Private Interest**

The media problem in Lebanon also resides in the absence of equilibrium in the activities of Lebanese media while dealing with the three following forces: the general interest, the public interest and the private sector's interest. We see that while the private and public interests influence and interact with the Media to serve their interests, we see a total neglect of the general interest, which is very different from the interests of the public institutions and the private sector.

In other words, there is an absence of equilibrium in the media activities between the general interest and the interests of the political, financial, and economic forces.

This disequilibrium, and the inability of the state to put forth information policies based on the general interest, has led to the transformation of the media in Lebanon into means at the service of the political and social divisions. Media is not professional and does not abide by the rules. Moreover, there is a total neglect of the every-day life problems and an interest in cheap leisure activities. No effort is being made to ensure a communication between citizens and authorities. Priority was given to structural changes to the detriment of Unions and profession. This led to the diffusion of a culture looking for profit, and the result was confusion between freedom of the press and informing the citizen, on the one hand, and the liberty to look after material gains, on the other.

Finding a balance between the general interests, on the one hand, and the public and private interests, on the other, is the basis for an active and efficient media serving social development. If one evaluates the Lebanese media's contribution to the national development, he will find out that it has failed in this domain. Lebanese dailies do not

speak in the name of Lebanon but are mouthpieces to various political, religious, or sectarian groups. There is a mistrust between the citizen and the public media. For example, the state radio which was a public concession having the monopoly of radio broadcast, was superceded by private radios which did not tackle the daily problems of citizens. By the same token, TV channels in Lebanon have proved to be incapable of running a media sector in which the general interest supercedes material gain, and this has led to a contradiction between the financial logic based on profit and democracy and general interest.

### **Problem Number Three: Neglecting the Human Factor**

We see that managers in media companies have improved their technical structure imitating western media, but they neglected the formation of the human factor, which is necessary to their development and progress. On the one hand, we see the most modern and fastest printing machines, and the most modern means of information technology, while on the other, we see a real lack of training and education in the media field. This is one of the major causes of decline of this sector in Lebanon: media cannot serve society's outlooks without highly qualified people capable of elaborating information plans and putting forth right policies.

### **Problem Number Four: Reviewing the Media Work**

The media develops and prospers as long as it succeeds in serving society, and it declines when it diverges from its true objectives. The main reason for the decline of the press in Lebanon is that it has failed to reconsider its role in a changing society and difficult living conditions, which were the results of the destructive civil war. The Lebanese medias failed to play its role as responsible controllers of the political and economic institutions and as defenders of the citizens' rights. That's why they need to reevaluate their information work. By the same token, the Lebanese state should put forth information policies that would organize the relationship between the private media on the one hand and state, private sectors and citizens on the other. For the information policy of the state is a general one that lacks objective vision vis-à-vis the media sector and its role in the national development process.

### **Problem Number Five: Absence of Information Policy**

The problem of information in Lebanon stems from the fact that the state was incapable of putting forth plans and clear policies linking different social institutions including media, with the objectives of society as a whole. The modernization of mass media is a social one and cannot be limited to the adoption of modern techniques. Neglecting the adoption of a social plan would result in burdening society with a high price to pay because the main development needs were neglected. Modernizing does not mean adopting the problems of developed societies which have no similarities whatsoever with ours. This would be a neglect of the real problems of society, in particular those of the countryside.

The absence of an information policy by the state led to complete anarchy, as the media sector has become like a bazaar controlled by foreign factors. If the opportunity was given to foreigners to control our media, it is only because of the absence of information policies and plans. Such plans and policies would link the media with other institutions and would put these means of communication at the service of all Lebanese irrespective of their beliefs. Cooperation among all Lebanese groups would be possible via the elaboration of information policies that unite them: this can be done through radio or TV programs that diffuse a national and social awakening, giving a sentiment of responsibility and strong will to the citizen; and this in turn would encourage him to participate actively in the construction of society.

The media situation is in strong need of putting forth information policies that would organize the correlation between the state and the private sector as well as the relationship between citizen and medias. Furthermore, the media orientations of the state, mentioned in laws and legislations, are very superficial and general; a realistic view of the situation prevalent in the media sector is needed.

### **Problem Number Six: Participation of the citizens in the problems of the society**

The main problem facing the media activity in Lebanon resides in the citizen's freedom to take part democratically in society. The main task of the state is to incite the citizens to participate in a more effective manner in the issues of society and consolidate their integration within the framework of one state.

Since media planning forms part of social and economic planning, it requires decisions in relation with many sectors and qualifications. It is important that such planning be carried out by a National Council for Medial Development. Such a council would gather experts from various fields. Its tasks would be supervising media policies that would tackle the media problems in Lebanon and help media to play their role by serving society in a continuous and comprehensive manner.

This National Council would comprise specialized elements representing the following categories:

- 1- government officials
- 2- legislative commissions
- 3- authorities in charge of economic and social planning
- 4- relevant ministries and planning councils
- 5- mass media companies
- 6- scientific institutes specialized in media
- 7- citizens

**The most important tasks of this Council would be:**

- Evaluating the media curricula in universities operating in Lebanon, and putting forth modern programs that are concordant with Lebanon's information and social needs.
- Making surveys on media and defining the human and geographical factors of each media.
- Creating centers for information training. Supplying them with the modern techniques and qualified manpower, and this training would not be confined to production and diffusion but would also comprise research and teaching.
- Defining the human and technical factors that could be working in Lebanon and that would adopt the main information policies and planning.
- Supporting traditional cultures such as folklore, popular arts and encouraging new methods that would link our national heritage with international outlooks of human civilization.
- Finding the best ways of using the media in national development, especially in the field of education, but also finding a control system to prevent the transformation of such use into a new information control as is the case with the use of new media technologies
- Activating the economic sector, especially in the fields of agriculture, trade, and job orientation.
- Finding media educational systems along with to the traditional educational systems.

## **THE PRESS**

The development of the press in Lebanon paves the way for the development of the whole country. In fact, most of the private and official Arab media managers are Lebanese. Lebanese press enjoys a large degree of freedom. It has attained a high degree of professional maturity and played a great role in the citizen's political awareness and in the defense of democratic values in a region in turmoil. The Lebanese press paid a high price for it, many martyrs of the press fell during the Ottoman period and were subject to exactions and vexations during the French mandate and the periods following independence.

The Lebanese press is courageous and intelligent while facing political pressure, it is advanced in both aspects. It was granted a high degree of freedom with the promulgation of the 1962 law. However, its implication in local and regional conflicts led to new legislations that reduced somewhat the freedom of the press. But such legislations should be an incentive for the press to reassess its role in order to put an end in the prevalent mistrust it is facing.

### **Problem Number One: Creating Political Awareness**

The Lebanese press failed to revitalize its institutions economically and professionally; it also failed to revive the pioneer role that it used to have in the Arab World during the 1950's and the 1960's. A proof of this is the decrease in the number of Lebanese newspaper readers. This is due to the fact that newspapers gave priority to technical development without giving enough importance to developing the genuine atmosphere of communication between the citizen and the authorities and among the citizens. The Lebanese press gave priority to structural modification to the detriment of professionalism and morality, and this in turn resulted in the diffusion of a culture based on rapid gain in contradiction with the social responsibility that the press should shoulder.

