

الجمهورية اللبنانية
مكتب وزير الدولة لشؤون التنمية الإدارية
مركز مشاريع ودراسات القطاع العام

Republic of Lebanon
Office of the Minister of State for Administrative Reform
Center for Public Sector Projects and Studies
(C.P.S.P.S.)

Emerging Themes in Local Governance in Post-Election Lebanon

March 1999

Abdo I. Baaklini, Ph.D.
Director, Center for Legislative Development
John B. Sheffer, II, J.D.
*Director, Institute for Local Governance & Regional Growth
University at Buffalo, State University of New York*
Mahmoud Batlouni
Lebanon Chief-of-Party, Center for Legislative Development
James P. Ketterer
Project Manager, Center for Legislative Development

Supported by the United States Agency for International Development
"Increased Effectiveness of Selected Institutions Which Support Democracy"
HNE-A-00-93-00102-05

Table of Contents

I. Introduction & Acknowledgments	3
II. CLD Project Background	5
III. Study Objectives	9
IV. Methodology	10
V. History of Local Government in Lebanon	10
VI. Structure of Local Government in Lebanon	12
VII. Prelude to the 1998 Municipal Elections	22
A. Sectarian Representation	22
B. Representation of Propertied Summer Residents	23
C. Clarification of Jurisdictions	24
D. At-Large or Ward Elections?	24
E. Creation of New Municipalities	25
F. Israeli-Held Territories	25
G. Towns Whose Residents Were Displaced	26
H. Public Support for the Elections	27
VIII. Who Was Elected?	34
IX. Findings	41
A. Public Participation/Transparency	41
B. Procedural Matters	45
C. Municipal Administration/Services	48
D. Municipal Staff & Training	49
E. Specialization & Differentiation	52
F. Municipal Budgeting	53
G. Training	55
H. Information Infrastructure & Dissemination	56
I. Intergovernmental Relations	57
X. Summary Recommendations	59
A. Public Participation/Transparency	59
B. Procedural Matters	60
C. Municipal Administration/Services	61
D. Municipal Budgeting	62
E. Training	62
F. Information Infrastructure & Dissemination	63
G. Intergovernmental Relations	64
XI. Conclusion	65

Emerging Themes in Local Governance in Post-Election Lebanon

I. Introduction & Acknowledgements

The objective of this study is to carry out a strategic review of local government in Lebanon, focusing specifically upon its status following the 1998 municipal elections. Those were the first local elections held in Lebanon since 1963, and the optimism and enthusiasm generated by the unquestioned freeness and fairness of the polls must now be followed-up with action that is consistent with effective and democratic government. It is in this spirit that this study was undertaken.

The study examines the various opportunities and challenges that now face local government in Lebanon, and specifically seeks to present them as they are articulated by local government officials themselves. This is not an attempt by outside consultants to design an idealized program devoid of local input. Rather, this study seeks to integrate a broad view of local government initiatives with the experiences of those doing the hard work of making local government work on a daily basis.

The Center for Legislative Development (CLD) of the Rockefeller College of Public Affairs and Policy of the University at Albany, State University of New York (SUNY), as part of its ongoing project in Lebanon (see below for details), sponsored this study under the direction of Dr. Abdo I. Baaklini, the Center's Director. In addition, the Center called upon John B. Sheffer, II, Director of the Institute for Local Governance and Regional Growth at the University at Buffalo, SUNY. Mr. Sheffer, an attorney, previously served as a New York State Senator, a Member of the New York State Assembly, Mayor of the Village of Williamsville, New York, and a Village Trustee. Mr. Mahmoud Batlouni, CLD's Chief-of-Party in Lebanon, and Mr. James Ketterer, CLD's Lebanon Project Manager in Albany, also participated in this study. The results of this study are based upon the findings of the assessment team's trip to Lebanon in November 1998 (see Appendix for Trip Agenda), but also draws heavily on CLD's continuing activities with various levels of government in Lebanon.

Without the experience and the generous assistance of many in Lebanon, this study would not have been possible. The CLD team met with many groups and individuals and discussed a wide variety of issues. These discussions enabled the team to gain further insight into the challenges and opportunities that face municipal officials in Lebanon, and the CLD would like to thank those many people who assisted in this effort. CLD would specifically like to acknowledge the assistance of the Honorable Hajob Demerjian and

Bassem Saba'a, Former Minister and Acting Minister for Municipal and Rural Affairs, their advisor Mr. Najji Hasan, and all the staff members of MOMRA who assisted the CLD Team. CLD would also like to thank the various municipal officials who took time out of their busy schedules to meet with the CLD team. These officials include the Mayor and Council Members of Kernayel, Jebrayel, Kfeir, Dour Shweir, and the Mayor of Chweifat. CLD is also grateful for the assistance of Ambassador David Satterfield, US Ambassador to Lebanon. In addition, USAID Lebanon Mission Director, James Stephenson, was extremely helpful, as was Lina Freij of his staff, and Pirie Gall in Washington. CLD also thanks the YMCA of Lebanon for the kind assistance. Finally, the Beirut and Albany offices of CLD put in many hours to make the November 1998 trip and this study possible, and their efforts are greatly appreciated.

II. CLD Project Background

In September 1993, CLD entered into a two-phase cooperative agreement for four and a half years with the United States Agency for International Development (USAID) to provide technical assistance to the Government of Lebanon (GOL) as part of the Lebanon Relief and Redevelopment Project. The overall goal of this project was to provide assistance to critical central institutions of the GOL that are directly linked to the government's ability to enact public policy and provide social services. Those critical institutions include the Lebanese Parliament, the Office of the Minister for

Administrative Reform, the Government Accounting Office (GAO), the Civil Service Board (CSB), and the Central Inspection Board (CIB).

Phase I of this project, from October 1993 through September 1995, included initial start-up activities, such as the posting of a Project Director in Lebanon, the completion of needs assessments, and initial work with the Parliament and the Control Agencies.

Phase II, from October 1995 through March 1998, built on initial accomplishments achieved during Phase I, provided the technical assistance and training necessary for the GOL to institute structural and administrative change and reform through the implementation of enabling technologies and applications and by organizing and delivering specialized seminars and policy dialogues on key reform issues. In order to develop recommendations and activities that are most suited to the needs of the GOL's administrative reform efforts, CLD carefully instituted a process of consultation and consensus building with the cooperating agencies in the Lebanese Administration.

Based on the success of that initial work in Lebanon, in 1998 CLD received an additional \$3.4 million from the US Agency for International Development (USAID) to continue its work with the Lebanese Parliament to provide a range of technical assistance to help them meet their emerging information needs for technology, workflow, staffing, research

capabilities, constituent relations, parliamentary structure and the development of structures and practices best suited to effective and democratic governance. In addition, CLD is now working with the Ministry of Municipal and Rural Affairs (MOMRA) and selected municipalities to assist in the development of local government in Lebanon. This assistance, however, serves as a means to an end, and that end is assisting the GOL in reaching its stated goals of making government more effective and democratic.

In order to support the inculcation of such democratic values and the installation of democratic institutions measured and meaningful steps are required that promote the standards of good governance required in any liberal democracy: transparency, accountability, effectiveness, participation, representation and legitimacy. Without the maintenance of those core values, democracy will not survive in any meaningful way. Those countries relying on quick fixes in place of long-term reform are increasingly prone to anti-democratic distortions, or authoritarian hijackings of the democratization process. In order to develop the democratic values stated above, states moving toward democracy must also be marked by sustained efforts to develop and support the rule of law, separation of powers and the protection of basic liberties. Despite daunting obstacles, Lebanon has made the commitment to support these vital democratic initiatives.

Accordingly, all CLD project activities support the development of the following core democratic values:

- **Legitimacy** – The institutions of government must be seen as legitimate by the citizenry;
- **Accountability** – In order to sustain the legitimacy of governmental institutions, those institutions must be clearly accountable to the citizenry and, as part of that process, other branches of government;
- **Autonomy** – In order to develop and maintain separation of powers, the Parliament and ministries must be free from control, manipulation or interference from other branches of government or undue pressure from other elements in society;
- **Transparency** – The activities of government must be open to the citizenry; and
- **Effectiveness** – Government must carry out its activities in a responsive and legal manner.

