

The Maronite League

(February 2003)

A Vision for the Future:

Being aware of its responsibilities as an institution that embraces Maronite potentials , and of its national duties to preserve the active Maronite role in the process of building the Lebanese Nation-State; and, based upon the citizens lack of confidence in what the future holds for them; and, in the absence of any political comprehensive plan to unite the Maronites various groups and forces, the League decided to take the initiative and call upon the various active political poles, who constitutes the core of the League's general assembly regardless of the political parties, government and private institutions and organizations they belong to, to reach a consensus over a number of political issues that are essential in the making of our country, Lebanon and for a better and healthier future.

We are all aware of the difficulties in achieving such a consensus. Although seeking it is an adventure in itself, we believe, however, that doing nothing about it would constitute a crime against our Maronite community and our country, Lebanon.

The future carries enormous challenges on different levels. We consider the survival of the Maronites as a top priority, and a prerequisite for the survival of all Lebanese. We mean by survival, an active presence and role. We are the bearers of a humane message in this East to which we belong, as we hold important potentials in the fields of politics, economics, education, social, cultural and non-governmental organizations. We have invested these potentials throughout history and we will continue to do so in order to rebuild the nation and help it regain its international and regional roles. The first and most pressing objective is to recreate a powerful entity that would share and impose itself as an essential basis in the making of the state. The building of this entity requires our reintegration in the state which we have distanced ourselves from at certain times and have been kept out of it at many other times. We should regain active participation in the management of public affairs, in full partnership with other communities with whom we form our nation-state on the basis of national entente, equilibrium and the inalienable national fundamental principles. The future of Lebanon, as a nation-state, depends on the establishment of an institutional state of law and order. It is our responsibility and duty to contribute to its reconstruction, because it is after all, the sole project upon which we place our bet and hopes. Our contribution is strengthened when we put our free political thoughts into action and projects offered by democratic political parties with national outlook. It is our duty also to work on wide spreading these projects to incite renewal of the free political thought.

Presently, the Lebanese political system is in great danger, and is in the process of losing its special immunity that so far protected it against dangers it has faced. If Lebanon had succeeded in previous times in escaping heavy turmoil that destroyed its unity, and caused it bruises and scars, nevertheless its people remained full of hope that it will recover in spite of being in a state of exhaustion. We see it now gasping to preserve its principles and defend its identity in the face of so many attempts to change its identity, amend its role, abuse its potential elite through emigration, and adopt new terms other than those agreed upon by its founders since its birth; consequently, contradicting its mission of national coexistence, its special culture based on tolerance and acceptance of the other.

What is painful, however, is that the succeeding governments, that took office following the ratification of the Taif Accord, did not deploy additional efforts to preserve its character, which was stressed upon in the Accord itself, within the framework that consecrates its pluralistic image on the top list of national priorities, whereby it becomes an act of faith in the one and united Lebanon, that shelters all communities, while they remain committed to their respective particularities to their spiritual beliefs, filled with an instinctive desire to intercommunicate and interact with one another to build up the nation-state.

The Maronite League's Executive Council feeling of responsibility deepened its belief that Lebanon will not be safe in the midst of the dramatic developments in the region. This caused it to closely monitor the rhythm of the political movements in Lebanon and neighboring States and drove it to be highly concerned with the increasing pressure and escalation that signal a storm, if not a hurricane.

The Initiative:

We believe that there is no escape from confronting the coming stage, with all its uproar and noise, through equilibrium, reflection, wisdom, and away from tension, emotional flurries and extremism. We believe that the situation should be faced with a unified view, a united public discourse and rank, while standing firm on historic positions, whether on the Christian or national level. Unfortunately, such a unity is like a mirage that evaporates every time we get the feeling that it has become close. The League has never given up. It continues to fulfill what it had pledged to achieve. Upon the instructions from Bkriki, it continues to broaden its national stands, its meetings and contacts with the various Christian leaders and groups.

The aim was to bridge the gap between them, and destroy the obstacles and artificial walls that were preventing them from reaching an agreement. It also aimed at distancing them from accusations and counteraccusations of betrayal and mutual isolation, even for those who were supposed to embrace

comprehensive national positions, and expand the circle of dialogue and consultations to reach the broader national level.