If creating political awareness constitutes the main work of social institutions in a country under foreign occupation, creating social awareness is one of the priorities of institutions during the independence period. The implication of the press in political issues was made to the detriment of its social role. Had the press given enough importance to social issues and daily problems since independence, perhaps civil war would have not taken place or it would not have been so prolonged and fierce.

### **Problem Number Two: Responsible Supervision**

The Lebanese press failed to play its role as a responsible watchdog of political institutions and public and private interests; it also failed to defend the people's rights. In other words, the reasons behind the lack of interest of the population in the press are its failure to be a channel and a motive for the improvement of the people's conditions. The press has also failed in contributing to the development of a conscientious civil society capable of rebuilding a just state and the ideal citizen.

### **Problem Number Three: Accepting Accountability**

The moral right of freedom of expression of the press must be linked with its acceptance of accountability. The press has a legal right to free expression as long as it accomplishes its moral duty towards its society. One of the main reasons of the citizen's disinterest in media is that it does not inform him about daily problems.

#### **How do we revitalize the press?**

Revitalizing the press in Lebanon would be done by reviewing its role in society, rejecting economic hegemony, and abandoning the support of political groups having sectarian and tribal orientations. The success of the press would be by assuming responsibility of being at the service of country and citizen, and not only of politicians. Then and only then, would Lebanon enjoy a genuine popular and highly qualified press.

As a first step toward this objective, the following should be done:

- Activate the role of the Higher Council of the Press and review its structure, as stipulated in the 1962 press law, which is still valid. The membership should comprise representatives of professional and academic groups that would contribute to the defense of the freedom of the press, and the citizen's liberty in having access to the information he needs.
- The Council should monitor press activities, and present periodic reports indicating achievements and deficiencies in these activities.
- Review the policy of concessions to issue political publications (either by granting liberty to issuing political publications, on condition that they do not constitute a mouthpiece for a category of people and guarantee their independent financing, or - in case of insistence on application of the 1953 legislative decree, forbidding press concessions except in extraordinary situations-impose the concept of equity and unbiased position)
- Support the activation of the Press and Journalists' Unions' role.

## **RADIO AND TELEVISION**

### **Problem Number One: Presenting truth**

If the printing press contributed to the diffusion of political awareness in Lebanon, radio and television contributed in creating political confusion and moral anarchy at a time when Lebanon strongly needed the unity of its people to reconstruct what the war has destroyed.

However, there is a positive factor in favor of the audiovisual media of the private sector, it is that it demonstrated the failing of the public sector in telling the truth to the population. It was natural that audiovisual medias of the private sector prospered as the citizen needed rapid information in periods of trouble, at a time where the public media ignored the civil war. Then the private media, which was illegal at the time, unveiled the ignorance of officials in dealing with everyday problems.

### **Problem Number Two: Sectarian Platforms**

The problem with audiovisual medias of the private sector is that they try to adapt with newly promulgated laws, whereas most of the channels were created and worked outside the law. These medias succeeded in destroying but failed in constructing, and are successful in pushing the citizen to carry out negative activities more than it contributed in positive work. The media does not work for all Lebanon but encourages and motivates a group of people transforming their broadcast into partisan platforms, being sectarian or racist.

### **Problem Number Three: General Service**

The media was negative in tackling social problems, as the objective was to save the general interest. An example of this is what some of the media did while tackling the sharp economic crisis that the country has confronted. Instead of warning people of the dangers threatening their national currency, or suggesting means to preserve the value of the national currency, it did the opposite, as it sought to force the government to resign, giving pessimistic evaluations about the Lebanese currency. It thus contributed not only to the government's downfall but to the detriment of the national currency as well.

### **Problem Number Four: The Media Content**

The audiovisual media does not take seriously the need of its audience. It acts, like any other trade or industry, in order to increase its material profit or serve the interests of its investors. The contents of the audiovisual media contribute in dissociating the citizen from the society he belongs to instead of facilitating his integration. This estrangement happens by presenting media contents the citizen feels he is not related to.

By the same token, the state used the audiovisual media for political aims. It did not use it as an instrument of awareness and education but to consolidate its political influence without proposing any social change.

The Lebanese citizen believes that what he sees on TV does not belong to his world. As the media does not tackle his problems, but the problems that interest the people who control those medias, whether state authority, a group or a private company. Thus, the citizen feels that the media programs have nothing to do with his reality. In case he is convinced by what is propagated, he rebels against his life conditions, becoming a stranger and an alien in his own community.

#### **Problem Number Five: at the Service of the People**

The media plays a great role in diverting the citizen from his problems, by neglecting the real social and political problems and spreading secondary imported ones. When the media is compelled to tackle some main social problems, as the ones related to the freedom of information, it exploits the public opinion's interests to deal with the problem in a way that does not serve the general interest. It defends this freedom by violating the law and neglecting its social responsibilities. It ignores the fact that the freedom of information is inseparable from social responsibilities.

#### **Problem Number Six: Social Values**

The contradiction increases with the showing of western programs, which reflects the values of the developed world. The Lebanese citizen then adopts a behavior reflecting those values and neglects the values and habits of his own society. The TV is tackling western problems, or problems imported from the West, to the detriment of Arab and Lebanese social values. Thus, the Lebanese TV neglects the habits and values of its people. People saw in the media revolution a sign of progress and civilization, whereas in reality it was a revolution from the technological point of view; and its misuse led to the estrangement of the citizen from his own society, as it disfigured the genuine social values.

#### **Problem Number Seven: A Different Approach of the Lebanese Reality**

The emergence of many Lebanese radio or TV stations with different and opposed views and policies gave the Lebanese citizens different variations of facts about the Lebanese situation and led to the rise of different audiences.

#### **Problem Number Eight: Orientation and Awareness**

The government used the private audiovisual mass media for political influence. The government did not use the mass media to establish social awareness and national guidance. Instead, it enhanced the existing state of affairs without any social change. The state proved its failure in the media field; it did not have the qualification to develop the media sector according to Lebanon's political and social capabilities.

## **Problem Number Nine: Electronic Means**

Internet use in Lebanon is very expensive. It is the highest in the Middle East; however, it is rapidly growing notwithstanding the fact that very few people in Lebanon use Internet. It is spread in urban regions and is not available in remote villages. Electronic means could have played an important role in the diffusion of information, democratic participation of the citizens, as well as their contribution in the building of an efficient civil society. The state played a negative role in this field hampering the Internet use among the people with limited revenue and even among middle class people; this is because it granted monopoly to companies that ensures Internet use to subscribers at a price that people with limited revenue cannot afford.

What are the solutions to the audiovisual and electronic information problems?

They are:

- Activate the National Council for Audiovisual Media by giving it prerogatives.
- Giving it a greater latitude in implementing the texts of the 1994 law on audiovisual media.
- Review the way the Council's members are appointed by taking into consideration first the professional and academic qualifications before sectarian and partisan considerations.
- Require from the Council the monitoring of the audiovisual media activities in Lebanon and the presentation of periodic reports indicating the achievements and pitfalls in this field
- Introduce amendments to the present law in order to include the electronic communications issue.
- Implement the articles of the law relating to contributors in audiovisual companies.
- Implement the articles of the law relating to the production of local and national quality programs and their percentage with respect to the diffused material.
- Create a technical organization for audiovisual broadcast and elaborate a structural oriented plan for audiovisual broadcast.
- Elaborate an advertisement law that would put an end to monopoly.