Accordingly, project activities and assistance are successful in strengthening the following broad areas:

- **Governmental Infrastructure;**
- **Information Capability;**
- **Constituent Relations;**
- **Links Between All Levels of Government and Civil Society;**
- **Public Education and Understanding of the Governmental Process;**
- **Public Access to the Governmental Process;**
- **Public Access to Critical Government Documents and Information;**
- **Gaining the Support of Decision-makers; and**
- **Strengthening Oversight Capacity**

The approach of the project, then, is not simply the delivery of technical assistance.

Rather, it is the delivery of the building blocks of a long-term, sustainable,

democratization process. The project is, in effect, equipping the Lebanese advocates of

democratic reform with the means by which they can more readily carry out

governmental oversight, make timely and informed decisions, enhance governmental legitimacy, and build a heightened awareness among Lebanese actors (policy makers, civic groups, academics and other opinion leaders) of the importance of sustainable democratic reforms.

CLD's project in Lebanon is designed to reinvigorate Lebanon's democratic institutions by supporting Lebanese efforts to make long-term democracy sustainable – to empower the governmental institutions to make separation of powers viable, to make the rule of law apply to the government as well as the citizens and to ensure that participation and representation are part and parcel of the government's daily business. While such painstaking work does not garner banner headlines, it is this work that creates lasting beneficial results for a government and its citizens. Again, this report focuses on reinvigorating those democratic processes on the local level.

III. Study Objectives

The specific objectives of this study are to:

- Capture post-election landscape pertaining to municipalities in Lebanon;
- Assess and analyze current status of local governments, including factors such as perceptions, spirit, culture, attitude, and not just mechanical or developmental status;
- Propose a series of options for enhancing the efficiency, openness, responsiveness, and legitimacy of local government; and
- Promote sustainability and innovation in local government.

IV. Methodology

The study was undertaken in the following manner:

- Review of materials written about the municipalities;
- Thorough review of legal documents related to municipal law and functions;
- Analysis of surveys and data available from CLD, World Bank, and other organizations;
- Analysis not only of current legal or statutory framework, but how it might be changed for the better, as pertains to municipal government; and
- Extensive meetings with local officials, Ministers, NGOs and others.

V. History of Local Government in Lebanon

The origins of current local government practice can be found in the Ottoman period in Lebanon (1517-1918), during which the *Caza* system of administrative division emerged.¹ In that period, the *Caza* was administered by a *Qaimmaqam* and further divided into *Mudiriyas* – each administered by a *Mudir*. The local administrative sector was headed by a *Mukhtar*, who was elected by the community. The Ottoman “Wilayet Municipal Law” instituted a system of municipal councils in 1877. These councils were instituted in every village and town and were granted wide jurisdiction over local matters.

The period of the French Mandate (1918-1943) brought the promulgation of another municipal law which retained the general framework of the Ottoman system but with an

¹ This brief history of local government relies on S. Arnaout, *Local Government in Lebanon* (Washington, DC: USAID, Near East Region Governance and Democracy Study, March 1995).

added degree of centralization. In this new municipal system, which was put in place in 1922, the municipalities were governed by an elected council whose head was appointed by the central government and served simultaneously as the executive of the municipality and as an agent of the central government. This system was not unique to Lebanon and was implemented in other countries that came under French influence during this period.

Post-independence Lebanon (1943) saw several initiatives aimed at administrative decentralization and the improved capacity of local government to more effectively deliver services in support of local development. While some progress was made in this regard, it is clear that these moves and the broader activities of local government in Lebanon were severely hampered by the civil war. The activities of all government agencies and municipalities were severely affected by the war. Many functions that had been within the jurisdiction of the municipalities were ceded to the central government, and militias and other groups often interfered in local affairs, especially in the area of tax collection and the delivery of services.

As part of its efforts to rebuild its institutions after the civil war and to complete its democratization process, Lebanon has embarked on the major task of reconstituting its local government institutions. As part of the 1989 Ta'if Agreement, Lebanon is to institutionalize a decentralized system of government and revitalize its local government.

Since the 1963 local elections, much elected municipal council were abolished because of such reasons as death of council members, lack of resources, or other security matters. Of almost 700 municipalities, more than 40 percent were dissolved, and their functions were assumed by the district officer (*Qaimmaqam* of the *Qada*), or were consolidated with other municipalities and were administered directly by the same officer. Of those municipalities that were still operating before the 1998 elections, many were administered by the few surviving council members or by members appointed by the Ministry of Interior.

VI. Structure of Local Government

Lebanon is divided into 6 administrative districts (*Mohafazat*), each headed by a *Mohafiz* who is appointed by - and reports to - the Ministry of Interior. The *Mohafazat* are divided into *Cazas*, which are administered by a *Qaimmaqam* (who reports to the *Mohafiz*). The municipalities representing cities and towns are composed of elected councils. After the council is elected, members of the council elect a mayor from among themselves. These elected councils have jurisdiction over local administrative and financial matters.

The municipal council consists of 9-21 members (size varies depending on the population of the municipality). Beirut, which is both a Muhafaza and a municipality simultaneously, has a council of 24. Triploi, Saidon and Zahleh, for example, have 21

member councils. The council members are elected every six years by general suffrage. In addition to municipal councils, local government units also elect *Mukhtars*. The number of *Mukhtars* allocated to each local unit also depends on size. Some cities have several dozen *Mukhtars*, one for each ward. The function of *Mukhtars* is limited to registration of births and deaths and providing proper identification for individuals, such as getting an identification card or passports. In a sense, the *Mukhtar* performs functions similar to a notary public in the USA. Although *Mukhtars* are elected similar to municipal councils, they report to the Minister of Interior through the *Qaimmaqam* and the *Muhafiz*.

This study deals with municipalities and municipal councils and does not cover the position and functions of the mukhtars.

While the electoral law in Lebanon distributes parliamentary seats among the various sects according to an agreed upon formula, the local election law does not. At the local level, no special seats are reserved for sectarian representation. By law, council members do not receive a salary, except for a modest sum paid to mayors and vice mayors.

Members and mayors are therefore allowed to own a business or be employed in private businesses. They can not; however, be employed in government or public institutions.

This is intended to avoid government employees using their official position to win local elections.

Until 1993, the ministry responsible for local government affairs was the Ministry of Interior. In 1993, the function of local government was taken away from the Ministry of Interior and was given to a newly created ministry called Ministry of Municipal and Rural Affairs (MOMRA). This ministry was responsible for coordinating, regulating, overseeing, and supporting municipalities in the performance of their functions. The Ministry of Interior is in charge of all issues dealing with public security in coordination with municipalities. Former Minister of Interior is holding the portfolio for MOMRA and Ministry of Interior. As part of its strategy to reduce expenditure, eliminate duplication and overlapping in functions, there is now a move to eliminate some of the recently created ministries, including MOMRA. Other ministries (such as education, agriculture, public works, public health and transportation) discharge their specialized functions through local offices established at the district level in coordination with municipalities. MOMRA/Ministry of Interior, through the *Muhafiz* and the *Qaimmaqam*, oversees the functioning of municipalities and have intricate financial and administrative interactions with municipalities. Municipalities have also significant interactions with other ministries (like the ministries of finance, health, education, etc.), other government owned companies (water, electricity, telephones) and central supervisory agencies (General Accounting Office, Central Inspection and Civil Service Board). Indeed the relationship with these centralized institutions is at the base of some of the most serious challenges

facing municipalities in Lebanon. Since the last municipal elections in Lebanon took place in 1963, many of the functions of municipalities and their sources of income were expropriated by one central government institution or the other. Sorting out jurisdictions and functions, and reestablishing the financial and administrative autonomies that the law grants to municipalities, is now quite a daunting task.

