



## CHAPTER FOUR

### Social Capital Formation and Governance

#### Main Features of the State and Governance

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## SOCIAL CAPITAL FORMATION FOR SUSTAINABLE HUMAN DEVELOPMENT

### A. Social Capital Formation and Governance

#### 1. Social capital formation

The novelty of the sustainable human development concept is in the emphasis it places on enabling society as a whole to be in charge of its destiny and to choose the development path suitable to its own circumstances; and, on broadening the scope of choice and participation beyond individuals to encompass society as a whole. Sustainable human development is predicated essentially on **social capital formation**, which can be defined as the voluntary forms of social regulation. Social capital formation is embodied in the relations among people; it calls for their activation with a view to expanding their capabilities, choices and participation to achieve their common interests. The concept also calls for linking democracy and development to maintain and promote interaction between state and society. Social capital formation, along with human capital formation, for development fosters competent societies.

Adherence to the substance of this new concept implies that a number of basic elements and conditions must be observed in the course of development as, for example:

- To give the issue of social integration due importance, being at the same time an approach to, and a reflection of the relevance of, the development strategy pursued;
- To emphasize the idea of social justice at all levels, and in particular justice in the distribution of the benefits of growth;
- To stress the need that various social factions participate freely in the development process, and to create and reinforce participation mechanisms to enable them to influence the decision-making process at all levels, starting with voicing and defending their interests, and culminating in managing their affairs at the sectoral, local and national levels; and,
- To provide a conducive environment for the attainment of this objective by way of establishing a democratic climate and mechanisms of participation and accountability at the level of the state and its institutions, institutions of the civil society, and at the level of values and relationships prevailing in society.

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Sustainable human development is a process which is not possible to bring about in societies suffering from war or violence which suppress citizens freedoms and rights. Hence, civil peace becomes a pre-condition for development. Moreover, building civil peace does not only mean putting an end to the state of war, but requires also achieving a stable form of governance and finding common denominators, values and principles that form an appropriate framework for resolving conflicts in a peaceful and democratic manner.

### 2. Good governance

*Governance* is a neutral concept; it denotes the exercise by the political authority of the task of administering the affairs and resources of society. *Good governance* occurs when such practice is in the hands of an effective leadership committed to the development of the resources of society, and the advancement of citizens and their well-being with their consent, participation and support.

There are three dimensions to administering the affairs of society through good governance: *a political dimension* which comprises the political authority and management; *a technical dimension* represented by an efficient public administration; and, *a social dimension* related to the manner in which society is structured, its vitality and relation with the state. These three dimensions are inter-related in a manner that, for instance, any administrative reform undertaken without the political will to separate public administration from the interests of politicians to ensure an independent and effective administration will not, no matter how good and just the intentions are, render governance competent and effective. Moreover, relations between the civil society and the government and its apparatus, such as the public administration, should be based on the principles of separation and cooperation to produce a strong civil society that can contribute to development, oversee the government and hold it accountable.

Sustainable human development is conditional on political, economic, social, environmental and cultural sustainability; and good governance is the basis of political sustainability which, in turn, provides the link between the other prerequisites of sustainability, as each one of these influences and is influenced, in turn, by the other.

In Lebanon, the political and societal dimensions assume disproportionate importance in motivating development; given that the country lived through prolonged war, which caused serious flaws in relations between the different components of society, and multiplied divisions along sectarian, political and regional lines. The war caused the internal social fabric to weaken; it also weakened the central government apparatus and public institutions that provided fora for interaction at the national level. The country experienced a struggle between the forces and mechanisms of disintegration at different levels, and those of integration and national and social unification which continued to resist during the war years.

### 3. Factors affecting social capital formation

The issue confronting the country, after the cessation of military operations, has been how to take advantage of the elements of cohesion and unity, which resisted during the past two decades, and of existing potential, to proceed with social capital formation- an indispensable prerequisite for development in the country.

However, the process of social capital formation is influenced by a number of factors

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of regional and international origin, the most important of which include the continuing occupation by Israel of parts of Lebanon and its repeated attacks against it, the wider changes in the regional setting associated with the proposals for a peaceful settlement in the Middle East, and the impact of globalization and the revolution in information and communications. This situation impacts directly on all aspects of political, economic, social and cultural life as well as on the social fabric.

There are also other influences that can be traced to internal political structures and relations. The social fabric is influenced by the sectarian setup and the nature of political relations. And, irrespective of differences in opinion as to the order of their importance, there is agreement as to the existence of a chain of mutual reaction between the political system and society, which gives the former a direct and strong influence on the make-up of the social fabric.

There are also factors that have their origin in economic and social considerations, represented by the impact of the overall economic-social situation on the livelihood of the population; and, by the pursuit of development options which may not give high priority to social productivity and returns.

Finally, there are obstacles of a cultural nature. These relate to the prevailing value systems in general - be it in the family and school or diffused through the information media - which contribute in promoting a common national identity, or in motivating people to participate in public affairs, by being conscious of their rights and obligations, has so far been limited.

### **B. Main Features of the State and Governance**

The Lebanese Republic is an independent country since 1943, governed under a democratic parliamentary system. It is a founding and active member of the United Nations and the League of Arab States, and participated in drawing up their respective charters, and as well the Universal Declaration of Human Rights.

The Taef Accord of October 1989 put an end to the military conflict in the country and laid down the foundations of the state and the political system in the post-war era. As a result, the militias were dissolved and the authority of the state was restored. However, a part of the Lebanese south is still under occupation by Israeli forces. Security Council resolution 425, adopted following the invasion of southern Lebanon in 1978, requiring Israel to withdraw from the land it occupied in Lebanon, is yet to be implemented.

Lebanon is headed by a President of the Republic who is elected by Parliament for a period of six years.

Legislative authority is vested in Parliament, which is elected by the people for a period of four years. Parliament in turn elects a Speaker for a period of four years also. The Parliament's 128 seats are divided equally between moslems and christians. The first Parliament in the post-war period came as a result of the elections held in 1992 (following a period of twenty years during which no elections were held). In October 1996, a new Parliament was elected and installed, confirming the restoration of the democratic process. There was an improvement in the organization of the elections and a significant increase in the rate of participation.