## **FREEDOM AND CENSORSHIP**

### **Problem Number One: Wrong Vision of Freedom**

The problem with the media sector in Lebanon does not reside in the censorship or in the lack of freedom, but it is due to the misinterpretation of freedom, where private benefit supplants social responsibility. The problem of censorship is no more the right gateway to the freedom of expression and the freedom of opinion. The right gateway is human rights, and in particular the citizen's right to communicate, and this in turn enables him to improve his life conditions and make him conscious about the proper exercise of democracy

Democracies first require openness on the part of authorities; second an active participation of the citizen in decision making; the media's right to expression, cannot be applied unless there is plurality of opinions reflecting the positions of various groups.

The spread slogan which says "Media is the reflection of reality and not its cause, and that politicians are held responsible for any negative atmosphere" is not a precise saying. It is true that the contents of the press reflect the people's and government's views. However, the press could present such events in the way it wants and might give priority to one event over another.

### **Problem Number Two: Absence of Diversity**

The development of technology in the media field and the increase of restraints to impose transparency on various public fields facilitated the access to sources of information. The problem of the media today is that it avoids information and views that are different than those professed by their managers or are against their beliefs, And this is dangerous as it might lead to the division of the society into fanatic closed groups, as it happened during the civil war.

### **Problem Number Three: Serving the Citizen**

It is not permissible that the press use the freedom of expression in order to justify its privileged position vis-à-vis other social organizations and institutions. Maybe the expression freedom of information is the most widely misused term in the Arab language. The Human Rights Charter and all democratic countries affirm that the press is an instrument at the service of the citizen and not the contrary. The citizen has become a target to influence whereas he should be morally and theoretically, a source of interest, and his interest should be the main subject of concern in media messages.

### **Problem Number Four: The Citizen is the Center of Concern**

Protecting the press does not mean ipso facto protecting the citizen and community. It is imperative that the citizen remains the center of interest and not the

press or the journalist. There should be restraints that would guarantee the right of expression for those who do not have a media platform. Freedom of the press becomes a legitimate right as long as this freedom guarantees the citizen's right and interest to receive correct information on public matters. Media should not demand the freedom if it exceeds general interest and the citizen's right to receive correct information; information which would help him in building a right and conscious civil society. The general interest should supersede the private interest of the press and journalists. The state should elaborate laws and offer the moral and material facilities to media that would be an example for the private media.

### **Problem Number Five: Serving people**

To achieve democracy, the press should be close to the citizen, as the main mission of the press is to serve the people in general not influential political or financial leaders. There should be a sort of interrelation between the citizen and the press. It is not profitable to democracy if the press serves the political elite to the financial one, while the ordinary citizen becomes only an observer and a consumer.

### **Problem Number Six: National Reconciliation**

Due to the freedom prevailing in Lebanon, the Lebanese press was able to achieve a high degree of freedom of expression. However, the press in Lebanon chose to show the opposing opinions of different political, sectarian, and ethnic currents. The press failed to become a constructive platform amongst these different currents. It failed in bridging the prevailing gap or building bridges between the citizens. It also failed in finding a national consensus, which is crucial for a society that wants to start a period of genuine development.

### **Problem Number Seven: The Professional Structure**

The Lebanese press does not lack freedom as much as it lacks professional structure and morality to achieve a climate that ensures dialogue amongst different groups and between the groups and the ruling elite. The main reason behind the lack of professionalism and morality in the mass media is the fact that they did not concentrate on developing its independent financial capacities, and thus, its ability to endure. The mass media should introduce the citizens to their role in saving the citizen's rights and the rights of those who have opinions without having any mass media. The moral right of free expression of the mass media must be linked to its acceptance to undergo accountability. The mass media has a legal right to free expression as long as it accomplishes its moral duty towards its society.

The media has not accomplished its moral duty by creating social because of the following reasons:

- Continuity: the Lebanese journalist became used to giving priority to the political event to the detriment of other events. Thus, he often neglected social ones. Thus,

we see most of the pages of the newspaper devoted to political events even the superficial ones to the detriment of important social events.

- The presence of a large number of concessions to publish political newspapers, which is transcendent to Lebanon's need, (according to a 2004 press union report there are 110 political publication licenses in Lebanon). This reality created many problems in the Lebanese press, among those problems: The press union's protection of weak newspapers to the detriment of strong ones, by limiting the publication of dailies to six days a week, by forbidding the increase in the page numbers without an increase in price. The increase in number of newspapers led to the penetration of inexperienced people of the press and the submission of some newspapers to the authority of the advertising agencies or investors who might be a politician or businessman.
- The scarcity of financial resources among newspapers because of their increasing number, and this led to the distribution of readers and advertisement revenues. This in turn limited its qualitative development, as no research or report sections exist in many of the Lebanese newspapers. Such kinds of reports require time and effort but their topics could positively influence society.

### **What are the solutions to the problem?**

To deal with the present situation the state should:

- Develop an information policy that would organize the relationship between the state and the private sector. Adopt a pact of honor that would deal with the moral side of the media activity.
- Develop new legislations that would guarantee the citizen's right to communicate, enable him to ameliorate his life conditions, practice democracy, and enjoy freedom of responsible expression.
- Support media contributing in a constructive democracy so that it is not subject to the intentions of its financial investors. This could be carried out via direct financial support as in France or through tax and administrative facilities.

## **THE ROLE OF THE PRESS IN RAISING AWARENESS**

The press has become the center of attention of various countries, political parties and organizations, as each of those seek to possess a private media to spread its points of view and ideas in order to influence public opinion making in the media. The development of the media came at the expense of political speeches that were dominant before.

The media has two contradictory roles:

First, raising awareness and knowledge; widening the people's horizons, and second, distorting reality and exploiting instincts

The media role affect the individual's behavior as it creates a certain image of the events in people's mind.

The problem: Authoritarianism, Unilateralism, and the Authorities' Acquiescence

The different Lebanese media plays identical roles, even if this happens at different levels. There is a prevalence of competitive and superficial entertainment programs.

People are influenced by the media; news broadcasts stress certain news, for every political and sectarian group there is a media outlet. Thus, the media in general and the news broadcast in particular are characterizes by the following:

- 1- Authoritarianism: Orientations, values and subjects are imposed and related to sectarian or political belonging of each media outlet.
- 2- Unilateralism: There is a sort of disinformation when the other's view is not talked about so that his opinions are not made known to the public.
- 3- Acceptance of the authorities: most media await the directives of the authorities regarding the way events should be covered in order to preserve national interests.

The media does not target the education and need of the youth but is transmitting superficial entertainment programs. It does not diffuse programs that deal with their future, their aspirations or the impact of changes on their personality and morals. It is necessary that the authorities develop human development and education media in order to protect our youth. We suggest that programs that tackle youth problems be transmitted on the Lebanese channels. Media must:

- 1- Impose auto supervision on programs that harm family and moral values.
- 2- Spread awareness on matters relating to environment, politics, and society.
- 3- Spread democracy and the culture of dialogue through social and political programs.
- 4- Spread patriotic ideas aiming to unify people on the concept of country and citizenship.