While Lebanon is still a centralized unitary state, the proper role allocated to municipalities by law needs to be reestablished. For municipalities to properly function they need both autonomy and coordination with various central government institutions. Here lies the crux of the problem. Not only do municipalities need to reestablish their autonomy and chart their proper relationships with other ministries and government bodies, the central ministries and government institutions do not have a clear role and relationships vis a vis municipalities. Even those institutions that understand their role with regard to municipalities, do not at present have the capacity to discharge their responsibilities. Thus the GAO, for example, is entrusted to exercise financial audit on municipal transactions. Yet their present resources do not permit them to perform this task, (similarly, with regard to the function of inspection). The Central Inspection Board is supposed to undertake both administrative and financial inspection over municipalities to insure that they are following the appropriate laws. Yet the CIB does not have the resources to undertake this function.

The municipal election of 1998 of 708 municipal councils brings to local government over 8,000 elected members most of whom have never served or experienced first-hand local government in action. Among the challenges these municipalities face is how to build their institutions, learn inter-governmental relationships, formulate a budget, assess and collect taxes and fees and plan and deliver services within their jurisdictions.

According to the 1977 municipal laws regulating the jurisdiction of local government, any public works or utility within the municipal area falls under the jurisdiction of the municipal council. This includes administrative, financial, health, social, economic and educational affairs. Specifically the responsibilities of the council include:

- Adopting the municipal annual budget;
- Determining taxes and fees;
- Managing municipal funds;
- Establishing slaughterhouses;
- Town planning, including the construction of internal roads and the arrangement of public parks;
- Establishing and maintaining a sewage system;
- Making available public transport;
- Accepting gifts for the municipality;
- Naming streets;
- Developing and using natural resources;
- Overseeing electrical power projects;
- Ensuring fire services and rescue activities; and
- Drafting and promulgating laws and regulations governing employees of municipalities.

To perform these functions, municipalities are financed through the following revenue sources specified in the existing laws.

According to Law 60 of 1988, municipalities are permitted to collect directly 16 specified tariffs and fees. No other tariffs or fees can be established at the local level, and the maximum rates are established by the central government.

Taxes collected directly by municipalities are:

- Taxes and fees on rental values of built-up property collected directly by the municipalities;
- Licenses for and taxes on hotels, nightclubs, cinemas, restaurants, as well as fees for use of municipal land;
- Fees on advertising;
- Fees on public property;
- Fees on fuel distribution places;
- Fees on industrial institutions;
- Fees on mobile vendors;
- Fees on slaughterhouses;
- Fees on entry to public tourist areas;
- Fees on registration of contracts;
- Fees on construction permits;
- Fees on development and maintenance of sewage system and pavements;
- Fees on certificates, statements and technical studies;
- Fees on compensation due to improvement; and
- Fees on explosive materials

A simple review of this list shows the enormous task facing these municipalities.

Appropriate data to assess these taxes and fees are totally or partially absent. The trained staff to begin collecting the needed data and to assess the appropriate taxes and fees is also absent. In many cases, the task falls on the elected members to perform these tasks.

In addition to taxes collected directly by municipalities, a number of taxes and fees are collected by central government institutions on behalf of municipalities to be reimbursed

back to municipalities. According to Law 60 of 1988, taxes collected by various units of the central government for individual municipalities include:

- 3% surtax on built real estate, of net revenue;
- 10% surtax on telephone subscription and phone calls. This is collected by the Telephone Administration;
- 10% surtax on electricity consumption fees. This is collected by Electricite du Liban; and
- 10% surtax on the fees for water usage. This is collected by the Water Authority.

The transfer amount collected by the various public agencies and authorities is transacted directly between each municipality and the respective agency, authority or private institution. Unfortunately those authorities in charge of collecting these taxes do not have accurate accounts nor have they established proper procedures to identify the sources of income in accordance to municipalities. Thus, while the Water Authority may have a general idea how much fees it has collected for water usage, it can not break these funds in accordance with municipalities. There is no information available to the authority or to the municipalities to know how much they can accurately predict the revenues collected by central authorities on behalf of municipalities.

There are also municipal revenues collected by private institutions:

- Fees on insurance premiums, except life insurance, which are collected by the insurance companies; and
- 10% municipal tax on cellular telephone use from gross revenue

The same problems exist with regard to these revenues. There is no accurate data that can help the municipalities or the private institutions to allocate these revenues to specific municipalities. Instead all such revenues are turned to the Ministry of Finance. The Ministry in turn allocates these revenues.

The central government also collects surtaxes and fees on behalf of all municipalities and deposits it in a central fund, called the Independent Municipal Fund (IMF). This fund, set out in Law 60 of 1988 includes:

- 10% surtax on all built real estate;
- 15% surtax on profits of commercial, industrial, and non-commercial professions;
- 10% surtax on inherited assets, bequests, and grants;
- 5% surtax on real estate registration fees;
- Various fees on benzene, airplane fuel, and fuel oil;
- 3.5% custom fees, except for embassies, consulates, etc., and goods imported by land from other Arab countries;
- 6% fees on insurance premiums, except life insurance, collected by the insurance companies (see above);
- 25% surtax on registration of cars and motorcycles;
- An average of 1.5% surtax on some imports including beer, wine, other alcoholic drinks, meat, fish, carbonated water, etc.;
- 10% surtax on telephone subscription and phone calls outside the jurisdictions of the municipality. This is collected by the Telephone Administration;
- 10% surtax on electricity consumption fees outside the jurisdiction of the municipality. This is collected by Electricite du Liban;
- 10% surtax on the water usage value outside the jurisdictions of the municipalities. This is collected by the Water Authority; and
- 5% surtax on the consumption of cigarettes, tobacco, etc.

The IMF account is maintained by the Ministry of Finance (MOF) and deposited in the Central Bank. Any use of the IMF requires the approval of both MOF and MOMRA for

each withdrawal. To facilitate these transactions, MOF opened an account in the Central Bank for MOMRA which was closed a year later. Each year, an agreed amount from the IMF is allocated to be distributed to municipalities. According to existing laws, the IMF should be reallocated to municipalities to spend as they see fit. However, in recent years, MOF and MOMRA spent most of these funds on projects on behalf of municipalities such as garbage collection and improvement of roads and electrification within municipal jurisdiction.

The following expenditures, determined jointly by MOF and MOMRA, are deducted from the IMF account:

- All salaries, compensation and expenses of contractors working on general municipal projects for MOMRA but outside the cadre of MOMRA; and
- Expenditures related to equipment, services and works directed to all municipalities.

According to article 7, no more than 25% of the IMF can be channeled to Municipal Federations and at least 75% must go to all municipalities. The 75% to all municipalities is to be divided in the following way: one part to municipalities based on their populations, another part to municipalities according to their revenue collections over the last two years, and the third part is devoted to development projects. In reality, development projects directed by MOMRA constitute a great portion of the IMF disbursements, with only 25% sent directly to municipalities. As the report details below, much concern has been voiced by municipal officials about the amount in this fund and

the exact formula for the disbursement of the IMF money to municipalities. Recently this fund has become the topic of intense controversy and allegation between the present Minister of Interior and the former Ministers of Finance and MOMRA. It has been alleged that significant amounts of this fund have either disappeared or have been mismanaged. At that time, the parliament set up a special committee to investigate the status of the funds in this account and reported on how the funds in previous years have been allocated.

There is now a general agreement among municipal members and the central government that funds from this account should be returned to municipalities so that they can spend it as they see fit. The central government is convinced that municipalities should be given as much financial resources as possible so that they can perform the functions for which they are responsible. This tendency is gaining strength especially since the central government is becoming aware that many of the resources they now collect on behalf of municipalities are likely to decrease due to the new economic policies and liberalization of the market that the present government is pursuing. Thus custom duties, for example, which constitute a major portion of the IMF, are likely to decrease significantly in the future, as a result of the free trade policy that the government is now pursuing.

VII. Prelude to the 1998 Municipal Elections

The 1998 municipal election ushered a significant democratic step that put Lebanon on an advanced path towards an active liberal democracy. In preparation for those elections, the parliament and the public engaged in a series of discussions regarding issues dealing with local government, political and sectarian representation and electoral laws. These issues, which are discussed briefly here, offer an insight into not only the details of local matters, but also the ability of the Lebanese polity to address several critical matters in an open and constructive manner.