This is the League's message. We look for your positive response and support of such an initiative so that these efforts will succeed. We also hope that this will be the first step in a broader effort to activate a number of other political projects proposed by the League because they are related to political reforms and have become an urgent need. They are also fundamentally related to major laws that are of vital importance to us all, in particular: the electoral and the decentralization laws, all of which have been clearly stipulated in the Taif Accord and have yet to be implemented through political reforms. There is, in addition, the Lebanese-Syrian relations that constitute a vital issue that needs to be addressed with a lot of courage, sincerity and realism.

A fair electoral law is the basis for a true democratic life and performance. It allows massive participation in the free parliamentary elections. This form of democracy can only achieve true representation through small electoral units reflecting the pluralism and national integration of our society.

An expanded administrative decentralization as stipulated in Taif is a must since it aims at the wider participation of citizens in managing public affairs. This is the wish of most Lebanese citizens and leaders at all levels.

If implemented in the form that we look forward to, this decentralization will boost the fair and balanced development of the regions and will push us one step further toward modernizing our political system to guarantee our active role and contribution in the process of national decision-making, within the boundaries of the state's political unity.

As for the Lebanese-Syrian relations, there is a general consensus among Lebanese that these relations should be privileged. These special ties, regardless of the current regional circumstances require an

adjustment to their path and need to be re-established on the basis of mutually beneficial, clear and stable foundations.

Achieving consensus and a unified position on these issues enhances the Maronites stand and give them the edge in taking a giant leap forward, in the direction of playing a constructive role within the state's laws and institutions accountable to all its citizens. All of this will take place, amid our strong determination to preserve our affiliation to our national and spiritual leaders, led by the President of the Republic office and the Maronite Patriarchate, as we strengthen our nation's unity and coexistence. The Maronites today need to renew their active roles in the building of the state, away from the residues of the past that were full of strife. They must insist today, more than ever on achieving national peace through consensus and reconciliation. The Maronites also need to stand firm on their national beliefs and positions while deploying all efforts, with their partners in the nation, to restore Lebanon's pioneering role, mainly in the Arab world.

This is our perception of these three basic topics, which we are ready to put forward for discussion, hoping that we will have your support and approval; noting that the final outcome will be presented to the President of the Republic, who is the first authority, guardian of the Constitution and sponsor of the entente. The agreement between the Maronites, has always been placed in the service of a united strong Lebanon, with its territory, people and institutions, and in the service of its citizens.

May God be with us in this mission.

Sincerely,

February 2003

President of the Maronite League

Emir Hares CHEHAB

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First: The Lebanese-Syrian relations :

Much has been reported about a meaningful dialogue between Syria and the Christians in Lebanon, particularly with Bkirki, in reference to Christian demands from Damascus. We do stress here that the Lebanese Christians have no demands based on sectarianism, but their approach to the Lebanese-Syrian relations is based on national principles and on their beliefs and commitment that Lebanon is a sovereign and independent Arab state, that should be governed by institutions implementing justice and equality among all citizens, unifying their ranks, and building it is authority on the principles of balanced coexistence, while refraining from discriminating against any group or community.

This state of Lebanon should be able to make its own free decisions, while maintaining the closest relations with Syria. Only through the unity of Christians and Muslims, and through a proper representation of the people, can a Lebanese regime be a true support for Syria through stable, balanced and truthful relations, far from serving individuals' personal interests and selfishness and not affected by the change of circumstances and individuals.

The Lebanese-Syrian relations are deeply rooted in history and geography, as well as in a complex network of social, political, economic and security relations. These relations cannot be, but privileged, and there is not one Lebanese, regardless of his/her affiliation, who thinks otherwise.

These relations go beyond being simply associated with the temporary and transient presence of Syrian forces on Lebanese territories, a presence that was regulated by the Taif Accord, whose implementation in letter and spirit has always been and still is our demand.

The Lebanese-Syrian relations are greater than being monopolized or being an element of control or abuse in the "tight Lebanese politics' market";

Instead, these relations should be strengthened and adjusted to prevent any group from using them to control another, through Syrian intervention in internal affairs.