## HEALTH

One of the most important problems the Lebanese citizens are facing is the hospitalization issue as it drains a large portion of their savings. Studies revealed that health cost exceeds 11 percent of GNP, especially if one adds the undeclared expenses paid by the Ministry of Social Affairs and the citizens as a percentage of the health and private insurance bills and other bill forms; knowing that such high cost does not correspond to the health services offered. Thus, there is a defect in our health system, and this impels rapid intervention to put forth a clear health map to assess the situation.

The rise in the cost of health services is due to many reasons that we shall expose; then we will suggest solutions to a health policy.

### **Problem Number One: There is a great number of doctors and a lack of medical personnel**

There is a great number of doctors whereas the medical body lacks assistant personnel (nurses). The number of doctors registered in the medical association is 9080 doctors, 73 percent of whom are specialists, that is there is one doctor for each 320 persons; this percentage is one of highest in the world. Moreover, the distribution of doctors according to governorates is unbalanced as most of them are concentrated in Beirut and Mount Lebanon. In the past, emigration to the Gulf countries acted as a safety valve that absorbed the surplus of doctors. Today, such opportunity regressed because of the strict regulations imposed by the host countries to protect their newly graduated nationals.

The excess of doctors is countered by a lack of assistants (nurses) as there is one nurse for every 1,600 people and this is one of the lowest ratios in the world. Assistant nurses are being employed to fill the gap in most hospitals and this affects the quality of services.

### **What solutions does the National Dialogue Party suggest?**

The health map in Lebanon should be elaborated in a way that would ensure equity, and this is done by setting up hospitals and distributing doctors in all Lebanese regions.

A good and fair distribution of doctors with the help of health institutions and the medical association would be a positive factor. Lebanon suffers from unbalanced distribution of doctors on the geographic level as their number is very high in cities and very low in other regions. The specialists constitute the majority of doctors whereas there is a lack of general practitioners and family doctors.

Thus, new laws should be elaborated for the medical profession in Lebanon, its curriculum should be reviewed, and a quality control should be conducted

continuously under the supervision of the medical association and the Ministry of Public Health.

The number of doctors should be restricted; the Ministry of Health should adopt a clear policy regarding medical issues in order to preserve the rights of the doctors and nurses. The situation is very bad and it is expected that unemployment rate will rise among doctors because of their increasing in number; first, because of the increase of newly graduated students in the five institutes (Lebanese University, Hôtel Dieu, Arab University, AUB, Balamand University); second, because of the return of newly graduated medical students from abroad and whose number exceeds by three times those who graduated from universities in Lebanon. Thus, criteria should be put forth so that only superior students are admitted in the faculty of medicine; there should be also an orientation toward professions that are scarce in the country. A revision of the colloquium should be done within the framework of a comprehensive public health policy. We ask for the suspension of granting licenses to new medical faculties. The licenses should be granted only if the new faculty has a highly qualified hospital at its disposal. There should be a continuous assessment of the need of doctors, according to a general survey of the labor market.

Thus, we should reassess our health system, encourage the opening of new faculties that graduate nurses as well as technicians to assist doctors. We should give incentives to the people who want to practice the nursing profession.

### **Problem Number Two: Insisting on therapeutic medicine and dispensaries**

Health system stresses the therapeutic medicine side and ignores preventive medicine. Healthcare has become confined to a limited number of clinics supervised and supported by the Ministry of Social Affairs.

Our health system largely counts on therapeutic medicine. Ninety percent of the budget of the Ministry of Health is spent on therapeutic services, whereas less than 5 percent is spent on prevention and healthcare. Besides, stressing preventive medicine and awareness could limit squandering and the rise in health costs. We should develop first aid, family medicine, and labor medicine, create first aid healthcare centers in conformity with the concept of care and prevention. This demands a strong cooperation between the private and public sectors.

Furthermore, the problem with infirmaries is that they are threatening the quality of medicine and the people's lives. There are more than 1000 infirmaries in Lebanon spread anarchically and working without any kind of supervision so that laws are respected and quality is not guaranteed. These infirmaries played an important role during the civil war when the state was absent and public institutions paralyzed. Now that the state has recovered its authority over Lebanese territories, infirmaries are becoming more of a problem than a solution. They are spread as mushrooms in all Lebanese regions. Most of them became politicized and commercial, that is services

are offered against money or political gains. The doctor and patient are being at the service of personal interests. In addition to all this, infirmaries are useless in cities as hospitals and clinics are largely spread to ensure health services.

### **What is the solution to the problem?**

This phenomenon should stop by elaborating a genuine and complete health map that would define the needs and the superfluous in public, private, and civic health centers; according to this map, the granting of licenses would be defined. Scientific and objective criteria should be put forth to create infirmaries, that would take into consideration the scientific level, because trading with medicine is not permissible. The principle of the infirmary is free-of-charge healthcare but medicines subsidized by the state, international institutes and organizations are sold there at a certain price. Thus, supervision should be carried out on these infirmaries to guide their work.

### **Problem Number Three: Dependency on Advanced Medical Equipment**

The main reason for the rise of the health cost is the dependency on expensive technology for diagnosis and treatment. There is a surplus of advanced medical equipment and the centers that use such equipments. For example, we have in Lebanon 3.3 centers for open heart surgery for each million persons, and this is four times greater than in Germany. Similarly, we have 5.7 centers for fragmenting kidney stones for each million person, whereas in the United States have one center and in Germany 0.3 for each million person. The availability of such equipments might be misused, especially in small health centers. As for public hospitals, there is a surplus of equipments that are not used because there are no adequate places to store them or because of insufficiency of the medical body.

### **What is the solution to this problem?**

Constraints should be imposed to put limits on the import of advanced medical equipments so that they are not spread anarchically. Their use should be limited so that no profit is made to the detriment of the citizen. Hospitals should be distributed equitably to guarantee hospitalization for all. The prosperity of the hospital sector in Lebanon (since 1975) and the policy of dependency on the private sector to meet the needs for hospitalization has encouraged many investors to build hospitals, and buy advanced medical equipment to obtain profits. In Lebanon, there are 139 private hospitals, and 15 public ones; there are 11,500 hospital beds. This means that there is a surplus of beds if compared with the international ratio (2.5 to 3.3 for each 1000 citizen). A 1999 study on hospitals revealed that the percentage of occupancy is 58 percent in all hospitals (81 percent worldwide) and the staying period is 4.81 days. This means that the decision to hospitalize is not up to date with the recent developments; in the developed world surgery and treatment could be undertaken in clinic; this is due to the fact that hospital owners want to ensure enough profits as long as the Social Security National Fund and insurance companies are willing to cover the expenses.

The increase in number of hospital beds was accompanied with a purchase of expensive technological equipments. Thus, we have in the medical Lebanese market more than 21 centers for open heart surgery and 37 ones for kidney stone fragmentation, and 30 centers for **MRI**. All this led to an increase by half of the expenses.