VII.A. Sectarian Representation

The 1977 Municipal Law was updated to address a host of issues. One of the most important points that the Municipal Law sought to address was how to ensure equitable representation at the local level (especially in cities, towns and villages that have mixed religious communities) with regard to various religious groups. The government (especially the former President) originally advocated that certain (one third) seats in large cities and municipalities (Beirut, Tripoli, etc.) be reserved so that once elections were held, the government would appoint to the reserved seats members of those religious communities that failed to be represented through the electoral process. The former President stated that this would be an important mechanism to ensure minority (Christian) representation in cities where the majority of the population is Muslim. The

Christian opposition however - both within the parliament and outside - rejected the principle of appointment and insisted that all seats for local government should be democratically elected. Among other things, they lacked confidence in the government to give it the right of appointment to some of the seats. The bill that passed and was promulgated accepted the opposition logic and decided that all seats to local government would be elected, and that ensuring religious balances would be left for the residents of each community to work out politically rather than through appointment.

VII.B. Representation of Propertied Summer Residents

A large number of towns and cities in the mountains presented another problem: in summer resorts, many properties and houses belong to individuals who reside in Beirut or other coastal cities. While they have property interests in those mountain areas, they currently have no right to vote in those mountain resorts since they vote in the cities where they are registered. In the past, some summer resorts would appoint representatives of those summer residents on municipal councils. The appointment method was intended to give those property owners some representation. The new law will negate this possibility. Elections for those areas will be for its original inhabitants and not for those who reside mainly in the summer. This is still a contentious issue that still needs to be addressed.

VII.C. Clarification of Jurisdictions among Levels of Government

As mentioned previously, the city of Beirut presents a special problem. Beirut is both a municipality and a Muhafaza. What, then, is the prerogative of the mayor as compared to the Muhafez? The Mayor is elected, while the Muhafez is appointed by the government and usually from outside of Beirut. As we shall discuss later, these jurisdictional issues and intergovernmental relations permeate many of the concerns in municipal government.

VII.D. Elections At-Large or from Specific Wards?

Another important pre-election issue was that the municipal law specifies that the elections for municipal councils will be at large, i.e. each member will be elected by the whole city or town and not on the basis of a ward system. In large cities this is a problem, as some areas within a city may be denied representation, as the majority group will win all the seats. In Beirut Muslims outnumber Christians by more than two to one. There was fear on the part of some that their representation would be denied. Even those Christians that are likely to be elected through the list system (each voter is entitled to vote for the whole number of seats in a particular jurisdiction) will be those supported by the Muslims and not necessarily those who are popular in their small Christian communities. The new law affirmed the old practice where election is done at-large. Pre election alliances resolved this issue by insuring that the list of candidates (24 seats) contained representation of all religious communities that enjoy support in their communities.

VII.E. Creation of New Municipalities

There was an additional proposal to create new municipalities to accommodate growth and distribution of population since 1963. As a result of increase in population and urbanization of the country side, many previously small communities which were attached to existing municipalities were asking that they be given the authority to create their own independent municipalities. Fearing that resolving this contentious problem would take extensive time to resolve, the law-makers decided to proceed with elections in accordance with the existing municipalities and tackle this issue after the election.

Therefore, the new municipal law did not address this issue and decided to work within the existing municipal boundaries. After the election, those communities who would like to secede and create their own municipalities have to do so within the confines of the law, but not before the election. The law deftly avoids this thorny issue that would have lead to the segregation and division of many existing municipalities along religious lines.

This issue remains, however, and was a major theme in our discussions with the newly elected council members.

VII.F. Election in Israeli-Held Territories and Adjacent Villages

Another issue that confronted policy makers before they could hold local elections, was the status of the territories in the South of Lebanon under the occupation of Israel. In the election of parliament, residents of the occupied area were allowed to participate in the

election by providing them with polling stations outside the occupation area. Was such a temporary solution feasible for local elections? There are those who argued that the population of those occupied regions should be given a chance to elect new municipal councils to rejuvenate municipal functions. Others argued that such elections could not be free under Israeli occupation and those elected will be subjected to Israeli reprisals. In the final analysis, it was decided to exclude the occupied area from local election.

VII.G. Elections in Towns whose Inhabitants were Displaced During the Civil War

Another thorny question that needed to be settled before the election, was the fate of those towns where many of their inhabitants were displaced to other regions during the civil war. Would municipal elections be allowed in those towns? Who would have the right to vote? Could those individuals from those towns who now reside in other areas be allowed to vote? Where would they vote? Should they return to their towns to vote and risk the animosity of those that displaced them and now occupy their homes? Would they be allowed to vote in polling stations outside their town? Would they be allowed to run for election? These and many other questions were serious issues that needed to be resolved before municipal elections could proceed. It was a daunting task for security forces to implement decisions taken and to preserve peace and order during elections. A number of political agreements needed to be reached to insure that elections in those towns were free and open to all of those who wanted to participate. In towns where the

risk of internal disorder was great, elections for a few municipalities were postponed until a later date.

All of these problems led many analysts to conclude that local elections were unlikely to be held as promised. Some argued that the government will use national security arguments and the likelihood of internal disorder to postpone elections, in the same way presidential elections were postponed two years earlier. Others argued that it was not in the interest of the Syrians and their principal supporters at the national level to allow those elections to take place. It was argued that such an election would show the weak support that those elected to national offices (parliament) actually have. Local elections, it was argued, would bring to the fore political forces not represented at the national level, thus undermining the legitimacy of the national government. Many argued that the central government does not have the necessary security and technical resources to undertake these elections. New voter registration lists needed to be prepared and upgraded. A special voter identification card would have to be issued to prevent fraud.

VII.H. Public Support for Local Elections

Despite these problems and the pessimism from some political analysts, the public was generally quite optimistic about the local polls prior to elections. A general popular movement emerged and organized itself in various civic groups advocating local

elections. As evidence of this optimism, *Al-Hayat* newspaper published a study on public attitudes regarding municipal elections on April 1, 1998. The study was prepared by the Center for Studies and Development Projects headed by Dr. Riad Tabbara. The results are listed here in order to underscore the wellspring of popular optimism surrounding local elections. This popular support was a main factor in holding local elections in spite of all the difficulties mentioned above.

The study covered 1513 persons chosen haphazardly from different Lebanese territories except the one under Israeli occupation. The study was focused on five Muhafazat: Beirut, Mount Lebanon, North Lebanon, Beka'a and South Lebanon. The results clearly indicated that the majority of the Lebanese were interested in municipal elections - much more than the parliamentary elections that took place in 1996. This was clear from the high percentage (76%) of people who declared that they would participate (vote) in municipal elections. It is also noteworthy that 84% were against the principle of appointment in municipal elections.

There was a difference among opinions on what will result from these elections. 32% believed the government coalition would gain power in municipal elections, while 19% believed opposition (Christian elements that did not participate in previous parliamentary elections) elements would win. In addition, 19% believed that independents would win

the elections, while 30% could not or did not want to anticipate the winner in elections.

However, there was a large difference in this percentage among different regions. While in the Beka'a valley the highest percentage expects the government coalition to win, it is the lowest in North Lebanon. The most important findings were:

1) *Do you support the principle of appointment in municipal elections?*

The overwhelming majority of the Lebanese opposed appointments in municipal government. 84% were against appointment while 11% supported appointments and 5% did not have any opinion (Figure 1).

The most pronounced difference was between religious sects. The Maronites had the highest percent for opposing appointment. 85% among Catholics, 87% among Orthodox and 91% among Maronites opposed appointment, while 83% among Shia, 81% among Sunni and 75% among Druze opposed appointment (Figure 1). Minimal difference was noted according to the educational level or age groups, except for women who were less opposed to appointment than men in all ages (Figure 2).

2) *Will you participate in the coming election?*

The overwhelming majority stated they would participate in the municipal election. 76%

will participate, 17% will not participate and 7% did not give any opinion.

There was no huge difference in opinion in our sample with regard to religion, education, age or jobs. As an example, about 78% of different sects declared their participation.