The executive authority is entrusted to the Council of Ministers. The President of the Republic, after conducting binding parliamentary consultations, designates the Prime Minister who, after non-binding consultations with the deputies, forms a

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government, whose composition should be representative of the different Lebanese communities. The decree establishing the government is signed by each of the President of the Republic and the Prime Minister. The Council of Ministers is the institution which actually governs, being the executive authority. Political representation in the Government does not derive from a clear majority reflecting political groupings and programmes, but rather from coalition considerations among domestic political forces and leaders.

Lebanon is divided administratively into six mohafazat (region), each headed by a mohafez, and 26 cada' (sub-region or district), each headed by a caem-macam. The Lebanese administration is modeled after the French administration, with authority centered in the capital Beirut.

The basic unit of local government is the municipality. There are around 700 municipalities in the cities, towns and villages. Each municipality comprises a municipal council elected by the people. At the top of each council there is a president, a vice-president and a secretary. Municipalities were previously under the control of the Ministry of Interior before they became attached to the Ministry of Municipalities and Rural Affairs in 1993. Municipal elections have not been held since 1963.

The public administration comprises at present 27 line ministries and a large number of autonomous agencies. Among the autonomous agencies, the Council for Development and Reconstruction has vast powers and the capacity to influence the course of development. The Investment Development Authority of Lebanon is concerned in particular with the promotion of private sector development. The government has in recent years explored and successfully initiated a number of public - private partnerships, to rebuild downtown Beirut (Solidere) and to provide infrastructure and related services.

The Government fully realizes the challenge facing the public administration and has laid out plans to meet it. Towards this end, it has established the Ministry of Administrative Reform which is proceeding along a dual-track process: on the one hand, implementing a programme of administrative rehabilitation aimed at restoring the essential functions and operating capacity of the administration, and on the other, a restructuring, rationalization and modernization process through the implementation of a reform strategy and related programme. The United Nations Development Programme has, from the outset, provided lead support in terms of design, formulation and management of the programme of action.

The main apparatus of monitoring and control, namely: the Civil Service Board, the Council for Disciplinary Action, the Central Inspection Agency, and the Government Audit Office, suffer also from shortages of resources and require that their mandate be revisited. The activation of these bodies is crucial for the sustainability of the development process.

In general, Lebanon enjoys a rather well-developed legal system and stock of laws, even though the latter are in need of modernization. A specialized national commission presided by the Minister of Justice has been engaged, in the past few years, in a major systematic effort to review, update and modernize laws in different areas. The recent establishment of the Constitutional Council to oversee the constitutionality of laws further developed the mechanisms to put all under the authority of the law. It is noted that the Constitutional Council has the authority to decide on disputes arising in connexion with parliamentary and presidential elections. However, neither citizens nor their civil institutions can bring complaints before the Council; the right to do this is reserved exclusively for presidents and

deputies (at least ten), and the heads of religious authorities.

### C. The Social Fabric

#### 1. Family and sect in the social fabric

The family occupies a position of central importance in Lebanese society. Family and sectarian relations permeate all levels and aspects of social life; with interaction between the political system and elements of the social fabric. Two types of family settings exist: the small or nuclear family, and the enlarged or extended family; with differences in kind between the two and the functions they perform in the social and political life of the country.

a. *The small or nuclear family*, consisting of the husband, wife and children, constitutes the smaller unit of social organization. Its basic functions are educational and psychological in nature; and is considered, along with the school, the most important cell for raising children and youth, prior to their leaving the family.

The family constitutes the most important and influential channel for transmitting social and religious values. However, relations within the family are generally authoritarian, based on a hierarchical ordering and compliance with the instructions of the head of the family - husband-father. Its overall atmosphere is masculine and discriminatory towards women. However, this overall characterization does not preclude differences among families which are related foremost to the educational background and attainment of parents, social-professional affiliations, and the neighboring setting.

Though every generalization may harbor some error, the family in general remains the unit which preserves traditional values and transmits them from one generation to another. This role expanded during the war years where, according to field studies, a rapprochement or link could be observed between the notions and values common among young people and those of their parents and grandparents. This may be considered as a retreat from some of the liberal notions that spread during the 1960s and 1970s regarding the role of youth, extent of their freedom, moral and material independence from parents, and involvement in political and partisan activities. This phenomenon may be explained by the direct effects of the war which restricted the freedom of youth, their ability to move from one area to another and contact with different ideas and currents. The family has played a crucial role in alleviating the effects and shocks resulting from the war.

#### **The group**

*Primitive group formation* defines the basic features of an individual's identity traits. This formation comprises the family and its ramifications that define the broader family affiliation; it also includes all the traits of belonging that a person acquires primitively before developing a will of its own.

*Secondary group formation*, which a person acquires through interaction with others or evolves willfully, is associated with the development of social needs and, consequently, forms an essential link in the chain leading to a society which is differentiated from the primitive group where ties between individuals precede the act of participation or willful development. In this resides the basic difference between civil associations of the family and sectarian type, and those in which people participate and work towards achieving interests having a functional or civil

rights character within society.

The war has had contradictory influences on the family. On the one hand, there were pressures working towards its disintegration starting with the overall war climate and the spread of militias, to the death of a family member or of its provider as a result of military operations, to displacement and its disruptive impact. On the other hand, a reaction could be observed towards withdrawing to the family for protection and safety, and of going back to forms of family solidarity to absorb the war shocks and adjust to the security, political and economic pressures which it generated.

This enlargement of the family role strengthened the ties between the small family, on the one hand, and the large family and religious sect, on the other, as the latter two undertook increasing functions of a more explicit political nature.

b. *The enlarged or extended family*, of which two types exist: the first being a mere numerical extension of the small family with no qualitative change in functions; and, the second type consisting of the family formation or branch, which is a kind of continuation of inherited tribal formations that make up the basic units of political and tribal representation.