They should be put on the strategic level, where, in fact, they belong. Through deeds, we should then build together a sense of trustworthiness and replace the feeling of distrust that has prevailed over the years following Lebanon's Independence.

The Lebanese-Syrian relations did witness a decline on the popular level after the Taif Accord, at a time when stronger relations were needed to confront the common challenges that continue to face our two countries. These relations should move from the level of argumentation and enter the level of constructive dialogue that we all call for. This would be the one way to attract Christians back to the state and dissipate their feeling of mistrust toward Syria. Thus, the negative attitude toward Syria would no longer be used by the people to measure the credibility of some Christian leaders, due to the danger incurred from adopting such a method.

The Relations between countries cannot be stable and solid unless they are based on profound popular convictions. Everyone is aware of Bkriki's role in this regard. Its popular representation goes back to hundreds of years as it assumed the role of a national authority.

In this regard, it is in the interest of the Lebanese-Syrian relations, that Bkirki be considered a basic pillar in such ties.

Any strategic relations sought by both countries will not be sustained, in the long run, unless Bkirki plays a basic role taking into consideration that it is not far from this range, in the framework of fixed national positions that enjoy the consensus of the Lebanese.

The dialogue required today with the state, on the national level, must address the Lebanese-Syrian relations in all its dimensions with credibility and sincerity, based upon the preservation of the sovereignty and independence of both brotherly states. But this approach should also take into

consideration the joint vision and interests of both Syria and Lebanon as they face great challenges, represented by the Arab-Israeli struggle, the fate of the region in case of peace or war, how to confront globalization and elaborate together a broad cultural plan complementing one another. Based on these facts and realities, we hope that the positions of the Maronite Patriarch Cardinal Nasrallah Butros Sfeir and the Maronite Bishops' Council are understood in terms of securing the real common interests of the two brotherly countries, without being affected by the changes of circumstances and individuals.

Second: A New Electoral Law.

The Lebanese entity is closely connected to its free democratic parliamentary political system that reflects the plurality of its civil society and acts as the guarantor of the state's political unity.

This system should enable each community to express itself. It also provides it with a feeling of security because through its political representation, it can achieve and maintain its political existence, which should be balanced with that of other communities.

The National Accord, that guards the spirit of the Constitution, is a historic settlement that enjoys the consensus of all parties. It aimed at keeping a national balance between the communities, which has been constantly sought by the Constitution since 1926. Any violation of this settlement will destroy the Lebanese national characteristics, which are its *raison d'être*.

The Lebanese sectarian formula is deeply rooted in Lebanon and it proved to be possible through strict adherence and respect of the national coexistence principles. Lebanon's existence with its diverse confessions is founded on this formula, but this does not mean that sectarianism should continue indefinitely to be the basis of the political system. Instead we should gradually get out of it by liberating our mentalities from the deep-seated factional fanaticism and by removing the factors that provide the natural environment for its survival.

This can be done when the state takes the responsibility and engages in a historical transitional period, leading the citizen to feel, through responsible daily practices of the public institutions, that the state itself is his refuge and the source of authority. It is the one to grant him his rights and protect him without any discrimination or gratitude but help him to reach self-actualization.

Any approach to an electoral law that guarantees a proper and free representation of the citizens should take into consideration a number of realities. The most important of which is that there is no democratic philosophy for democracy made out of simple mathematical calculation process, based on numerical majority, especially in a pluralistic and diverse society, such as Lebanon.

It has become certain, that the concept of democracy as a rule based on simple numerical principles, is unacceptable. It is even a more difficult task in a sectarian pluralistic society, because it would lead to the cancellation of “others” through their isolation, as well as a clear violation of the principle of national coexistence.

We should admit, as well, that there is no clear majority in Lebanon but several minorities represented by sects. This reconfirms that the state’s stability and continuity are pending on maintaining the religious communities in a position of balanced equilibrium, opposing the canceling or role minimizing of any of them since any dominance by a sect over the others threatens the essence of the state.

We should also note that every time the political role of a sect is marginalized, its religious leadership becomes more powerful, and the tone of the sectarian discourse rises, triggering counter reactions.