For all these reasons, one should verify the surplus of advanced health equipments and the means of using them, as their misuse increases the hospitalization bill covered by the insurer. Good supervision and bills verification would ultimately limit the misuse of equipments. The Health Ministry in cooperation with the concerned parties (such as medical association) should put forth criteria that would guarantee the good use of such equipments, to limit the squandering of public money.

To prevent any misinterpretation, such reform should be undertaken by the state in general and the Ministry of Public Health in particular, which should act as the controller of health issues to prevent the increase of health problems.

#### **Problem Number Four: Hospitals**

The small size of hospitals and their uneven distribution in the regions as well as the decline of occupancy ratios, all these factors contribute to the increase of health bills. There are 78 working private hospitals in Lebanon comprising each less than one hundred beds, keeping in mind that the international norm for an efficient hospital is 150 beds. There is a decline in the bed occupancy (58%) whereas the international average is 80-85 percent. Furthermore, the number of beds in private hospitals is unevenly distributed, where there is one bed for each 166 persons in Beirut and a bed for 762 persons in North Lebanon.

The hospital sector in Lebanon is controlled by the private sector as the public hospitals constitute less than ten percent of the total number. Out of the 24 public hospitals, only 15 are operational and there are some that are working partially. Their financial and human resources do not follow any kind of norms

The health policy of the state totally neglects the building of hospitals. The medical services offered by the state are bought from the private sector. Resorting indefinitely to the private sector to treat the patient of the public sector is an unfair equation to both parties.

#### **What is the solution to overcome such crisis?**

The only solution to overcome the crisis is to activate the newly-built public hospitals and manage them in a private-sector spirit. The public sector would economize a lot and this would have a positive impact on the health policy. Furthermore, the private sector would benefit from such changes as it would put an

end to the small infirmaries, which were built at the expense of the public sectors. In this way, the private and public sectors would be complementary to one another and competing with each other at the same time.

Thus, it is possible to activate public hospitals by discouraging the establishment of small hospitals or by transforming small hospitals that cannot be made larger into infirmaries, which would ensure among other things first aid healthcare. The even geographic distribution of big hospitals would largely reduce the general expenses of the health bills. Incentives should be found to encourage investments in the private health sector and build hospitals in needy regions particularly in the north, the south, and the Hermel area.

The project of the public hospital of Beirut, which is supposed to be a University hospital comprising a nursing school and permitting the doctors from the faculty of medicine in the Lebanese University and other universities to carry out their training period, will contribute to the reduction of charges imposed on the Ministry of Health if well managed. The hospital comprises 500 beds and includes all kinds of surgeries and specializations. Such a project will lead to the reduction in the number of beds in private hospitals (1,800 beds). This will reduce the expense of the Ministry of Health by 70 to 80 percent; and this in turn will enable the ministry to invest the saved money in restoring other hospitals. Hence, the Beirut hospital constitutes the corner stone of the public sector support. However this hospital is still not operational notwithstanding its completion more than a year ago, due to political dissensions and lack of the medical body, including nurses and technicians.

The experience of relying on public hospitals to control the health bills or reduce them is not encouraging. This is due to the following factors:

- Public hospitals are run by designated administrative boards. Such boards are under the influence of political bickering, and cannot take any decision without the approval of the public authorities.
- Since the board members are appointed, they are subjected to political interference, which reflects badly on employment and surgical operations. Thus, money squandering is high in public hospitals, whereas the quality of service is low. The solution is to designate private administrations, for the administration of the public hospitals, in other words, to privatize the administration because this would guarantee a higher level of administrative capacity and more autonomy from political considerations. We would have an efficient private administration offering good quality services at a lower price.

Since the private sector is complementary to the public one, their cooperation will continue for a long time, even if the public hospitals were developed in the required manner. Thus, rapid measures should be taken to consolidate the control and verification of private hospital bills.

### **Problem Number Five: The Price of Medicine**

Among important causes of money squandering is that 80 percent of the medicaments sold in Lebanon are imported, among which are many kinds (around 3,881 medicaments) that are not essential for the country's needs, and their value is 230 million US dollars. Furthermore, there are 350 types of medicaments that have been forbidden in many countries, including their countries of origin, and this was done in coordination with the World Health Organization; such medicaments are taken by our population, which threaten their health. There is also the medicament bill, which amounts to 600 million dollars, annually, the parallel market (traffic and fraud) whose annual bill equals 200 million dollars, that is one third of the value of legal medicaments and this is a big number. The scarcity of local production of medicines compared with neighboring countries, is the main reason for the high prices of medicaments. Moreover, the use of generic medicament is very limited; brand medicaments are generally overpriced since there is the name of the producer and the company on the pack. This is one of the main reasons for the rise of the price of medicaments.

Health planning should tackle the high price of medicaments. The medicament bill constitutes 30 percent of the cost of hospitalization, and this rise is due to the import of medicaments (80 percent).

#### **What is the solution to this problem?**

The local production of medicaments should be encouraged and distributed in envelopes instead of packed registered medicaments. Falsified and trafficked medicaments should be forbidden through a severe control by government. This is done by obtaining a certificate from the Ministry of Public Health from the country of origin in addition to the company's certificate; by abolishing law number 544 promulgated by the Minister of Health in 1966 and legalized by the parliamentary commission in 1993. The technical commission should be activated to make sure about the substantive documents issued from the plant that produced the medicament. Samples of the imported medicament should be sent to the Central Laboratory to make the necessary checking. Thus, the Central Laboratory should be activated to put an end to violations and anarchy. The Laboratory suffers from defects in equipments, and lacks highly qualified people. If the state wants to control the medicament market, it should find a strong administration and a laboratory capable of controlling quality and is independent from any political influence.

Therefore, one should elaborate an exemplary system to register, control and import medicaments according to international norms, particularly the World Health Organization and according to a modern national medical policy. A technical body should in cooperation with the World Health Organization, organize the medicine sector. Finally the medicine office should be activated and supported and adopt a list of main medicaments approved by the World Health Organization. Medicaments should be available at the lowest price possible on condition that quality is preserved; encourage local production should be encouraged and a plan on pricing should be elaborated.

### **Problem Number Six: Population Longevity**

In addition to the abovementioned issues, there are still the problems of population longevity, traffic accidents, and Aids. Studies show that the percentage of nativity in Lebanon is in continuous decline, this would lead to an increase of the average number of the old. The percentage of persons who are 65 years of age and above has increased. It was 5 percent in 1970 and now it is 7 percent. This does not mean that longevity issue only needs an increase in medical services. However, the quality of the services needed should change as aged people need services relating to old age maladies such as hypertension, kidney problems, etc. Dealing with these maladies necessitates the presence of specialists in the treatment of old people; such treatments increase the price of the treatment that leads to the increase in the health bill.

#### **What is the solution to this problem?**

The rapid growth of aged people and its implications on the patient's special treatment necessitate that the state plays a greater role in this field. This could be done by the promulgation of pension scheme law that would comprise a retirement plan and health insurance for old people. Old people should also be granted facilities and special concessions such as reducing the price of transport and the entry to tourist places, restaurants and entertainment places. A branch specialized in the treatment of old people should be created, at least in the Faculty of Medicine of the Lebanese University.