However, the war directly affected the position of the small family within the large family network with political connections. The central government weakened in general as part of its functions were confiscated by *de facto* forces. At the same time, geographical continuity and human contact and interaction between regions were disrupted, with spatial mobility being confined to within areas characterized by homogeneity or dominance of specific political or sectarian colouring. As a result, families tended to cluster around the extended family and religious sect; and to consolidate their links with these entities at the expense of their belonging to one and same society.

Sectarian affiliations occupy a focal position in social and political life - a reflection of the many functions they perform. These functions extend over a wide spectrum, ranging from a legislative role as regards the interpretation and application of the civil status and inheritance law, to their functioning as basic social safety networks covering especially educational and health services, and as social welfare and relief institutions. The scope of these functions extends also to the political realm, given that the political system and its main elements, especially representational functions in the constitutional institutions of government, the national electoral law, and the allocation of some posts in the administration, all take place in accordance with well-specified quotas among the different sectarian denominations in the country. This renders the religious sect a prominent and effective player on the national scene, and a mandatory channel to engage in political activity and representation.

What needs to be borne in mind is that sectarianism is not only a religious relationship, but that it is also a socio-political one. Religious sects form an integrated network of relationships and institutions that provide their members with a framework of protection and with political and social services. The different sects possess also comprehensive networks of institutions in the field of education, extending from kindergarten to university, as well as their own health institutions and non-governmental organizations, in addition to having large real estate holdings.

## 2. Habitat and the social fabric

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In the national context, especially in rural areas, the habitat setting generally coincides with that of kinship. Habitat conglomerations become a spatial extension of households and families, without generating any specific pattern of relationships and social formations.

Urbanization has spread rapidly and at present 85 percent of the population live in cities and towns. Cities produce a qualitative change in the traditional social fabric: by keeping individuals from being absorbed in primary relations; by promoting the independence of the nuclear family and its separation from the larger family congregations; and, by replacing family ties with civic-social ones, which are at the core of modern citizenship. However, field studies indicate that family ties are still dominant among residents of the capital; they also show that working in the same place does not constitute a sufficient condition for forging strong social ties. Moreover, the notion of *quarter* or district has been greatly distorted, especially during the war and its aftermath; it has lost its identity due to extensive population movements, and the feeling of belonging to it is virtually restricted to older people.

The war years witnessed the development of special ties among neighbors in the same quarter, and the same building in particular. These ties grew out of the need for solidarity and mutual assistance. However, these special ties lost their importance with the end of military operations, and the building became once again the basic spatial unit in the city, with its protective iron gate, and its own services. The notion of neighborhood came to be confined to residents of the same building and quite often to residents of the same floor only. Still, these residents are not always able to agree on how to organize their daily lives and ensure the proper functioning of common services (maintenance, garbage disposal and cleaning, etc.). This points to an acute failure in dealing with issues of every day life, and in understanding obligations and rights.

It is then possible to state that residents of the same city or quarter have not succeeded in dismantling traditional ties and replacing them with more modern ones. It would seem that, in the absence of public areas and space, and living in high buildings which form isolated and compact units, urban development patterns play a basic role that renders the city a mere form of development lacking in prerequisites of social integration.

### The Notion of Civil Society

**Civil society** is a modern notion that is not applicable to the state and its structures prior to its rise in the modern form. The notion delineates a field which is distinct from both authority and its apparatus and from inherited traditional structures. It indicates organization and relationships based on modern notions and relationships belonging to the era of the modern state, and which derive from the criteria of citizenship and voluntary participation, and alignments based on intellectual choices and professional groups, etc.

### 3. Voluntary organizations and their impact on the social fabric

Existing approaches are predicated on the premise that voluntary organizations and associations complement the work done by the state, through the activities they undertake and the services they provide to those segments of society that usually face difficult conditions. This interpretation, despite its importance, does not go into the essence of the role of these bodies in promoting social cohesion (or weakening it), being *intermediary bodies* that assist in regulating and organizing the processes

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of social and national integration.

This question requires that the activities of these organizations be viewed in a context that goes beyond their role as instruments for providing assistance and services of the welfare and charitable type. Do these associations and organizations provide a framework that prompts individuals and groups to enter into wider relations, or do they revive primary relations that derive from kinship and religious affiliations? In the latter case, they lose their intermediation function; hence, their presence will no longer be indicative of openness and evolution of the civil society in the modern sense, as much as being a vehicle for reproducing traditional types of civil relationships, and for controlling local society and molding the needs of individuals to suit personal and factional interests.

Two opposing mechanisms have been operating in society: the first tending to reproduce the traditional types of relationships based on primary affiliations, and the second working to change the content of these relationships and replace them with voluntary and modern ones. The war contributed to the revival of primary affiliations as a means of protection and refuge.

There exists a large number of social institutions and organizations in the country - some of which date back to before the state was established - essentially of a family or sectarian character, and with concerns spreading over social, health, educational, recreational and cultural affairs. There also exist diverse institutions of the civil society, including labor and professional unions, political parties, student movements, cultural and youth clubs, human rights and environment defense organizations, women movements, economic pressure groups, cooperatives, and social organizations of all kinds.

These institutions and organizations were able during the war to mobilize large numbers of volunteers from all sectors of society, to take part in relieving people's suffering and problems and to obtain assistance from bilateral and international donors towards this end. Under the influence of war conditions, loyalties shifted to religious communities, which looked upon them as an extension of their own institutions and as means for achieving their political ends. As a result, non-governmental organizations lost some of their support in non-sectarian circles, and began to be associated in the minds of some people with sectarian and regional affiliations, and with the groups benefiting from their services.

This problem is found in the activities of various institutions of the civil society, starting at the time of their establishment, as they are subject to influences that pull them in opposite directions: between conforming to the criteria governing their formation and expressing the interests of those whom they represent, and the distortion of their structures and practices by sectarian, confessional, political or even personal considerations.