It would become in this case, more difficult to ensure the circumstances and regulations in preparation for the transition from sectarianism to secularism which would as a result, bring together all Lebanese citizens under one nation fairly and equally represented without discrimination.

Democracy is internationally known as the rule of the people, by the people and for the people, through representation. The leaders are consequently chosen by means of free and fair elections for the purpose of preserving the people's rights and interests. This is what the United Nations has persistently called for.

The right to free choice, expresses the people's will and remains the basic foundation that should not be forsaken to make of the electoral process a true democratic one.

The requirement for any electoral law in modern time and specifically in a pluralistic society such as Lebanon, calls above all for the guarantee of true representation of the diverse communities, and facilitates at the same time the election of political leaderships with new national perspective and vision.

Our Lebanese system is based on mutual accord between all parties. This is why government's officials should truly represent the will of their communities who in return grant them sufficient moral powers to enable them when necessary to resolve pressing issues and problems. Any separation between those who are supposed to represent people and the rank and file not only weakens but rather obstructs their negotiation ability and exposes the system and the country to political crisis.

The basic role of the Parliament is to be a forum for consultation between the representatives of the spiritual families that form the Lebanese society. They should interact and provide, through their role in Parliament, a joint mechanism to monitor political activities.

Any feeling of frustration or misrepresentation in the parliament by a particular sect would negatively affect the whole House and would strip it from its credibility, pushing the conflict from inside the Parliament to the outside where special interests and gains would endanger the national peace and stability.

The Choice of the Electoral Unit:

The repartition of the country into electoral units is the core of any electoral law, because it could distort even destroy the principle of free choice from its foundations especially, if it does fail to take into consideration a number of requirements.

The most important of these requirements is adopting a single rule in performing the divisions, in order to achieve justice and equality among all voters, and consequently serve the public interest and not the interests of individuals.

The ideal electoral unit is that which respects, on one side, the principle of a true representation of the people from the regional and sectarian point of view, and on the other side, allows for the mixture of sects and political trends and movements.

As a result, the electoral unit would abide by the principle of national coexistence based on the equilibrium, among all sects, that remains the main criterion, through which political decisions are evaluated and judged.

It is commonly agreed upon, that the small electoral unit is the one that offers the best results in a pluralistic society.

This formula best suits the Lebanese balanced reality with all its sects and prevents the numerical majority rule of one sect to control the others.

Some do claim that the district (qada) is more suitable, if not to say that it best reflects the Lebanese status of representation.

The Choice of The District (Qada):

Many believe that the district (qada) is the ideal unit, since it provides credible representation of the people's will. Past experience proved that such a system has not produced sectarian congregations and

alliances because all previous parliaments came to power on this basis and have preserved the unity of the state and its institutions.

Adopting the district (qada) as a single electoral unit provides direct contact, communication and personal interaction between voters and the candidate, thus facilitating the process of selection and, at a later stage, supervision and accountability, which are all basic factors for the wellbeing of elections. We should note here that adopting a larger electoral unit in the absence of strong parties on the national level is a danger on the equation, because the outcome will be centered on numerical basis, which will allow some confessions to control others and marginalize their roles. This should be avoided especially since current circumstances did not produce for the majority of communities political leaders on the national level.

Search should be focused on adopting an electoral unit which will enable the rank and file to feel that the credibility of its representation is being secured, from one hand, and would provide interaction between the communities, from the other. This will provide the correct grounds and will pave the way for change and the creation of new leaders with a national scope, who in turn will prepare for the launch of large parties to whom candidates and voters will belong to. We note here that the Maronite presence in all areas of Lebanon imposes itself as a power, with which an alliance should be forged in any given electoral structure, and we believe that adopting the district as an electoral unit would be the best choice.

We have experimented after the Taif Accord three electoral laws, which were the center of much criticism, and it is time now to set up a fixed law that secures equality national coexistence, equal opportunities and the freewill of voters.

All this is conditional upon the neutrality of authorities, restriction of the financial factor and the adjustments of the electoral regulations, related to the media media, which would lead to a Parliament with a comprehensive representation that plays its role at its best.

Third: A New Law for Administrative Management and Decentralization.

A-Introduction:

It is widely known that all countries applying democracy in their system have adopted the form of a "complex state" such as France, Belgium, Canada, Australia, Germany, The United Kingdom, India, The United States, and many others.