There was little difference based on the geographic distribution. The lowest percentage was 70% in Southern Lebanon that will participate in elections while the highest was in Beirut and its Suburbs 84% (Figure 4). As we shall discuss below, these results did accurately predict high voter turnout for elections.

3) Do you believe that the government coalition or opposition will win?

Opinions were divided, 32% expected the loyalists to win, 19% expected the opposition would win and 19% were with the independents. 30% did not or could not give their opinion.

This difference varied greatly between regions. In Beka'a, for example, the majority (52%) declared the loyalists would win, whereas this percentage declined to 22% in the North. The percentage of people who believed the opposition would win was 28% in East Beirut and the Southern Suburbs whereas only 4% expected the opposition to win in the Beka'a. The percentage of people who believed independent elements would win was (39%) in the Beka'a and it dropped to (2%) in the Southern Suburbs (Figure 5).

4) *Do you believe that the results of elections will be balanced among different sects?*

Opinions were divided on this question. 42% believed that elections would be balanced among different sects while 30% believed the opposite. 29% did not have any opinion. There was a substantial difference in the percentage between the sects and geographical location. Based on sectarian distribution, 61% of Catholics believed the distribution would be balanced while 47% of Sunni, 46% of Druze, 38% of the Maronites and 33% of the Shi'a believed in balanced distribution. Based on geographic distribution the North and the Beka'a valley had the highest percentages among people who believe the election will be balanced among different sects. 61% in the North, 59% in the Beka'a believed in balanced election, while the percentage dropped to 19% in the southern suburbs and 23% in Beirut.

1- Do you support the principle of appointment in municipal elections?

Table 1- Sectarian Distribution	Sunni	Shia	Maronite	Orthodox	Catholic	Druze	Other	Total
Yes	11,6	11,9	6,7	10,1	10,9	21,4	8,7	10,6
No	80,5	83,1	90,7	87,2	85,3	75,0	87,3	84,2
No Opinion	8,0	5,1	2,6	2,8	3,9	3,6	13,0	5,2
TOTAL	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0

2- Do you support the principle of appointment in municipal elections?

Table 2- Age & Sex	21-29 Male	21-29 Female	30-3 Male	30-39 Female	40-49 Male	40-49 Female	up to 50 Male	up to 50 Female	Total
Yes	10,2	13,6	10,3	11,2	11,0	13,4	7,7	5,9	10,7
No	86,5	80,8	86,8	80,4	86,1	79,6	86,7	83,5	84,1
No Opinion	3,3	5,6	2,9	8,4	3,0	7,0	5,6	10,6	5,2
TOTAL	100,0	100,0	100	100,0	100,0	100,0	100	100,0	100,0

3- Will you participate in the next municipal election?

Table 3- Sectarian Distribution	Sunni	Shia	Maronite	Orthodox	atholic	Druze	Other	Total
Yes	75,8	78,6	72,8	70,6	78,3	78,6	78,3	75,9
No	14	15,9	18,9	22,9	17,8	21,4	13	16,8
No Opinion	10,2	5,5	8,3	6,4	3,9		8,7	7,3
TOTAL	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0

4- Will you participate in the next municipal election?

Table 4- Geographic Distribution	Beirut	Southern Suburb	North Lebanon	South Lebanon	Bekaa	Mount Lebanon	Total
Yes	80,8	83,6	75,4	70,1	80,2	71,6	75,9
No	13,8	9,7	8,9	21	19,4	22,7	16,8
No Opinion	5,4	6,7	15,7	8,9	0,4	5,7	7,3
TOTAL	100,0	100,0	100,0	100,0	100,0	100,0	100,0

5 - Who do you think will win municipal elections: opposition or government coalition?

Table 5- Geographic Distribution	Beirut	Southern Suburb	North Leb.	South Leb.	Bekaa	Mount Leb.	Total
Loyalists	31,9	32,5	22,2	30,4	51,8	27,7	32,0
Oppositions	21,1	27,7	16,4	14,5	3,6	28,2	19,1
Independent	5,4	1,8	30,7	15,9	39,3	12,4	18,9
No opinion	41,6	38,0	30,7	39,3	5,3	31,7	30,0
TOTAL	100,0	100,0	100,0	100,0	100,0	100,0	100,0

6 - Do you think the results of the municipal election
will be fairly distributed between all sects?

Table 6- Sectarian Distribution	Sunni	Shia	Maronite	Orthodox	Catholic	Druze	Other	Total
Yes	46,6	33,4	38,1	40,4	61,2	46,4	52,2	41,6
No	23,5	32,7	37,2	33,9	20,9	35,7	21,7	29,8
No Opinion	29,9	33,8	24,7	25,7	17,8	17,9	26,1	28,6
TOTAL	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0

7 - Do you think the results of the municipal election
will be fairly distributed between all sects?

Table 7- Geographic Distribution	Beirut	Southern Suburb	North Lebanon	South Lebanon	Bekaa	Mount Lebanon	Total
Yes	22,8	19,3	60,8	39,7	58,7	35,6	41,6
No	35,9	34,9	17,1	19,6	36,0	35,8	29,8
No Opinion	41,3	45,8	22,2	40,7	5,3	28,6	28,6
TOTAL	100,0	100,0	100,0	100,0	100,0	100,0	100,0

VIII. Who Was Elected?

The municipal elections held in June 1998 were, by every account, free, fair and a major step forward for Lebanese politics. After 35 years and much pessimism regarding these elections, they were held with great fanfare and optimism. Calling the ballot “a remarkable improvement”, the Lebanese Association for Democratic Elections, which posted observers all over the country, reported only minor incidents. With an average voter turnout of 60-70 percent, participation was extraordinarily high – underscoring popular enthusiasm for the local polls.

Elections were also extremely competitive, further highlighting the openness of the electoral process in Lebanon. In several places, electoral lists backed by Prime Minister Hariri suffered major defeats. Clearly, rigged elections would have never allowed such victories by the Prime Minister’s opponents. While the government may have suffered some defeats at the polls; however, the ability to carry out free and fair elections despite persistent pessimism was a major victory in and of itself. It is noteworthy that praise for the smoothly run elections, and the absence of significant complaints came from many different parts of the Lebanese political spectrum.

Analyzing the details of the political winners and losers of the 1998 Municipal Elections is not the focus of this study. What is of interest; however, is an examination of who was

Republic of Lebanon
Office of the Minister of State for Administrative Reform
Center for Public Sector Projects and Studies
(C.P.S.P.S.)

elected, what their backgrounds are, what skills they possess and what expertise they bring to public life. Accordingly, CLD, with the cooperation of the Government of Lebanon, is in the process of carrying out an extensive and detailed survey of the newly elected council members and mayors. Nearly half of all the elected members have responded so far. These results indicate that this group of new public officials are relatively young, well educated, multilingual and come from diverse professional backgrounds. As the findings will discuss in greater detail, this level of competence and diversity will be crucial to the success of municipal government in Lebanon.