With national recovery and reconstruction, the role of voluntary non-governmental organizations began to evolve towards self-reliance and a gradual transformation into development organizations. Some basic observations are noted regarding the operation of civil society organizations, specifically non-governmental organizations, in relation to their role and place in development, and in strengthening the social fabric, in the first half of the 1990s. It is noted, however, that laws and rules governing the establishment and operation of civil society organizations are in need of updating and modernization, without encroaching on the freedom of establishment.

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- Dominance of traditional ties, especially of the sectarian and family type, over civil ties in a number of institutions operating in this field.
- Weaknesses in organization and administration, the extent to which managerial and operational practices conform to democratic practices, the size and qualifications of the human cadre and project financing modalities..
- Backwardness of programmes constituting a major obstacle to their effectiveness in delivery of services and in promoting development. Most of their activities are of a charitable-philanthropic character or are of the traditional service type adopting a top-bottom approach that generally precludes participation. A developmental role implies that initiatives originate from the beneficiaries, and that the provision of a service be associated with promotion of participation and active involvement of the targeted groups in the pursuit of their objectives.
- Inadequate coordination and exchange of information and experience at the local and national levels help to explain the weak impact of non-governmental organizations on government policies. Coordination is not a matter of form, but of real effort to evolve and define the complementary roles to be assumed by the different institutions and components of civil society.

A specific reference is made to the presence of strong and free information media, which must be preserved and developed as they are the result and reflection of the dynamism of society. They play an invaluable role, not only in providing and transmitting information, but as well in fostering and monitoring transparency and accountability.

Finally, the positive and potential role of non-governmental organizations and of civil society organizations in general is to a large extent conditional upon an environment in which the salient feature is a sound relationship between these organizations, on the one hand, and the national and local authorities, and society and its components, on the other.

### 4. Public institutions as a framework for developing ties and building the social fabric

The state, the institutions of government and the administration, are often dealt with as being solely instruments of political authority. However, the state is more than this. It is also a form of social organization; and, to deal with it otherwise creates a vacuum that would be filled by traditional relations inherited from the era preceding the modern state.

The pre-war problems of social integration, and those that emerged or were exacerbated during and after the war, can be traced to the weakening or diminishing role of the public sector and its institutions as a platform for bringing together citizens from various regions and factions. This is true of the purely developmental - economic concern, where the destruction of the Beirut city center abolished an important platform of economic - social - cultural interaction. It is also true of education where the decline in public schooling increased isolation. Also, the diminishing role of the state as provider of services opened the way for families and religious sects to step in and expand their role as producers of services and providers of safety nets in emergency situations. To this must be added the fact that weak or absent representation at the local level, notably at the municipal level, represents a major flaw limiting the participation of people in their capacity as individual citizens in local-decision making.

Institutions and relationships provide the internal cohesiveness of the social fabric.

In the circumstances of Lebanon, the building of a modern state is considered the backbone for building a cohesive social fabric.

### **Society, the Nation, the State and Government**

*Society* is the collection of, and the catalyst that brings together, groups and individuals which have agreed to associate among themselves, and that endeavor to strengthen their agreement by shared interests, land and heritage, and by common ambitions, expectations and values that bind them together. Based on this, society becomes the civic and political catalyst for social concordance, and for delineating the overall setting within which individuals and groups exist. Consequently, the need to make the distinction between society and the elements composing it, and to stress that their association is the outcome of both accidental and willful concurrence. Such distinction is necessary to limit the emergence of situations where society may be absorbed by the groups and individuals constituting it, on the one hand, and situations where these individuals and groups are neglected, on the other, in order to avoid acute conflicts that threaten the stability of groups, individuals and societies.

The *nation* is the land on which society is formed; and it is the people that result from the transformation of groups and individuals from a scattered existence to one of unity and cohesion, as a result of their attachment to the land and agreements among them as embodied in conventions and charters. It is also the entity embodied in the constitution, contracts, charters, conventions, pledges, laws and rules regulating people's lives that are elaborated directly by the people or their representatives. In this sense, the nation is the geographic, physical, institutional, and symbolic foundation of society. However, it is advisable to distinguish it from society so as to remain the foundation, symbol and embodiment of unity, and for society to retain its dynamism and liberty of action in forging this unity through the cohesion and participation of its members in erecting the basis and symbols of unity that defines the contours of their identity.

The link between the nation and society is an organic one; it is reinforced by the cohesion between the various communities that form society and is weakened, destabilized and decentralized whenever these communities seek to replace the common vision by their own symbols and conception of the land and entity, giving rise to acute conflicts that threaten the civil peace.

The *state* is the institution that ensures the proper functioning of the public interest as embodied in the constitution, laws, and rules laid down by society, and sees to it that their interests are met efficiently. It is also the guarantor of the proper formation of the public ambit and the one that preserves it and its course of development and defends it against any attempt of disruption. In practice, however, one finds states that act as institutions revolving around themselves and around the interests of those running them; often becoming a source of conflict instead of instruments for resolving them. It can be observed that countries tend to become vulnerable to such disruptions when effective citizenship - which is supposed to accompany the state, supervise its work, provide it with alternatives and defend it - weakens. In practice, ambiguities exist regarding the definition of the state: whether it is a public institution, or a custodian and in charge of the public interest. There is also confusion in defining the basic function of the state; between the state as organizer of, and having exclusive responsibility for, the public interest, and one where the state is the guarantor of the public interest and of itself above all. Safeguarding the public interest is at the core of the existence of the state. All its roles may be re-considered in relation to their effectiveness except this role, because the absence of safeguards, based on common standards that could be monitored, will lead to the disruption of societies and

rekindling of primitive conflicts and wars.

*Government*, in its general connotation, denotes the apparatus which society designates, as part of the constitutional and legal means available to it, to tend to laws and their application, and provide necessary safeguards for the protection of the public interest. It is also organically linked with society and its institutional apparatus, i.e. the state. However, when strong and direct ties are built between the government and the factions composing society with a view to safeguarding their interests and needs, conflict ensues, the scope of interaction narrows and society is dislocated.