There is almost no exception to this rule, because the aim of applying democracy is to allow people, regardless of their diversity and differences (whether on the geographical level or others) to actively and properly take part in the national decision-making and the ruling of the country.

Democracy, however, is not limited to the geographical form of the state, even if this was one of the most important factors in its realization. The political system, the electoral laws and the principle of the separation of powers, are all fundamental factors of democracy that become more fitting to the characteristics of the nation, and eventually create it.

The complex nature of the pluralistic state could be a comprehensive heading for a number of systems ranging between confederation, to federation and decentralization.

As for the centralized states, they are often ruled by autocratic regimes. They are highly centralized providing the authorities absolute power to govern without the active participation by the people.

Certain countries with homogenous population adopted from the beginning a centralized form of government, but applied simultaneously administrative decentralization forms that developed, in time, to become efficient vehicle driving the people to take part in the governing process and more particularly to bear national responsibility as they become more aware of their role and turn it into a personal goal.

The more the people's sense of responsibility and political awareness becomes personal, the more their belonging becomes solid and deeper and their serving of the state; and the more they become obedient to the laws and regulations complete.

In Lebanon, although the current borders were the result of adding the four districts (qadas) to Mount Lebanon during al-Mutasarrifia, the French mandate applied the centralized system for the Greater Lebanon State, a copy of the French administrative system itself.

Since, the French democracy gradually adopted an expanded decentralization process to meet French needs for efficiency; e.g. the position and reputation of the mayor of Paris, is a tangible proof of the importance and extent of authority and power granted to a mayor who is directly elected from the people.

The debate over decentralization in Lebanon began fueling before the civil war begun. There were plans that were debated during President Fouad Chehab's mandate, but none of them saw the light.

This drove the decentralization reforms to become a basic issue in the discussions over proposals for the development of the Lebanese system.

This issue remained on the planning table. The proposals ranged between decentralization on one side and federation on the other. Between these two extremes there were a series of moderate forms, which were the center of many researches and studies.

The administrative system occupied a large part of discussions, during the Taif meetings, but polarization among the M.P. members over this issue lead to a situation similar to a crisis, especially since the ambitions of the members present at the meeting, were to re-construct the state on modern grounds, taking into consideration requirements of the national accord and the proper popular and communities' participation in the government.

Based upon these principles, there was no other solution but to adopt the principle of decentralization, as the basis factor for a true democracy and participation.

The members finally agreed to consider the expanded administrative decentralization as a solution that best reflects their drive to come up with a democratic republic, modern in its form and institutions.

Now, and after more than twelve years following the birth of what has become known as the “Second Republic” and some times the “Third Republic,” the form of the nation-state remained fully centralized, as it was previously, lacking the fundamental regulations, to guarantee the achievement of some kind of democracy and correct participation.

It is unacceptable, after all these years, that a fundamental article in the Taif Accord remains unimplemented and even lacking the thorough studies to give the decentralization process the required dynamism to achieve its *raison d’être*. Now, that there is a consensus on privatization, can we ignore the application of the decentralization process?

B-Justification for a New Law on Administrative Management and Decentralization.

Every phase in the state evolution process has its authenticity and characteristics. We have to examine the old and the contemporary and even look for the future with a new vision, within the framework of harmonizing between authenticity and modernization, far away from the idea that every subsequent regime should dissolve its predecessor.

Here, we distinguish two methods adopted world wide, represented in centralization or decentralization, with the first one witnessing a clear decline.

Our main objective is to reestablish that equilibrium between these two forms to attain a balanced local development that is lacking due to the dominance by the administrative centralized system.

The Taif Accord: A Turning Point in Decentralization:

The Lebanese leaders went to Taif, carrying a basic concern, namely, to stop the cycle of violence that seemed everlasting and had already destroyed many of the country’s components. They aimed at coming out with a new balanced political configuration, based on national coexistence and on the need to grant each of the Lebanese communities the tranquility and security it looks for, guaranteeing its future active

role by complementing the roles of other communities as components of the Lebanese state. The Taif endorsed the principle of an expanded administrative decentralization process based, first, on the pluralistic nature of the society, and second on the state's organizational and developmental status, that suffered many deficiencies in its administrative management, which failed to identify a clear track for the planning of public institutional work. The Central authority played down the local administrations to an extent of seizing their prerogatives and substituting them with their basic bodies, even those elected. This course of action contradicted the pluralistic nature of the Lebanese society, which should be protected and preserved within the state's unity, as a source of wealth for Lebanon.

