

RESEARCH REPORT



PERSPECTIVES ON POLICY-MAKING:

*Insights into the Role of the
Parliament in Lebanon*

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**PERSPECTIVES
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INSIGHTS INTO THE ROLE
OF THE PARLIAMENT
IN LEBANON**

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CONTEXTUAL OVERVIEW

The Lebanese state was established with an unwritten agreement after the independence, the National Pact, between a Christian leader, Bechara El-Khoury, and a Muslim leader, Riad El-Solh. Although at this point the division between the different religious sects in the country was not an issue; each group maintained its distinct presence in the governing structure of the country. The National Pact highlighted four main principles that secured the independence of the country, maintained its close relationship with the West and the Arab states, and emphasized the proportionality in the distribution of the public offices among the recognized religious groups in the country, primarily the Christians, Muslims and Druze.

Today, Lebanon is – relatively – one of the most stable democracies in the Arab world. Lebanon’s democratic state is led by a confessional system,¹ in which the political and administrative functions are handled by the dominant sects (Krayem, 2012). The four largest religious groups are currently the Christians, the Sunnis, the Shias and the Druze. Each religious group is represented in parliament and holds a number of seats, a figure that is determined by the historic census of 1932 (Jaulin and El-Khoury, 2012).

A number of internal conflicts associated with the Lebanese system and several regional developments led to the collapse of governmental authority and the emergence of civil war in 1975 (Khalidi 1979; Salibi 1976; Petran 1987). The civil war lasted for 15 years (1975-1990), during which the country witnessed large-scale destruction of its infrastructure and a high proportion of civilian casualties. The civil war ended when political parties involved in the Lebanese Civil War reached the Taif Agreement in 1989 under the auspices of the Arab League Tripartite Committee. The Taif Agreement, or the Document of National Understanding, ensured an end to the civil war and the return of political normalcy in Lebanon (Krayem 2012). This agreement also aimed at promoting more participatory and representative governance in the country. The Taif Agreement endorsed the set up below established by the National Pact in 1943 by amending

¹ A confessional system is a system of government whereby political and institutional power is proportionally distributed among the religious sects in the country.

article 24 of the constitution², the following governing structure now prevails in Lebanon:

- ▶ The Prime Minister is a Sunni Muslim;
- ▶ The Speaker of the Parliament (elected by members of the Parliament) is a Shia Muslim;
- ▶ The President is a Maronite Christian.

Furthermore, the Republic of Lebanon is primarily run by the system of parliamentary democracy. The constitution of the nation confers its citizens with the right to bring about a change in government. The president of the nation is elected for a period of six years by the members of the Parliament. The Constitution of Lebanon confers the president with the powers of execution of laws, negotiation and ratification of pacts and the issuance of alternative rules for the execution of laws. The Parliament is the law-making body in Lebanon. Citizens over the age of 21 are permitted to exercise their voting rights and elect the members of the parliament. After the Taif Agreement, the Lebanese government gained more power than before, and was commissioned with developing public policies and drafting laws and decrees for the State. The Council is further capable of mapping the decisions deemed necessary for the application of these laws and decrees.

In 1992, parliamentary elections were held and a new government was installed. The country went through a reconstruction phase after the civil war, which reshaped its infrastructure. Lebanon experienced a period of political stability after the Taif Agreement, despite three heavy Israeli air attacks on Lebanon in 1993, 1996, and 2006 (Picard and Ramsbotham, 2012). Early in 2005, former Prime Minister Rafic El-Hariri was assassinated. His assassination divided the country into two partisan camps (Sensenig-Dabbous, 2009). Shortly after that, in the summer of 2006, Israel attacked Lebanon, which led to a hardening of the two opposing partisan camps (Sensenig-Dabbous, 2009). The July 2006 attacks on Lebanon led to severe economic, social, and infrastructural devastation in some areas of the country, particularly the south, as well as the suburbs of Beirut, impacting businesses, villages, houses, and schools, as well as injuring and

² Article 24 of the Lebanese constitution states: “The distribution of the seats of the House of Deputies or Parliament equally between Christians and Muslims and proportionally among each of them until such time as the House of Deputies has enacted an electoral law not on the basis of religious representation.”

killing thousands of civilians (World Bank, 2012). The country also sustained a political stalemate phase that lasted 18 months during 2007 and 2008, paralyzing the country and its economy (UNDP, 2009). The resulting political division was further aggravated in May 2008 through sectarian clashes. This political separation is still clearly manifested today, and the situation is further threatened by the Syrian conflict that has had a multifaceted spillover effect on the country. These events have had an effect on the decision making process and public policy-making in the country.

LITERATURE REVIEW

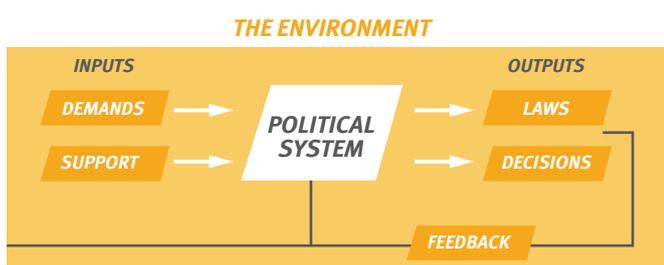
Definition of Public Policy

There have been a number of definitions of public policy that have helped shape the understanding of this intricate phenomenon, particularly in a region as complex as the MENA region. Cochran (1999) refers to the term public policy as that which entails the actions of government and the intentions that determine these actions, adding, “public policy is the outcome of the struggle in government over who gets what” (1999). Dye (1992) also maintains that public policy is “whatever governments choose to do or not to do.” As for Peters (1999), he explains that public policy is “the sum of government activities, whether acting directly or through agents, as it has an influence on the life of citizens” (1999). All other variants of the definition suggest that public policy-making usually comprises those actions of the government targeting the “public,” or the great variety of the population.