### **Problem Number Seven: Increase of Car Accidents**

Statistics of the General Directorate of the Internal Security Forces show an increase in the number of dead and wounded people resulting from car accidents; the number attained unacceptable limits (1,395 dead or injured for every million people).

#### **What is the solution to the problem?**

To reduce car accidents, one should review the state of roads and improve them in order to ensure public safety, by filling up holes, opening sewers and drawing white lines to separate the different parts of high ways. The speed limit should be controlled, traffic laws implemented and public safety ensured (putting the safety belt; imposing the helmet for motorcycle drivers...).

### **Problem Number Eight: Increase in the Number of Social Security Funds and Insurances**

One of the main factors contributing to the increase of health costs is the large number of social security funds. We have the National Social Security Fund covering 32 percent of the population, the cooperative of civil servants, which covers 8 percent, the Private Health Insurance for the Internal Security Forces, the State Security, the *Sûreté Générale*, and the army covering 11 percent, the Health ministry covers 34 percent. In addition to all these bodies, we have private insurance companies (15 percent) and mutual

aid funds covering health expenses. This increase in administrative cost is due to the presence of a large number of administrative councils for civil servants, in the conflict of interests and the absence of a unified medical tariff.

### **What is the solution to the problem?**

There is a defect in the health and social system that necessitates the elaboration of a comprehensive and just plan capable of covering the medical needs of the population at a fair cost. This plan should deal with the abovementioned issue through the following procedures:

- Uniting the National Social Security Fund, the Cooperative of Civil Servant and the Health insurance of the Ministry, in order to ensure a compulsory insurance for all citizens. As for the health insurance of the persons in the military, including internal security forces, *sûreté général* and army, they should be united under the supervision of the medical body of the military. This would reduce the cost of health care in this group.
- Unifying social security funds in order to prevent squandering and implementing the compulsory health insurance policy. However, such unification should be accompanied by the modernization of work procedures and training of the human resources; they should also be updated on the changes in European states and other developed countries. A reform plan should be elaborated, the hospitalization card should be unified under a national organization, the health, and administrative bases of different funds should be unified including the supervision councils. The laws of the Health Ministry should be implemented, including the basic and supervision councils, especially those relating to quality. Last but not least, the offer should include all social categories, especially the old people and the persons with limited revenues.

As for the private sector, or insurance companies, its role increased to fill the gaps of the public health insurer. However, private companies could never replace the state in this field. Moreover, the objective of these companies is profit; and some of them tried to play it smart with the subscribers by imposing exceptions or by avoiding cases that require expensive medical treatments. Moreover, some of these companies are adopting the procedures of the public insurers, that is they delay paying their dues with unjustified discounts. Thus, it is necessary to elaborate laws and regulations for private insurance companies so that they fulfill their task in the most perfect way possible.

In conclusion, it is necessary to reform the health system in Lebanon and this is done by guaranteeing high quality services in hospitalization and at a relatively fair price.

However, if we want to truly reform the health system, politics should be separated from health, and we should unify institutions dealing with that issue under one administration, and subject them to a unified system of laws.

In this field, we should follow up laws and legislations and examine the ones that are of interest to the citizen, in order to protect him at different levels: hospitals, medical practice, colloquium, advance medical equipment, medicaments.

Last but not least, we should develop the administration and modernize it by introducing the computer and other electronic equipments and by benefiting from the technology and multimedia revolution so as to facilitate information exchange in the various fields with Arab states, the World Health Organization, and developed countries to benefit from their experience in the health field.

## ENVIRONMENT

The general situation of the environment in Lebanon is not different from the reality of Lebanese Administration. The situation has been continuously deteriorating, as the priority has been given to political issues at the expense of the environment. Moreover, the major problem of the environment today is the fact that the decisions related to the environment are based on political interests, thus, the scientific facts are being ignored, and this has been leading to environmental crises. The problems of the environment in Lebanon can be confined to the following fields: waste, transportation, pollution in the capital, as well as pollution of the sea and the shores and breakers.

### **Problem Number One: Waste**

Managing the domestic waste is a problem in Lebanon. With the exception of Greater Beirut, and Zahle, wastes in Lebanese villages are thrown in valleys, waterways, coasts, thus, threatening the environment. As for the Greater Beirut region, an emergency plan was implemented in 1996 according to which the wastes were gathered and selected, some of them were recycled, others were composted; as for the materials that were not degradable and useless they were dumped in the garbage dump of Naame. However, the cost of such a plan was very high for state and municipalities. The process of recycling organic wastes and composting were not complete, and the Naame Dump was saturated. In 2003 a national plan was put forth to administer the sold wastes. However, the plan was modified continuously subject to political bickering.

All Lebanese regions treat the industrial wastes, hospital wastes, and poisonous and dangerous wastes, in the same irresponsible manner: they are thrown, with domestic wastes in garbage dumps and waterways.

What are the suggested solutions?

- There should be some awareness campaigns about solid waste and the danger of their haphazard disposal in nature.
- To make a study about the economic feasibility for fermentation and recycling as well as finding national and local incentives for their adoption/application.
- Offering technical and financial support for municipalities to encourage them to work with the neighboring municipalities in order to find durable and comprehensive solutions to manage the solid waste sector.
- Reconsidering the national plan currently adopted, especially in the issue of considering the districts as complete units to manage the waste and the increasing number of sanitary landfills (sorting facility/dumps/dumping sites).
- Implementing an effective mechanism for environmental monitoring of sorting facilities to make sure that the international standards are being followed in its establishment.
- Identifying and designating the jobs and the responsibilities in solid waste management at all levels such as national, regional and local and for different jobs

- (planning, studies, giving concessions, designing, establishment, maintenance, monitoring, and reports).
- Finding a mechanism to implement the articles related to hospitals and factories waste management.

### **Problem Number Two: General Pollution and its Sources**

This random elimination of domestic, medical, and industrial solid wastes is one of the main source of pollution of the environment in Lebanon as they are thrown in waterways without any pre-treatment. Most rivers (the Litani, Nahr Ibrahim, Nahr Beirut, etc.), the Karaoun Lake and the coastal waters of the Mediterranean Sea, have a high degree of pollution which hampers the possibility of benefiting from their water; moreover 82 percent of industrial plants are outside the defined industrial region and near residential complexes; and this causes serious health problems.

### **The Suggested Solutions to the Danger Threatening the Environment**

- Supporting the Ministry of Environment in setting rules for industrial and hazardous waste management and to implement the “Chemical Safety National Plan” in order to improve and monitor the followed procedures during the importation, transportation, storage and treatment and final disposal of chemical waste.
- Finding a mechanism to implement the “national guideline for environmental monitoring in the plants” and the decrees promulgated by the Ministry of Environment for the establishment of plants and enhancing the capacities of the Ministry to do further environmental monitoring steps.
- Finding a mechanism to implement the decree 8/1 in 2001 promulgated by the Ministry of Environment that sets the environmental standards for stack emissions and wastewater and solid waste discharges and imposing sanctions on committed violations. However, these sanctions should not be influenced by political pressures.
- Getting a faster approval on the economic incentives proposed by the Ministry of environment for the plants that intend to improve their installations for the sake of environmental safety.
- Setting a mechanism to implement the decree 8006 promulgated by the Ministry of Environment on 21/6/2002 that defines the basics for the management and the treatment of medical wastes in Lebanon.
- Leading a general environmental awareness through the organization of educational programs and the distribution of educational publications/ leaflets, in addition to conferences and TV programs.