#### D. Political/Democratic Participation and Social Capital Formation

The Lebanese system has always been characterized by the existence of freedoms. The situation, however, has not been free of disruptions and instability. Democracy has suffered from weak social consciousness, inequality of opportunity and ineffective instruments of participation and accountability. The responsibility for this falls mainly on the political-sectarian set-up; rigidities in the representational system; the absence of an effective party system; the lack of clarity as to the role of civil society; and, the virtual absence of mechanisms of popular participation.

##### 1. Present political environment

Seven years have elapsed since signing the Taef Accord, which put Lebanon and the Lebanese people on a new historical course. Most articles of the Accord have been translated into constitutional provisions that define the nature of political relations between the various institutions of the state, and between these and society. The remaining articles are in the nature of a general political background that goes beyond existing institutional frameworks to considerations affecting future choices and the instruments of attaining them.

Questions arising in this connection relate to the implications of the Taef Accord on the national political scene, and on the potential for developing this Accord into a form of national covenant that can provide the foundations of an enduring civil peace, anchored in stable principles of democratic political action, that prevent violent conflict and promote development on equitable and sustainable grounds.

Constitution of 1925/1943	Constitution of 1992 (after Taef Accord)
The sectarian formula	
<p>Representation in Parliament: six Christians for five Moslems.</p> <p>Sect of three presidencies: by convention</p> <p>Allocation of posts in administration among sects generalized, but with specific posts reserved for some sects.</p>	<p>Number of seats divided equally between Christians and Moslems; equal quotas for the largest three sects.</p> <p>Sect of the three presidencies: stipulated in the written text.</p> <p>Allocation of posts in administration among sects: Confined to the top echelon without specification of sect.</p> <p>Calls for establishing the national</p>

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Sectarianism is a temporary state.	commission for the abolishment of sectarianism and mechanisms for its gradual attainment.
<b>Constitutional powers</b>	
<p>President of the Republic is the head of the executive authority; vast powers; accountable only in the event of national treason.</p> <p>Prime Minister with limited authority in practice and unstable.</p> <p>Mandate of the Speaker of Parliament is one year</p>	<p>Powers of the President of the Republic reduced substantially.</p> <p>Transfer of executive powers to the Council of Ministers collectively; strengthening the position of the Prime Minister.</p> <p>Strengthening the position of Parliament; adoption of binding parliamentary consultations by the President of the Republic in forming the government.</p> <p>Mandate of the Speaker of Parliament is four years, i.e. the same as for parliament itself.</p>
<b>Administrative divisions and local authorities</b>	
<p>Six Mohafazat and 26 cada. Municipalities are the only authorities at the local level.</p>	<p>Proposal to amend administrative divisions Approval to form councils at the cada and Mohafazat level, along side municipalities, with expanded powers</p>
<b>Other reforms</b>	
<p>No constitutional council. No court for trying presidents. No economic and social council.</p>	<p>Decision to establish a Constitutional Council. Decision to establish a special court to try presidents. Decision to establish an Economic and Social Council</p>

The overall outcome of the political exercise since signing the Accord has not yet produced the desired results. Some analysts attribute this failure to the nature of the Accord itself, while others find flaw in the practice. The Taef Accord introduced basic modifications to the system of government in effect since independence. The most important of these modifications are shown in the comparative schedule given above.

The main objective of this change was to deal with the internal political and social causes that contributed to the outbreak and prolongation of the war, to build the "state of institutions", and to reform the administration. However, the realization of these objectives requires time and effort and a renewed vision of the Lebanese situation. Among the priorities in this respect are the need to accelerate: the return

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of the displaced persons, the process of administrative reform, , forming the Economic and Social Council, agreeing on a new administrative structure, adopting a modern electoral law, and conducting municipal elections at the earliest possible occasion.

### 2. Factors hindering and promoting political participation

*a. Internal reconciliation.* Following the war, it was evident and important to establish an environment conducive to promoting internal reconciliation, to put the episode of war behind and to mobilize people's resources and energy for national recovery. At the national popular level, reconciliation occurred smoothly and almost spontaneously. A structured effort towards reconciliation was put in place only in villages and towns which suffered displacement (chapter III-K above).

The population reconciled among itself must be drawn into, and be offered possibilities to participate in, the processes of government and of reconstruction and development. Peace-building efforts to further bring about and cement national unity and a common sense of purpose will indeed have to continue in the medium to longer term, particularly as some factions are left with a feeling of marginalization and exclusion. The case for more effective channels and mechanisms for participation and influencing decisions merits careful review and appropriate action.

To quickly and successfully achieve the national objectives of recovery and development, it would appear that the achievements of internal reconciliation must be forged into a broad national consensus on the country's strategic options and the main directions of national policies and programmes. It is important that the different components of civil society and the different community groups rally and deploy their considerable potentials to support the process of national recovery and development. The Government has an important responsibility in establishing and developing strong partnerships with civil society towards this end.

*b. State of law.* Lebanon has a reasonable stock of laws and legislative and judicial practices. This, however, does not obviate the need for reform, especially the modernization of laws and filling legislative gaps, enforcing the law on the totality of the Lebanese territory and people living on it, resolving the problems posed by the inadequate number of judges, strengthening the role of the higher judicial councils, and rehabilitating legal libraries. There is also an urgent need for the rehabilitation of the over-crowded prisons and reformatory institutions, which are in a poor state.

The existence of the state of law and a system that defines responsibility and accountability are important elements in promoting effective participation. The notion of the state of law means, above all, the sovereignty of constitutional and legal principles and practices, and their precedence over political interests; respect of institutions and their functioning and abstaining from their personalization; observance by officials, before others, of the prescriptions of the law; and, avoidance of conflict of interests within state institutions and the administration.

The state of law means equality before the law and courts of all citizens - which is the indispensable guarantee of both individual and public rights. The recent establishment of the Constitutional Council is a positive step in this direction.