There is no need to point out that there is a strong connection between administrative management and the country's development. This management has become a basic requirement for any development in deeds not only in words. In any case, the classic concept of development has progressed in a way that man has become the focal point and main objective rather than a tool for the attaining of personal wealth and production revenues.

From this point of view came the idea of equally distributing public benefits among regions and communities granting equal chances to different people in all important aspects of life to include education, culture, health, transportation, communication and housing. This process also necessitated the making of these benefits accessible to all people, while preserving their right to free choice. The Social requirements were behind this progress after the traditional concept of development failed to achieve progress and luxury.

The Taif Accord stipulated for a "balanced development" of all regions. From our point of view, however, this development should include cultural, social and economic fields, so that it becomes the basic pillar for the state's continuity and the stability of the political system.

Characteristics of Decentralization:

Decentralization is characterized by the presence of special needs for various groups of citizens, who form a homogeneous reality, and who jointly share local private interests that might differ, in parts, from the public national interest that concerns all citizens of the state.

Even if decentralization leads to some sort of independence in the administration, it remains connected to the centralized authority's apparatus, either through administrative monitoring applied over it directly by the centralized authority, or through its representatives in the regions.

In this case, decentralization does not conflict with the centralized system nor does it destroy it; rather it harmonizes with it, forming a complete administrative structure, as it is only one aspect of the public administration systems.

The administrative decentralization means the undertaking by local groups, within a particular geographical area, to practice auto-management through elected councils. It enjoys a legal personality and is administratively independent from the central administrative authority, but subject to monitoring in accordance with the laws and regulations.

In another words, the decentralized administration is the one administrative formula in which administrative jobs are distributed between the government representing the central authority, and other public bodies (local or regional) that practice their duties under the supervision of that central authority.

The decentralized administration requests the widest participation of people in the democratic process and helps them be free from feudalism, sectarianism, and political corruption, which are all diseases decaying our society.

Decentralization enables the people to get accustomed to making their own decisions on how to run their local affair in their region, by pushing them to become more experienced in public affairs and consequently, produce a new generation of credible leaders.

These local leaders, in turn, will yield, in the future, new breed of national leaders who will guide the process of change through renewing the elite, which is a fundamental factor in democracy.

The creation of local councils, as proposed by the Taif Accord, is an important step in expanding the people's participation in the local administrative decisions.

The representation should not be limited to individuals of certain sectors, ignoring the other sectors, and the rule of open participation and equal representation of all citizens. Instead, it should be based on a formula that incorporates both groups. Accordingly, the district council (qada council) will be elected through an open democratic forum. Simultaneously,

a socio-economic council will be created and formed of representatives from the sectors such as the physicians, the engineers, the lawyers, the industrialists, the farmers and labor etc...

In the light of the above analysis, we suggest that the administrative decentralization be based upon the following principles:

-Create a new administrative system on the Lebanese territories stipulating for the establishment of a number of "administrative units" that could be the size of districts (qadas) but have nothing to do with electoral districts.

-Assign a state minister responsible for the follow-up and implementation of the decentralization process.

-Create a locally elected council in every unit headed by a "district governor" (or any other name), who is elected too; the elected council will then appoint a director-general.

-Grant the district council a legal identity coupled with financial and administrative independence. It would study, suggest and implement solutions to the direct needs of the citizens in the areas of services

and development excluding those related to the ministries of justice, foreign affairs, defense, monetary and public finance.

-Secure the council's revenues from funds ear-marked by the state in its annual budget, in addition to other taxes and percentages from the main taxes and revenues collected from the bills of water, electricity, telephone and others.

- Empower the council with the right to obtain loans and accept grants as well as sign cooperation and exchange agreements with other councils.

-Create a Centralized Regional fund to provide balanced development among the regions.