### **Problem Number Three: Desertification, Tree Cut and Soil Erosion**

The bad exploitation of the soil because of various human intervention (wrongful pasture, cutting trees, disfiguring the land for construction and industrial purposes,

agricultural expansion without adoption of agriculture cycle, relying mainly on chemical fertilizers) leads to the desertification of the land and this would lead to the erosion of the soil in some regions . The bad administration of natural reserves and forests, leads to its progressive disappearance and prevent the local community from benefiting from them in a balanced and continuous way.

### **Suggested Solutions to the Problem**

- Offering financial and technical support to the Ministry of Environment in order to develop and apply the project of reforestation based on the public participation at all stages.
- Activating the role of the Ministry of Environment by providing it with sufficient human resources that would be entitled to monitor the economic and entertaining activities as well as the natural disasters threatening the forests.
- Establishing a clear mechanism that defines the responsibilities of the Ministry of Environment and the Ministry of Agriculture as well as the related municipalities in the monitoring of the natural reserves. This could be done by the participation of local communities in the management of their reserves; sanctions should be imposed on violations such as wrongful chopping of trees or pasture.

### **Problem Number Four: Breakers**

There are at least 720 breakers operating in Lebanon: they are disfiguring the mountain, the natural views, creating noise and polluting atmosphere with dust, and are threatening the balance of the soil layers. Notwithstanding the law forbidding quarries in Lebanon's western chain, many are still working secretly and illegally, or under the excuse of land check.

### **Suggested solutions**

- Activating the orientation plan of quarries on condition that this issue be treated in a scientific and economic manner; in other words there should be no political interference in this field.
- Activating the supervision on the quarries and granting the necessary prerogatives to the Ministry of the Environment to suspend unlawful quarries and impose sanction on those who commit violations.
- Elaborating an efficient plan to find construction materials, by organizing imports or exempting some materials from taxes.

### **Problem Number Five: Pollution of Water and Sea Coasts**

Liquid wastes are a main source of pollution in Lebanon's coastal waters since most of these wastes are thrown into the sea without any previous treatment. These wastes comprise sewage water, water used in industrial plants, and rain water. This led to the pollution of sea water and an increase in the level of organic materials and bacteria in

the regions near the waterways; such an increase resulted in the spread of diseases; it also had a negative effect on the plant, animal, and sea lives, not to mention the damages affecting tourist regions.

What are the suggested solutions to put an end to pollution?

- Giving priority to the establishment of the refinery stations.
- A study must be conducted regarding the environmental effect for every station to make sure that it fulfills all the required environmental general conditions.
- Establishing a mechanism to implement an effective environmental monitoring during the establishment and the operation of these stations.
- Establishing an effective mechanism to implement the law 8/1 that specifies the requirements that should be provided with the waste after treating it and before its disposal in the sea.
- Doing awareness campaigns about the importance of refinery and its advantages by organizing educational programs and distributing leaflets, in addition to conferences and TV programs to make the society accept more the idea of establishing stations.

### **Transport and Pollution of the City**

The transport sector is witnessing various problems, including:

- 1- The road network is unsuitable for traffic because of the following: it is badly asphalted; absence of maintenance for the drainage systems; absence of civic organization; absence of traffic signs.
- 2- A great number of private cars, one of the highest percentage in the world, as we have one car for every three persons.
- 3- A high percentage of used old cars over fourteen years of age and which lack maintenance.
- 4- A disorganized public transport with no particular itineraries or departure times
- 5- Absence of a transport policy and legislation for the transport sector; contradictory tasks there are prevalent

This problem in the Transport sector is the main source of air pollution in main cities in general and in Beirut capital in particular; this sector generates more than 90 percent of polluting emissions, notwithstanding the few measures taken in recent years.

#### **Suggested solutions**

- Putting legislations and strategies to organize the sector of transportation and this includes:
  - Supporting the Ministry of Environment to implement all the articles of the Decree 341/September 2001 that aims at reducing the air pollution caused by transportation and encouraging the use of less polluting fuel.

- Trying to find permanent solutions for taxi drivers such as allowing them to use industrial oil present in Lebanon, or the less polluting green diesel, reducing tax on lead free gas exceptionally for taxi drivers.
- Trying to reduce the access of cars in some areas by transforming them into pedestrian zones.
- Reorganizing the public transport by:
  - 1- Imposing defined departure times to encourage its use.
  - 2- Encouraging the use of unpolluted gas.
  - 3- Creating new installations for public transport such as railways and others.
  - 4- Strongly implement control system (known as Mechanic) on public transport vehicles.
- Ensuring economic incentives to reduce emission of public transport, such as reducing annual tax for car registration that is characterized by low-level emission, increasing taxes on polluting gas, imposing sanction on cars with high level emissions.

Regarding the pollution issues, this sensitive topic should be given a primary attention while planning and implementing various projects. One should concentrate on:

- Reviewing the national plan for waste management and organizing awareness campaigns in this field.
- Activating the control over breakers and elaborating a plan to ensure the supply of construction materials from substitute sources with a fair price.
- Activating the tasks and prerogatives of the Ministry of Environment in implementing environmental laws.
- Placing the recycled water stations within the orientation plan of the Ministry of Energy and Hydraulic resources and the Council of Development and Reconstruction.
- Finding permanent solutions to the problems of taxi drivers.
- Launching awareness campaigns for the protection of the environment on all issues such as wastes treatment, waterways, air pollution, etc.

At the end of the day, in the shadow of problems and suggested solutions, it is the duty of officials to implement those reforms.

## DEFENSE AND SECURITY

Defense and security are only considered to be synonymous due to legislative and practical considerations. Legislatively, there is a parliamentary defense and security commission. Practically, defense and security are complementary.

Developed countries conduct a study about the defense policy that takes into consideration the dangers surrounding them and establish accordingly the needed number of forces and their equipment. Therefore, Lebanon should have such a defense study that takes into consideration the current state of affairs in the Middle East. The common Arab defense, which is not annulled, has yet not been applied, and should be reconsidered, for Israel and terrorism are endangering Lebanon.

The defense issue cannot be separated from the issue of security. The defense policy should include the critical areas such as bridges, airports, public utilities, factories, and refineries. This mission should be part of the defense policy and the defense tasks connected to the Internal Security Forces. However, in some extraordinary situation and internal troubles, the Internal Security Forces would need the support of the army within certain conditions and particular circumstances; but should security is of the competence of the Internal Security Forces whereas the army should have a defined mission to accomplish within a limited period. A soldier's training differs from that of policemen. The army soldier is a fighter not a policeman. The army intervened in recent security events and the result was costly in lives (the airport bridge event, the southern suburb event during a demonstration of the General Confederation of Workers).