The main obstacles in connection with the establishment and enforcement of the state of law are to be found in, first, political interference in the administration; second, the sluggishness of the judicial machinery; and, third, the lack of an effective system of control and accountability, whether at the political or

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administrative levels. Legislation meant to fight corruption and to ensure accountability exists, but has yet to be applied (such as the law on the source of wealth, the law on conflict of interest, etc.).

*c. Exercise of legislative and executive functions.* Parliament is the legislative authority. It is also the institution which oversees the work of the Government, and the one to which the Government is made accountable in the name of the people. It is observed, though, that Parliament has never caused the resignation of a government by a vote of non-confidence, or requested the dismissal of a minister.

The Council of Ministers as an institution is the executive authority. As indicated above, an important part of the functions of the President of the Republic were transferred to the Council of Ministers in application of the Taef Accord. The Council of Ministers has yet to be transformed into an institution with its own bylaws.

*d. The state of the public administration and institutions* As indicated above, the capacity and performance of the administration greatly suffered during the war period. The administration currently suffers from a number of structural problems, including the presence of a large number of idle, unqualified and politically-appointed employees, many of which recruited outside the cadre; in addition conditions of remuneration are poor and have contributed to the spread of malpractices and weak performance. The war period also negatively affected the separation between the political and administrative functions, a distortion which has continued until to date.

The central control institutions need to be fully reactivated and upgraded and their authority clarified. Weaknesses in both ex-ante and ex-post control mechanisms in the public administration lead to the spread of waste and malpractices.

The priority and central requirement is to secure greater separation between the political and administrative functions, or to reduce to a minimum the influence of politics in the administration. Action is also required on issues of technical, administrative and supervision and control nature, such as training and rehabilitation of staff, information and communication strategy, introducing simple streamlined procedures, setting salary and grade schedules and a competitive wage system, new employment and improvement of working conditions. These are necessary conditions for an effective, transparent and decentralized administration to emerge and develop; and which would enable the administration to play the role of a neutral intermediary between the authorities and citizens focusing on service and results.

As indicated above, efforts are ongoing towards rehabilitation and reform of the public administration under a focused, practical and phased approach. The aim is to address within a medium-term period the urgent needs of the various administrative units and to rehabilitate them to a level of basic functionality so as to allow them to deal effectively with the day-to-day operations. In parallel, work on administrative reforms being developed aims at restructuring of a smaller and more efficient administration, a modern classification of civil servants to stabilize salaries on a more equitable and scientific basis; selection of civil servants on the basis of merit; appreciation of the work through application of the principal of reward and sanctioning; balancing of rights and obligations of civil servants; modernization of the texts governing civil servants; computerization of the administrative procedures; and, simplification of formalities and reduction of the duration required for their implementation.

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*e. Local government institutions* The experience with municipalities remains modest, as they lack in human and financial resources, and do not have a developmental outlook; and their activities are restricted mainly to providing simple services such as garbage collection and disposal, or establishment of public gardens. However, and as is well-known, local government is necessary to stimulate democratic participation at the grass-root level, as the expression of a representative need, and as well as a service and development-related need. In this sense, local government could act as a school for preparing citizens to manage their own affairs, and could help to produce new leaders with experience in handling public affairs.

Effective local government through municipal councils with real powers provides services directly to citizens. This form of decentralized administration relieves members of Parliament of having to attend to local service needs, which gives them more time to devote to their legislative role; it also relieves the government and allows it to concentrate on major development issues. Furthermore, the existence of local councils enables citizens to invigorate their regions through more balanced development and growth patterns, and to play a role in the execution, supervision and control of development projects in their areas. This explains the very important role that local government and democratic representation assume in development and in the provision of services.

The Taef Accord proposed amendments to municipal law to ensure greater participation; these amendments relate to decentralization, expanding the competence of the mohafez and caem-macam, respectively the head of the Mohafazat and cada, etc. - these proposed amendments are subject of debate and have yet to be approved and implemented.

*f. The relation between the state and civil society institutions* Lebanon enjoys the basic freedoms guaranteed by the constitution, including the freedom of expression, meeting, forming associations (political parties, labor and professional unions, NGOs), respect of the sanctity of places of residence, and confidentiality of mail, etc. These public freedoms, which the war failed to destroy, represent a basic tradition and a popular demand. Notwithstanding this abundance of freedoms, democracy would further gain from more effective mechanisms of participation.

The main challenge in this respect relates to effective forms of dialogue, cooperation and coordination between the state and the entities of the civil society. The Economic and Social Council, when it is formed, can fill part of the vacuum, relating to social development policies in general. The law establishing the Council gives it a consultative and non-binding role. There may be merit to reduce the membership of the Economic and Social Council by half, to no more than fifty members. However, other mechanisms of participation are to be explored, including interaction between parliament and civil society; between line ministries and non-governmental organizations for both policy making and implementation of operational programmes, etc.

Society is partly responsible for existing flaws in participation mechanisms, reflecting the weakness of democratic education and decline of interest in public affairs. This has led to the emergence and spread of the phenomena of indifference and withdrawal from public life, and for calls to deal with them, as participation can not take hold in such environment.

### **E. Priority Action for Social Capital Formation**

The sustainability of development requires political sustainability that evolves from

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good governance, which forms the necessary link between economic, social and environmental sustainability. The main benchmarks of good governance that make for political sustainability in Lebanon are specific as follows:

- Achievement of civil peace and stable government,
- Consolidating political stability and raising the level of people's participation,
- Enforcement of a system of political and administrative controls and accountability,
- The sovereignty of law and existence of an independent and efficient judiciary,
- Respect of human rights and guarantee of public freedoms,
- An efficient public administration,
- Enabling, and raising the capabilities, of women and socially marginalized groups, and,
- Existence of an active civil society.

Social capital formation is at the basis of good governance. Social capital formation for sustainable human development could be developed on the basis of ideas set out below.

### 1. A social contract for development

Participation - along with decentralization - are key concepts for successful development in the long term. Participation is to be understood as a process through which stakeholders influence and share control over development initiatives and the decisions and resources which affect them.