An overview of some of the preliminary results is presented below:

Distribution of Municipal Council Members by Age

Muhafazat	Total #	21-30	% of Total	31-40	% of Total	41-50	% of Total	51-60	% of Total	61-99	% of Total
Beka'a	392	22	5.6	134	34.2	123	31.4	71	18.1	42	10.7
South	607	40	6.6	201	33.1	181	29.8	93	15.3	92	15.2
North	654	70	10.7	211	32.3	193	29.5	100	15.3	80	12.2
Nabatiyah	400	18	4.5	153	38.2	128	32.0	57	14.2	44	11.0
Mt. Lebanon	1846	107	5.8	567	30.7	582	31.5	346	18.7	244	13.2

Educational Background of Mayors
Total Number of Mayors Surveyed: 352

Degree/Level	#	% of Total
Elementary	30	8.52
Junior High	44	12.5
Secondary	66	18.75
Vocational	41	11.65
Bachelor's	86	24.43
Master's	38	10.8
Doctorate	19	5.4
Law Degree	30	8.52
Medical Degree	24	6.82

Educational Backgrounds of Council Members
Total Number of Members Surveyed: 3899

Degree/Level	#	% of Total
Elementary	477	12.23
Junior High	669	17.16
Secondary	707	18.13
Vocational	614	15.75
Bachelor's	785	20.13
Master's	298	7.64
Doctorate	102	2.62
Law Degree	178	4.57
Medical Degree	187	4.8

Professional Backgrounds of Mayors
Number of Responses from Mayors: 352

Profession	#	% of Total
Media	6	1.7
Doctor	30	8.52
Lawyer	24	6.82
Teacher	11	3.13
Farmer	10	2.84
Business	152	43.18
Engineer	52	14.77
Office Employee	33	9.38
Other	34	9.66

Professional Backgrounds of Council Members
Number of Responses from Members: 3899

Profession	#	% of Total
Media	46	1.18
Doctor	217	5.57
Lawyer	152	3.9
Teacher	138	3.54
Farmer	147	3.77
Business	1,900	48.73

Engineer	419	10.75
Office Employee	628	16.11
Pharmacist	6	.10
Other	246	6.31

Foreign Language Abilities of Mayors
Total Number of Mayors Surveyed: 352

Language	# of Speakers	% of Total
German	7	1.99
English	254	72.16
Italian	5	1.42
Spanish	9	2.56
Farsi	1	.28
Portuguese	2	.57
Bulgarian	1	.28
Czech	1	.28
Russian	8	2.27
Romanian	4	1.14
French	289	82.1

Foreign Language Abilities of Council Members

Total Number of Members Surveyed: 3899

Language	# of Speakers	% of Total
German	54	1.39
English	2419	62.04
Italian	61	1.56
Spanish	78	2.0
Farsi	10	.26
Portuguese	13	.33
Bulgarian	16	.41
Czech	6	.15
Russian	104	2.67
Romanian	28	.72
French	2960	75.92
Armenian	4	.1
Turkish	3	.08
Slovakian	1	.03
Swedish	4	.1
Chinese	1	.03
Croatian	1	.03
Polish	2	.05
Hungarian	2	.05
Dutch	1	.03
Yugoslav	4	.1
Greek	8	.21

Computer Capabilities of Mayors
Number of Responses from Mayors: 352

Level	#	% of Total
Used Computer Previously	140	39.77
Can Type Letters, Charts, etc.	113	32.10
Can Access and Use Internet	61	17.33

Computer Capabilities of Council Members
Number of Responses from Members: 3899

Level	#	% of Total
Used Computer Previously	1446	37.09
Can Type Letters, Charts, etc.	1174	30.11
Can Access and Use Internet	598	15.34

As the data show, then, the cadre of municipal council members and mayors that met with the CLD in Lebanon possesses remarkable skills and experience. What the findings below illustrate in detail is how these new public servants have utilized their skills and experience to astutely assess the status of their municipalities with regard to a host of political, administrative and logistical matters.

IX. Findings

IX.A. Public Participation/Transparency

The qualities required in an active and sustainable democracy take on their most immediate form in cities, towns and villages - where government action (or inaction) is most clearly perceived and felt by the citizenry. Local government is more likely than central agencies to be better informed about the needs of citizens, while those same citizens can most easily access local officials and hold them accountable for their actions.

In order for democracy to sustain itself in any meaningful way, its core values must be maintained and promoted on a daily basis and through various interactions between citizens and local officials. If local government appears to be ineffective or unresponsive to the citizens' needs beyond election day, then the entire governmental system will be poisoned by cynicism and apathy. In such a case, democracy becomes mere window-dressing and elections are an empty ritual. Clearly, the ability of local government to carry out its functions in a manner that is transparent to the public and allows for and promotes public participation is essential to this effort.

Among the various issues related to transparency and participation that municipal council members discussed with the CLD team was the role that open municipal council

meetings play in the promotion of democratic values on the local level. Law currently prohibits municipal councils from holding their official sessions in public. Closed municipal meetings were considered necessary to allow free and frank discussion among council members, to maintain order in informal meetings and to preserve privacy. While there were some municipal council members and presidents who supported this legal provision because it allowed them to discuss sensitive issues without them becoming overly divisive, others supported a change in this law so that they could fully include the public in the policymaking process. More than simply parroting the theoretical democratic virtues of open meetings, most local political actors who met with the CLD Team fully understood the tangible political value of being able to present their ideas to the public and defend their positions on sometimes controversial issues. Furthermore, the vast majority of local officials understood that active and constructive participation by their constituents is a crucial component for the creation and maintenance of a vibrant political society and, more importantly, a municipality that is a contributing partner in Lebanon's democracy.

Indeed, some municipalities are already well-along in the evolution toward open meetings and have developed municipal newsletters, informational sessions for the public, procedures for receiving and responding to citizens' complaints and suggestions, and the calling of expert witnesses for municipal council committee meetings. In addition, all the

councils that the CLD team visited made certain that the minutes (or sometimes only the decisions) of the councils were available to the public in written form. In some cases, however, these written documents purposely failed to disclose the entirety of the councils' proceedings (by the admission of local officials).

In the opinion of the CLD team, unnecessary secrecy in the way municipal councils undertake their functions and the criteria they use to grant or deny services can undermine public confidence in the legitimacy of local government and hampers the timely and free flow of information between local officials and citizens. At a time when municipal councils need the cooperation of citizens to improve the collection of taxes, including back taxes that are overdue since the civil war, it is important that municipal actions be transparent, rational, fair and equitable. Citizens' understanding of the rationale of decisions is essential for compliance and support. Citizens need a clear sense of where the money is going, to what end, and by way of what process. Municipalities in Lebanon need to spend a lot of attention to improving the relationship between the municipal council and the citizens.

Another issue crucial to the transparent operation of local government is the status of full financial disclosure and governmental ethics. Full financial disclosure of officials' financial interests can thwart charges of conflict of interest and make inappropriate

financial dealings by government officials less likely- and easier to find if they do take place. This is quite a thorny issue in a country that respects bank secrecy as a pillar of its banking policy. Instead of full financial disclosure, municipalities may need to develop a code of ethics that govern the work of municipal council members, such as conflict of interest legislation, accepting favors and other acts that may undermine the legitimacy of their official actions.

Another issue that was articulated in CLD meetings with several municipal councils, particularly those that serve as summer resorts, is the need to find an institutional mechanism to represent the interests of those citizens who are registered to vote in the municipality in which they spend most of their time, but own property and have interests elsewhere. In the past, some municipalities created councils of summer residents as a way to encourage their participation in municipal affairs and ensure that their concerns and ideas have a forum. Those councils were eliminated in the 1998 elections, but several municipal council members expressed concern over the problem of having so many residents who could neither vote nor officially participate in municipal government. Perhaps creation of advisory boards that include prominent members of the summer resident communities may be a way to address this problem.

IX.B. Procedural Matters

Municipalities in Lebanon at present have no formal rules governing their meetings and the way they prepare their agenda and conduct their discussions. Although the challenge of internal rules may be viewed as procedural rather than substantive, it is nevertheless an important issue that has the potential for profound consequences with regard to efficiency, fairness and competence of the municipal level of government in Lebanon. Another procedural issue deals with the need to simplify and standardize procedures involved in various transactions that municipalities impose on citizens. Thus, utilization of common forms, matrices and procedures by the newly elected councils could prompt an early and enormous leap forward toward not only simplification for municipalities themselves, but also easy accessibility for their constituents.

Possibilities for standardized rules include, for example, the "rules of order" for the conduct of council and committee meetings of municipalities. Perhaps the promulgation of broad national standards for council activities, supplemented by specific standards adopted by individual municipalities that would speak to the local needs and desires of each community, would allow for a common generic framework, but also specific procedures accommodating individual needs and circumstances of diverse localities. Rules of order would detail both the basic procedural agenda for such meetings, as well as the process of bringing business before the council or committee and disposing of such

business. Such ground rules for meetings would allow difficult issues to be dealt with in an orderly and civil manner, and would offer the public a view of governmental proceedings that are orderly, effective, professional and legitimate. Most importantly, it would moderate the unchecked power of the mayors. In the municipalities interviewed by CLD team, agendas for meetings of their respective councils are now most often developed individually by the mayor on an ad-hoc basis. Standardization of meetings could also have the advantage of injecting a model of public participation into the routine format for such meetings. A "right" of citizen participation and municipal transparency could be effectively established through the constant presence of a period of public comment in all council and perhaps committee agendas. As reviewed earlier in this report, there is currently not even legal provisions for public presence at such meetings, much less an opportunity to actively participate or to question municipal actions or policy.