It's important to focus on the importance of the intervention of the Internal Security Forces and not the Army in the casual and unexceptional issues of security in order to avoid the falling of victims. If we carefully examine the law of Internal Security Forces, especially article 221, it tackles in detail the rights of the Internal Security Forces, especially the use of arms; their use is confined to certain fields. Article 221 stipulates: after having taken all precautionary measures and adopting all other means, with the exception of the use of arms, the security forces have the right to fire from their arms in the following circumstances:

- 1- In case of self defense as stipulated in the penal code
- 2- To prevent policemen's disarmament or taking away their equipments.
- 3- Defending their posts and places.
- 4- To safeguard people under their safety and protection.
- 5- Following a clear and continuous warning "Security Forces.. Stop" to persons who are trying to run away and are not obeying their orders, on condition that such escape attempts be preceded or accompanied with proofs ascertaining the fugitive's commitment of a crime.
- 6- Stopping vehicles that pass over their barriers, notwithstanding visible signs and audible warnings.

Article one of Section One of the Internal Security forces Law number 17 promulgated in September 1990, defines the Internal Security Forces, and determines their missions:

Article one: The Internal Security Forces are the general armed forces whose prerogatives cover all the Lebanese territory and its regional waters and airspace. As for their missions, they are specified as follows:

**In the field of the administrative police:**

- a- Policing and establishing security.
- b- Insuring the general convenience.
- c- Protecting people and property.
- d- Protecting the freedoms within the framework of the law.
- e- Insuring the enforcement of the laws and regulations they are in charge of

**In the field of the judicial police:**

- a- Accomplishing the missions of the judicial police.
- b- Executing assignments and the judicial request.
- c- Executing the sentences and judicial warrants.

**In the other fields:**

- a- Assisting the public authorities in accomplishing their duties.
- b- - Guarding the public institutions and administrations, as decided by the competent authorities.
- c- - Guarding the prisons and their administrations when necessary.
- d- - Guarding the diplomatic missions in Lebanon.

The ideal security begins with the preventive security, that is dealing with matters before they happen, but this requires eyes to watch and ears to hear, or the so intelligence services.

**Problem Number One: Multiple Institutions**

There are multiple institutions in Lebanon, where the concept of personal interests is prevailing. The experience around the world has proven that organizing and unifying work under one authority is the only successful means. In Israel, a ministry of interior security was created and in the United States (following the September 11 attacks) a department of internal security was founded.

## **The Solution**

We suggest the establishment of a Ministry of Security that would not be linked with the Ministry of Interior. Such a ministry would include the following institutions:

- Internal Security Forces
- General Security
- State Security
- Beirut International Airport Public Security.

## **The Intervention of Security Forces**

In addition to their tasks to fight against crimes and deal with security troubles, the force used should be proportional to the levels of crimes and troubles; as the French saying goes: “We do not use a tank to kill a fly”.

Force should be used gradually and as follows:

- 1- The local police or the gendarmerie intervenes. In case they fail to deal with the situation, they refer to:
- 2- Mobile forces that should be well equipped with arms.

In case it becomes impossible to control the situation, the Army should intervene for a short period and for a specific purpose.

It is worth mentioning that the gradual use of force is adopted in most countries; for example, in France, the gradual intervention goes as follows:

- 1- Local police
- 2- Security brigades
- 3- National Gendarmerie, which is a military force related to the Interior Ministry.

When things get worse, and when it becomes impossible to control the situation, and/or when France’s security is threatened, then and only then, the army intervenes.

However, in Lebanon there are no rules regarding gradual security interventions, and examples are numerous: the McDonald’s restaurants are guarded by army soldiers, and the British Bank branch is guarded by a military force; whereas in both cases it should be Internal Security Forces, and not the army, that is supposed to do the job

## **Statistics Concerning Crimes and Accidents**

Statistics tend to compare the rate of crimes in Lebanon with those of other developed countries. However, this is wrong, for in the comparison, no proportional figures are used: the number of inhabitants in the developed countries exceeds by far that of the Lebanese population. For example if we compare Lebanon to the United States, it is evident that the number of crimes in the United States is ten times more than the number of crimes in Lebanon but this does not mean that Lebanon has few crimes and thus is a safe country. It is better that we compare statistics of successive years to see if the crime rate is increasing or not.

## **Problem Number Two: The Number and Task of Security Forces**

The number of Security Forces personnel is defined according to the state of affairs of the country. However, there are some international standards that refer to the following equation: 1 policeman for each 250 to 450 citizens. In Lebanon, the Army is called most of the time in missions related to the Interior Security, in addition to the General Security, Interior Security and security. Lebanon is one of the countries that have great numbers of state. The population in Lebanon is about 4 million, yet, there is a policeman for every 45 citizens. This is in fact a very high rate in comparison with other rates.

### **Solution**

Reviewing the number and tasks of the military security services.

## **Problem Number Three: Military Service**

In general, the Lebanese citizens have been complaining about the military service due to its long period, thus, wasting the educational future of young men. Besides, the military service did not achieve one of its main objectives: national integration.

### **Solution**

Sectarianism should be dealt with since the childhood at home and in schools. The personnel of the military service should be used to preserve internal security and not be used for defense against an external aggression. They should be used to support the Internal Security and the Civil Defense and the Fire Department. However, the percentage of service in these fields should not exceed 10% of the number of personnel.

We believe that the period of the military service should not exceed three or six months because it is a costly operation notwithstanding its benefits.

Besides, the current laws in this field encourage the emigration of young people subjected to military service as they would be exempted from that service if they stay for a period of five years outside the country. In reality, most of these would have been attached to their host country in terms of work or even family, and their return to homeland becomes more difficult for them. This would constitute one of the greatest losses for Lebanon.

### The Military Judiciary

The jurisdictions of the Military Courts should be reduced and reconsidered. The authority of the Military Courts should be limited to the crimes and the violations that are strictly related to the military and the military service and not outside this framework (different between a soldier and his neighbor, car accident resulting in the injury of one military).

### Solution

The state should confine military judiciary to military cases.

Country	Total Army	Army Budget
Belgium	40,000	1.3% of National Income GDP
France	259,000	2.5% of National Income GDP
Italy	200,000	1.9% of National Income GDP
Spain	150,000	1.2% of National Income GDP
United Kingdom	212,000	2.4% of National Income GDP
Egypt	450,000	3.9% of National Income GDP

Country	Total Army	Army budget	National Income GDP	Per Capita Income	Defense Budget
Lebanon	72,000 including Military Service	3.2 % of GDP	\$17 billion	\$4,800	\$536 billion
Israel	167,000	9.7 %of National Income	\$103 billion	\$16,838	\$6billion 700 thousand
Syria	319,000	10.3 % of GDP	\$ 18 billion and 700 thousand	\$1,100	\$ 18 billion and 700 thousand

Balance of military forces in some countries (source: International Institute for Strategic Studies)

## **THE STATE OF EMERGENCY**

In case of a threat against the security of the state, the state of emergency is declared on the whole of the Lebanese territory or on a portion of it during a limited time. It requires extraordinary measures stipulated by the decree taken in the Council of Ministers. In case the emergency state is prolonged, the case should be deferred to the Parliament.

Contrary to perceived notions, emergency state does not represent a military control; its measures are judiciary. The military forces are freed from some judicial obligations (house search)

The state of emergency in some countries like France are of two kinds:

- 1- Emergency state due to internal troubles
- 2- Emergency state due to war

In the second case, the military authority enjoys greater prerogatives.