Sectoral approaches or partial and isolated interventions alone will not be sufficient to enhance the capabilities of society and its components to participate effectively in the process of development and influence its course. Such intervention should be conceived in terms of mechanisms to deal with the qualitative shortcomings prevailing in society at the overall level of relations between the state and its apparatus, and the private sector and civil society and its institutions.

It is necessary to create permanent and efficient mechanisms for dialogue between the state and the forces of society, with the aim of elaborating a social contract for sustainable human development. Agreement on such a contract could provide a comprehensive framework for sustainable human development in the country.

The objectives of participation and empowerment of all national stakeholders, particularly the active components of civil society, require the creation of a permanent mechanism for dialogue to achieve a common vision of the future and broad agreement on national goals and objectives, and on the priorities and course to follow.

The establishment of the Economic and Social Council is an important step in this direction, which needs to be complemented by its formation and by initiation of work; however, to fully meet the objectives, it would be necessary that the strategic dimensions of development be brought within its field of competence. A smaller Economic and Social Council would probably be more effective and efficient.

The approach and mechanism used to elaborate the social contract could also be the channel through which all parties engage in defining the strategies and priorities of development. This would channel the ideas, creative energy and resources of all national stakeholders in support of development; the option would be to maximize

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the benefits of cooperation and to steer away from controversy and conflict.

*Proposal:* The formulation of a *social contract for sustainable human development* is a priority, important objective. Its achievement can not be brought about successfully but through a broad, wide-ranging process of dialogue, involving all the main components and active forces of society; it is to be conducted at the initiative and under the direction of the Government. The formation and initiation of the work of the Economic and Social Council would facilitate the formulation of such social contract.

### 2. Redefining the role of the state

The experience of the past two decades indicates that the success of development resides, in part, in observing balance and complementarity between the respective roles in development played by the government and public sector, on the one hand, and the private sector and civil society, on the other hand.

Development that is to be centered on people and sustainable over time can not be pursued in isolation. Likewise, a social contract can not be negotiated, adopted and successfully implemented without associating all stakeholders and partners. National stakeholders must chart their respective roles and agree on their respective functions, which must be complementary and mutually reinforcing. The process of negotiating a social contract for development would help in particular to delineate the role of the state in "*engineering development*" and would contribute to clarify and define the role of the state, of the private sector, and of institutions of civil society. The role of the state - in addition to its essential function of safeguarding the public interest - may thus be expanded or reduced depending on national priorities and the initiative and efficiency of the private and civil sectors. The role of the public sector should be strong but not necessarily large to meet the objectives of the sustainable human development.

The private sector, known for its initiative and dynamism, has so far fallen short in supporting the recovery and development process in view of its preoccupation with the short-term and quick returns; it has not observed conditions that ensure sustainability, including of environment resources and meeting social needs at large.

The state and the public sector are called upon to rectify these shortcomings, by guidance and regulation of private sector activity to foster behavioral patterns in the private sector more in conformity with the requirements of sustainable development and/or by assuming, when necessary, a direct economic-social role.

These issues have to be put in the context of the country's recent history which caused dislocation and degradation, on the one hand, and of the pressing global challenges which require quick, enlightened decisions to carry the adjustment process, on the other. The latter requires overall a regulator and facilitator of the development process, particularly to define priorities, main lines and schedules of action, and to mobilize the nation's resources. With respect to the former, international experience has amply demonstrated that in countries emerging from wars the state has consistently played a basic role in achieving national reconstruction and development.

*Proposal:* To meet the multiple challenges, it is necessary to reaffirm the role of the state, both to fulfill its essential, basic functions and, in particular, to carry the important function as the *engineer of - sustainable human - development*. The latter

role implies the following:

- Elaboration of a vision and indicative strategy for the long term, within which the potential role of the private sector will be defined;
- Ensuring a balanced development process, both with respect to sectors and regions;
- Ensuring that social and environmental preconditions for sustainable development are met; and,
- Developing an adequate direct public sector role for the state in the social and education fields, as this relates to, and bears on, the issues of social integration and national unity.

### 3. Building local participation structures

The terms participation and decentralization have become inseparable from that of development. Citizens and society suffer from weak participation at both the national and local levels.

The main problem affecting participation in the country relates to the lack of relevant structures and mechanisms extending from the base to the summit of society. The lack of representative bodies at the local level leads to distortions in representation in the wider national context.

National representative institutions can not be maintained in isolation from their base. Local representation makes it possible to re-cast relations between citizens and their local administration on the basis of civic citizenship, allows for real participation in local affairs, and renders the act of supervision and control possible and tangible. It also provides an opportunity to rectify the functions of local representation and national representation in parliament, which should give new impetus to political life in the country.

#### *Proposal:*

- To accord priority to the modernization of the law of municipalities, strengthening their potential and expanding their powers, and to conduct municipal elections; and to adopt a law on decentralization.
- To elaborate a modern national electoral law on the basis of dialogue involving the different political and social forces.
- To build the managerial and operational capacity of municipalities.

### 4. Public education and civic education

Family ties assume an important role in the social fabric, which places family upbringing in a central position. A similar important role is assumed by the education system.

Promotion of development by means of education can be achieved through strengthening the complementarity of functions between the family and the school. Enhanced links between education institutions and institutions of local society are to be developed to perform functions of a development nature beyond teaching the prescribed material. Success of this endeavor implies a qualitative transformation in the way society views the education system. The school is not only a place where knowledge is simply passed on. It is a living institution for developing human capabilities and individual and collective skills. The school can, if looked upon as a public platform where citizens interact, assume an important role in re-establishing

the unity of the social fabric.

However, the institutional structure of the national education system suffers from two big distortions. The first is the sectarian - regional distortion which reflects the multiplicity of educational institutions and their sectarian and regional distribution, especially at the elementary and intermediate levels. The second distortion has to do with the wide disparities observed between elite schools and universities, on the one hand, and other private and public institutions, on the other. Moreover, contacts between the school or university and the social milieu are virtually non-existent. Parents' committees are rare; the same is true of support committees and, supervision at the local level is scant. At the same time, interaction with the social surroundings and economic activity is very weak. The presence of a school or university branch in a village or city quarter does not make a difference beyond the direct effects associated with the physical presence of such a human gathering.