Particularly in this age of information technology, standardization of data would also represent a critically important step for municipalities throughout Lebanon. Such commonality of information would: promote comparative analysis among municipalities, assist in encouraging regional collaborations, and allow for effective sharing of data among municipalities and among levels of government. Moreover, standardization of data would assist the Ministry of Interior and MOMRA in accurately assessing municipal

made significant progress in development of a budget format for revenues and expenditures, improved sophistication and increased standardization among all municipalities will ultimately be required.

Standardized forms would also be invaluable in many other municipal functions such as: assessment notices and tax levies, collection procedures, building and other land use permits, formal complaints to the municipality, public safety violations and many more. Such forms would not only promote efficiency and fairness, but might also serve to essentially redefine procedures in many instances.

It is important to note here that a significant start has been made in the area of standardization by the CLD in its work on budget systems, revenue and fee forms, permit and license transactions and other municipal forms. Insuring that these forms are adopted and enacted and utilized in all municipalities will require substantive funds and appropriate training for both council members and municipal staff.

IX.C. Municipal Administration/Services

Similar to most municipal functions and issues, effective administration and efficient delivery of public services represent major challenges to the newly elected councils throughout Lebanon. Although there are significant differences among municipalities,

depending for example on size and location of the municipality, even very basic and critical services must be identified and established by most municipalities in this post-war era. In the short time since municipal elections in 1998, many localities have taken impressive strides toward that goal, but most also have enormous challenges ahead. Especially in a rapidly growing community such as Chweifat, the municipality has developed from a village to a major city since the pre-war period. The president acknowledged to the CLD team the overwhelming dilemma created by the fact that the administrative structures and staff remain essentially in a pre-war model.

IX.D. Need for Additional Municipal Staff and Appropriate Training

A recent survey of municipal council members, conducted by CLD, reveals that many of the newly elected council members have very strong credentials to lead the effort to modernize local government administration and to begin the delivery of essential municipal services. Many not only are representative of important historical, sectarian, and family dimensions of the community, but also have professional backgrounds as engineers, attorneys, contractors, physicians, administrators, information specialists and other modern occupation and specialization. Among the 12 council members in one rural municipality interviewed by the CLD team, one finds 5 engineers, 1 dentist and 3 accountants. Municipal councils are not only leaders of their community and possess a high degree of sophistication, they are politically more representative of the population

than the political representation that one finds at the national level.

Education level aside, the CLD team found that many of the council members lack the breadth of experience in-group dynamics that will be essential to an effective governing body. Indeed, one NGO officer interviewed, pointed to this problem as an enormous hurdle to effective governance throughout Lebanon. Some of the training models and procedural steps recommended in this report, such as standardization of rules, agendas and processes, would doubtless assist in the effort to remedy that dilemma. Training in inter group conflict management may also be needed.

From a gender perspective, although a small number of women were elected throughout the country, most municipal councils are preponderantly male. Like many of the challenges facing municipal government in Lebanon, this is an issue that will likely take a number of elections to make demonstrable progress.

It is important to consider that there are substantial differences among municipalities in terms of current priorities and needs. For example, smaller municipalities routinely have little to no administrative staff, technological capability or similar support mechanisms. Special attention is required in terms of training and improved resources for all municipalities, but particularly for those smaller councils in rural settings and those

councils representing rapidly growing communities.

Largely due to the lack of professional staff in many municipalities, the new councils are essentially called upon to perform a day-to-day administrative role, as well as a more common policy role for legislative or representative bodies. Although many of the new council members seem willing to assume administrative tasks and will doubtless need to do so to a substantial degree, it is unrealistic to believe that part-time, uncompensated council members can fully or perpetually serve that role.

A minimal configuration of professional staff should be a primary goal for municipalities throughout Lebanon. Basic administrative services such as administrative, financial staff for budgeting and tax assessment and collection, public safety, sanitary and information specialists should become common to all municipalities and, therefore, current restrictions imposed by the central government upon the hiring of staff will need to be lifted. The new government has announced its intention to lift these restrictions to allow municipalities to move forward. In the opinion of several mayors and council members interviewed, such restrictions by the central government represented very troublesome barriers to municipal progress.

There is an overwhelming need for training of both council members and administrative staff. Training should be broad based touching on the central functions of municipalities. Initially for demonstration purposes, CLD has initiated training programs in several municipal applications and information systems. This program received increased visibility and credibility by a recent, well-publicized presentation of certificates to municipal staff and members completing the training program in the municipality of Chweifat. The event was attended by several ministers and municipal officials, leaders of CLD, media, Minister of MOMRA and the USAID Mission Director in Lebanon (see attached press release further describing this event).

IX.E. Specialization and Differentiation in Municipal Councils

Many municipalities have acted to establish a structure of committees to focus upon specific public priorities such as infrastructure, water, health and environment. This is an important step and should be strengthened by the engagement of citizens from the municipality in the committee and perhaps subcommittee structures. A rapidly growing municipality such as Chweifat, for example, has established 12 committees pursuant to a 5-year development plan, but without citizen participation to date on the committees. The need for an effective model of municipal planning can hardly be overstated. Competent planning can speak to many of the most pressing needs of municipalities, including budgeting, land use, economic development, environmental stewardship and

other public challenges. The planning function can also help in the effort to establish project priorities in an environment of scarce municipal resources, yet enormous needs. Effective planning should also utilize a public hearing process to assess public perspectives and priorities.

As outlined in the section above on standardization, the promulgation of common forms and procedures could have a very beneficial effect upon the operation of municipalities. Obvious examples would be a standard model for the conduct of council meetings and standard forms for the issuance of municipal licenses and permits.

IX.F. Municipal Budgeting

A competent approach to municipal budgeting is central to all other functions of municipalities in Lebanon. Development and implementation of a realistic and effective budget serves as an invaluable information system, management system, and planning function for municipalities. Once again, standardization will be critically important if budgeting is to serve these several municipal purposes and if improved auditing and public scrutiny are to be achieved. Currently, municipalities face substantial hurdles in the effort to implement effective budgeting. These include, for example: accurate revenue forecasting, fee and tax assessment and collection, improved procedures and policies of the central government and many others.

During the years of civil war and minimal governmental services at the local level, fees and taxes were not imposed and collected by many municipalities. This not only creates a current problem of process, but also a political problem of assessing and collecting fees and taxes from those unaccustomed to such charges and procedures. It points to the overwhelming need for public education as to the role of municipalities and the necessity of local taxes to meeting pressing public needs and delivering essential municipal services.

It is apparent that there is considerable confusion as to the extent of discretion in the imposition of taxes and fees. Some municipal councils are seeking to essentially phase in such charges, impose differential rates based upon ability to pay, or grant waivers based upon certain municipal criteria and goals. As an example, one rural municipality interviewed by the CLD team is very actively promoting goals such as preservation of pine trees and construction of tile roofs through utilization of tax waiver policies. It is unclear whether such discretion actually exists under the law. Discretion when exercised has to be rationalized and explained, otherwise it may lead to confusion, favoritism and fiscal or legal infractions punishable by law.

The fiscal relationship of municipalities to the central government is both of great importance and great consequence. For example, forecasting revenues from indirect

taxes collected by the central government and returned to municipalities is problematic to localities. Moreover, mandatory use of the "central bank" for deposit of municipal funds and lack of interest on such funds are both understandable sources of concern to municipal officials. Few officials were interviewed who did not point to frustrations over the extent of "control" by the central government.

In the preparation and implementation of municipal budgets, a transition away from the current cash method of accounting apparently utilized by municipalities to an accrual system based on generally accepted accounting principles will be essential to effective municipal budgeting.

IX.G. Training

As indicated throughout this report, there is an overwhelming need for training of municipal officials, both elected and appointed. Moreover, there is an equally compelling need for training of the general public in the role and functions of municipal government.

These needs are particularly important due to the extended period of time that municipal government was essentially moribund in Lebanon.

Priority areas for training of council members and administrative staff are, for example: importance and models of public participation, internal procedures, intergovernmental

relations, planning, taxation, bidding procedures, procurement, municipal budgeting, best practices on administrative functions, legal issues, service delivery and information technology.

There are current models of training, including: CLD, MOMRA, the Civil Service Board, the Government Accounting Office, the Central Inspection Board and other non-governmental organizations. Such models should be both encouraged and coordinated for maximum impact.

IX.H. Information Infrastructure and Dissemination

Similar to the role and impact of transportation infrastructure upon the vitality of municipalities in the 19th and 20th centuries, information infrastructure will have a profound impact upon municipalities in the 21st century. It is essential that relevant data and other information be both accessible and understandable to municipalities and to the public in Lebanon. It will be essential to achieve a dramatic improvement in computer hardware and software utilization, as well as comprehensive training, in order to realize the advantages of improved access to information.

A primary example of the kind of effort required is the work of CLD as a part of the current USAID project in Lebanon. The center has developed summaries of statutes

applicable to municipalities, a homepage for the Parliament of Lebanon, a survey of current municipal officials and a training program on utilization of computer technologies by municipalities.

IX.I Intergovernmental Relations

For many reasons, cross-border, cross-sector relationships will be critical to the success of municipal government in Lebanon. The challenges facing individual localities are daunting in any case and will be impossible to meet without the assistance of constructive and collaborative arrangements supporting municipal functions and priorities.

Perhaps most important in the near term are vertical relationships between municipalities and the central government, most particularly including Parliament, MOMRA, Ministry of Finance and Court of Audit. Indeed, virtually all of the municipal officials interviewed indicated that not only are such relationships critical, but are frequently a source of great frustration to localities because of perceived conflicts among central entities and, in general, the level of control exercised by the central government. That is, many local officials feel caught between requirements of, for example, MOMRA and apparently conflicting requirements of the Ministry of Finance.

Current discussion of major decentralization legislation in Parliament could have a direct and compelling impact upon such vertical relationships. It will be of great importance for

municipalities to monitor, understand and attempt to influence the process and substance of this legislation. Moreover, controversies as to the structure of the central government have intensified in the brief time since the new President took office in November 1998. As an example, Interior Minister, Michel Murr, recently argued that MOMRA and the Ministry of Environment should be abolished entirely and their responsibilities assumed by local municipal councils.

Representatives to Parliament are elected from regions rather than individual parliamentary districts. As a consequence, municipalities frequently lack a direct relationship to individual Members of Parliament. That is, there is no one representative specifically charged with representing an individual municipality. Smaller municipalities frequently feel disenfranchised by this system, believing that Members of Parliament inevitably concentrate upon more urbanized or populated portions of the region. On a horizontal level, many municipalities are already entering into informal, voluntary collaborations with other municipalities in their regions. These are most often convened over individual issues such as water infrastructure or fire protection. Most often, such efforts are based upon the initiative of a council president with a particular concern on an issue of concern to multiple localities. Inevitably, there will be value in more formal collaborations or compacts among municipalities on challenges of long-term duration. Similarly, there is a need for representative organizations representing all or most

municipalities at the central level of government.

X. SUMMARY RECOMMENDATIONS

X.A. Public Participation

- Current anecdotal efforts should be encouraged and perpetuated that seek to make municipal processes and information accessible to the public through:
 - Summaries of meetings and decisions;
 - Municipal “newsletters”.

- Establishment of a practical procedure for submission of written complaints, comments and questions by individual citizens;

- Citizens should be authorized and encouraged to serve on municipal committees and subcommittees;

- The central law providing for secrecy of municipal meetings should be changed so as to authorize open meetings and eventually to mandate open meetings:
 - Exceptions should be created for sensitive personnel matters and litigation issues.
 - Citizens should be provided access to all public documents. Again,

exceptions are appropriate for certain stages of bidding procedures, personnel files, litigation, etc.;

- A form should be developed and promulgated for financial disclosure of public officers sufficient to identify possible conflicts of interest;
- NGOs and schools should have active programs of education/training for public in democratic principles and processes, and specific procedures of access;
- The national law providing for the right of citizens to change their place of voting should be backed up with practical procedures to accomplish such changes;
- Recognizing that important historical and sectarian considerations need to be taken into consideration, a process of voter registration that more accurately reflects citizen patterns of residency should be implemented over a reasonable period of time. Initially, a study of this problem should be undertaken.

X.B. Procedural Matters

- Development and promulgation of standard forms or matrices for a wide spectrum of municipal functions including:
 - Municipal budget;
 - Property assessment;

- Imposition of taxes or fees;
 - Citizen complaints/comments;
 - Application for licenses/permits;
 - Municipal meeting agenda;
 - Freedom of information request.
- Adoption of a standard “rules of order” establishing procedures for conduct of municipal council and committee meetings;
 - Utilization of common software and matrices for collection and dissemination of data on municipalities.

X.C. Municipal Administration/Services

- Critically important to continue use of surveys and to actively pursue management of and accessibility to resulting data/information;
- Women should be encouraged to participate in municipal government, including running for council positions;
- Increased resources should be provided for hiring of professional staff, and restrictions on such hires should be removed;
- Training of council members and staff should be continued;

- Each municipality should adopt a structure of committees and subcommittees.

X.D. Municipal Budgeting

- Development and utilization of standardized forms for development of the budget and all budget processes, such as property assessments, imposition of taxes and fees, etc.;
- All municipalities should move from a cash accounting system to a system based upon generally accepted accounting principles;
- Mandatory use of central bank should be reconsidered, and a system of giving municipalities the benefit of interest on their funds should be implemented;
- Essential to clarify tax and fee issues and establish a common procedure for assessment and collection of such funds.

X.E. Training

- Continued utilization of training provided by CLD, NGO's, ministries, etc.;
- Continued assistance to World Bank regarding completion of municipal survey;
- Training should be focused upon council members, municipal staff, and the public and include topics such as:
 - Information technology;
 - Training of municipal officials regarding public participation;
 - Training of public regarding participation;

- Budgeting;
- Planning;
- Best practices;
- Legal issues.

X.F. Information Infrastructure/Dissemination

- Central role of CLD should be perpetuated in areas such as:
 - Summaries of law applicable to municipalities;
 - Central government homepage development and connectivity;
 - Surveys;
 - Training.
- Each municipality in Lebanon should have at least a computer and appropriate software for purposes such as:
 - Budget planning and development;
 - Access to CLD's Parliamentary Homepage and other Web resources;
 - Personnel records;
 - Demographic information;
 - Computation and collection of taxes and fees;
 - Dissemination of council actions and other municipal information;
 - Facilitation of communications with residents not residing in municipality.

- Data should be managed and disseminated in ways that are accessible and understandable to public.

X.G. Intergovernmental Relations

- Specific provisions and implications of new legislation and structures should be actively monitored and understood:
 - Decentralization bill;
 - Newly-organized central government, including new structure of ministries;
 - Institutional mechanisms should be designed and utilized to ensure that municipal, public and other perspectives are included in the policy-making process.
- Formal and informal collaborations among municipalities should be encouraged and facilitated:
 - Ittihad al-baladiyaat (municipal federations);
 - Representative organizations for municipalities (e.g. creation of National Association of Mayors, Association of Municipalities, etc.);
 - Project-oriented collaborations regarding individual priorities such as water, electricity, roads, etc.
- Creation of improved linkages among tiers of governance in Lebanon:
 - Utilization of district offices in regions to facilitate direct communication and

- Promote efficiency and accountability at the municipal level of government.

There are both extraordinary opportunities and inevitable snares ahead for the municipal level of government in Lebanon. To take advantage of those opportunities and avoid the snares will clearly take an exceptional spirit and strong commitment.