Education institutions, especially public ones, are among the more widely spread institutional structures in the regions, and have qualified human resources with organizational and administrative skills that are not fully utilized. The school or university can be a development cell in the countryside or city, provided available resources are properly utilized (to spread knowledge and skills in society; to study local needs; to provide training, etc.).

To perform such a role assumes high levels of interaction between the education institution and local society and requires basic modifications are needed in existing teaching practices and in relations prevailing within the education institutions. Foremost is the need to shift and adopt modern methods and techniques, anchored in developing the sense of citizenship, and collective action, and in promoting of an inquisitive and creative spirit.

This requires developing the relation between the school and the administration and teachers, on the one hand, and parents and students, on the other, so that each from its respective position may contribute to this process. Moreover, involving parents, and familiarizing them with modern concepts of education, can have a positive influence on the content of family upbringing.

### *Proposal:*

- To give high priority to developing the public education system, and to action to raise the academic and administrative standards, so that it can attract and absorb a growing number of students
- To promote the school as a space of national interaction, reproducing the social fabric on a civic basis.
- To endeavor to give education a civic connotation, and make of schools and universities centers actively promoting development in the local context; involve parents and local society in their activities; and propose necessary modifications to programmes, teaching methods and extra-curricular and development activities.

### 5. Promotion of social capital formation through trade unions and professional associations

In addition to different professional associations (representing independent professions, professors and teachers, journalists, etc.), there exist in the country a large number of labor unions. They are organized on the basis of variety of forms (professions, sectors, regions, establishments or production units, etc.) and provide

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a pool of resources to be tapped. In the past two decades, trade union activities weakened, including for a time a freeze on membership.

The General Labor Confederation is the largest body grouping federations and unions in a coordination committee; it has brought together large sectors of wage earners and has mobilized them in support of a variety of social claims. However, the labour movement is handicapped by external and internal difficulties related to its structure and methods of work.

Labour unions have the potential to contribute to strengthen the social fabric and to promote social capital formation, particularly as they constitute a large group with common ties and characteristics. As social issues have increasingly moved to the forefront of national concerns, this has mobilized labor unions and professional associations.

### *Proposal:*

- To develop the structures and modes of operation of labor unions and professional associations, and to renovate their programmes with a view to enhancing their capacity to fulfill their role.
- To support fresh initiatives towards sustained tripartite - government, employers, labor unions - dialogue and negotiations to achieve concensual agreements on social and economic issues.

## 6. Role of non-governmental organizations

NGOs can play an important role in bringing people closer to the notion of belonging to society and to one state and in strengthening the web of relations that makes up society. NGOs can be effective instruments to strengthen civic and democratic relations among members and in local society, in harmony with the notion of citizenship.

The emergence of NGOs in developmental work offers another channel for greater participation by people - but it can be effective only if the overall framework of national governance will be strengthened, to become increasingly democratic and participatory. NGOs in Lebanon have proved their worth in providing emergency assistance and in reaching out to the poorest and to marginalized groups; they also have promoted issues on behalf of the disadvantaged.

NGOs have also a potential role to play as a group; however, efforts in this respect have not yielded many results. There exist several associations of NGOs, among which the Lebanese NGO Forum, the Collectif des ONG, the Lebanese Environment Forum, the Lebanese Women's Council. Each and all of these efforts merit support for capacity development to meet the challenge of creating a useful lobby for social policy and sustainable development, based on participation and equal opportunities.

Much needs to be done to improve the capacity of NGOs individually and collectively, however. A key issue relates to how best promote the interests of both government and NGOs. As NGOs widen their activities, there will be a tendency for the government to want to monitor NGOs more closely; but this should be done without nullifying the benefits NGOs bring. NGOs increasingly recognize that in order not to be marginalized in national debates on development, they will have to engage more constructively with government

### *Proposal:*

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- To promote non-governmental organizations with a national and civic character.
- To support and develop the managerial and operational capacities of development-oriented NGOs and gradually strengthen the strategic scope of their activities, from delivery of services and field-level activities to moving upstream and playing a supporting role in policy making.
- Within the context of national policies and programmes, develop and undertake activities jointly agreed with government.
- To raise the level of coordination among NGOs, both at national and sectoral/thematic levels.
- To develop and provide support for mechanisms of interaction between government and civil society; these include dialogue with parliament, participation in policy formulation for development; contractual arrangements for operational activities for development, arrangements for developmental activities at local level.

### 7. Role of information

Successful development depends on the awareness, will and participation of the people. Lebanon has an advantage in terms of the number and diversity of written and audio-visual information media which are important assets and an essential factor contributing to development. It is important that the diversity of institutions in the sector be maintained and developed as a source of wealth for the development process.

The information media are the most expedient and effective means of communication to inform people about the requirements of the development process and, consequently, to play a direct role in mobilizing them towards this end whether in an emergency or in the reconstruction effort.

The media constitute a powerful mechanism of monitoring and accountability on behalf of the people, by making use of the many programmes that rely on dialogue and face-to-face encounters between officials, citizens and specialists. The role of the information media in this respect takes on added significance when channels or mechanisms of dialogue are weak or hardly exist, and operations lack in transparency.

The information media can play an important role in bridging the gap between the standards and the levels of achievement in education and the required skills and capabilities. In this connection, intensive and scientific use of the media can help close to an extent the gap in the education system in the short-term, while allowing longer-term plans to produce their results.

The information media can act as channels for dialogue and interaction between citizens, and as instruments for diffusing developmental awareness, and a spirit of solidarity and joint action, and for consolidating the common cultural elements necessary for development to succeed.

#### *Proposal:*

- To develop the potential of the information sector, as a means of mobilization and communication in support of national actions for development.
- To strengthen the cultural and education functions of the media and to provide active strong support by the Ministries of Culture and Higher

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Education and of Information.

- To introduce the subject of development as a main component in the curricula of information faculties.