From a systems theory perspective, public policy has been classified as a political system’s response to demands arising from its environment (Anderson, 2011). The political system model used for the purpose of this study is composed particularly of inputs and outputs, such as laws, rules and public policies that are influenced by the demands for action supported by either individuals or groups, and feedback within the environment (see figure 1 below). Public policy-making is a complex interactive process that is influenced by the diverse nature of socio-political and other environmental forces that lead to variations in the “outputs” and impact (Osman, 2002). According to Rose (1969), public policy-making is a process that entails negotiations, bargaining, and accommodation of different interests, thus becoming of a political nature (1969). The systems theory approach is limited in that it does not provide insight on the procedures and processes by which decisions are made; however, it allows for a better understanding of policy formation with particular emphasis on the political aspects of the policy-making process.

Figure 1

Model of Political System (Anderson, 2011)



The Lebanese Context

Many scholars have written about public policy in Europe and the United States. However, little work can be found on public policy in the MENA region and Lebanon in particular. In Lebanon, there have been very few attempts at documenting the policy-making process within specific sectors, such as environment and health. Thus, there seems to be a need for better understanding of the policy-making process and how policies are formed in Lebanon, with a focus on key players such as the MPs. It is also equally important to gain a better understanding of the networks that exist between different actors and stakeholders within the policy-making process.

Structure

The Lebanese context of decision-making is particularly marked by political divisions that, in turn, are reproduced throughout the sectarian groups in the country. The Council of Ministers (COM) in Lebanon is responsible for setting the general policy of the state in all domains, drawing draft bills and decrees, and overseeing the implementation of laws. The executive power, represented by the COM, was given additional authority through the Taif Accord in 1989. The Executive also controls the armed forces. The political structure of Lebanon has thus created a weak government, but at the same time ensured equal representation for all local communities. Seeberg (2009) argues that “the political deadlock caused by the confessional politics usually makes the politicians focus mainly on avoiding another breakdown and the system never normalizes.”

Despite the different rounds of negotiations that Lebanese officials have attempted in order to bring forth better governance, the sectarian divisions have increasingly become more profound. In 2009, Lebanon’s National Human Development Report stated that:

“Political discussion in Lebanon has become increasingly limited to negotiations between representatives of the different sectarian groups. This has led the public good to become defined primarily as the achievement of a balance and the maintenance of peace among different communities without regard for efficiency and long term sustainability.”

Salloukh (2009) pointed out that “the Primacy of [the] Sectarian System” has only institutionalized the clientelistic confessional political system in the country, which serves the interests of ethnic, rather

than national, politicians. Therefore, public concern thus becomes a private or personal concern rather than becoming part of a political platform.

Policy-making and the Role of the Parliament in Lebanon

The Role of the Lebanese Parliament

The parliament plays multiple roles in any country, primarily defined by its role to enact legislations and serve as a check on the executive branch. The Lebanese Parliament has been the representative national assembly since 1922, even prior to Lebanon's independence. The Lebanese Parliament defines itself primarily as a forum for national dialogue among different communities. It is viewed as fulfilling the role of a "median in the national dialogue" (UNDP, p. 11, 2006). Furthermore, the Parliament claims to be the venue where the major decisions of the country are formulated.

The Lebanese Parliament is set up to embody the various religious groups and political forces. According to Article 64 of the Lebanese Constitution, the Parliament elects the President of the Republic and conducts parliamentary consultations that lead to the appointment of the Prime Minister in charge of forming a new cabinet. The government cannot rule before it gains the confidence of the National Assembly. The Parliament also elects members of the Constitutional Council, the Audiovisual Higher Council and the Supreme Court. The parliament influences other political entities and has a veto/blocking power over them (Lebanese Constitution, Article 64, p 84).

The Parliamentary Administration is called the "Secretariat General." As in many Arab national assemblies, it is headed by the Secretary-General and comprises six General Directorates. The National Assembly's administration witnessed a major change throughout the last decade, particularly after 1992, as a result of the development of the legislative authority's role along with advancements in legislative and supervisory work mechanisms. Many new directorates were created in order to provide services related to the legislative process.

Policy-making in Lebanon

As in many legislative bodies worldwide, the legislative process takes place in parliamentary committees. Salamey and Payne (2008) explain that the parliament consists of different committees that are charged with reviewing the draft laws submitted

to the national assembly. These committees are also responsible for monitoring the activities of the government by communicating with ministers in the public sector. Each parliamentary committee meets upon a request from the head of the committee. The committees examine the different subjects presented to them. Committee sessions are usually open to all deputies who can attend and participate in the discussions even if they are not members of the concerned committee (Salamey and Payne, 2008).

According to Article 19 of the Constitution, a parliamentary committee has the responsibility of reviewing all the laws and ensuring their accordance with the Constitution. The Administration and Justice Committee is sometimes referred to as the 'kitchen,' where legislation is cooked up, and is also considered one of the "strongest" committees. As far as the relationship between the parliament and the relevant ministries is concerned, the parliament reports that it is a minister's responsibility to provide different committees with information and documentation, particularly when the committees need additional information on a certain issue. The committee members are entitled to request a competent minister to provide them with the evidence or background information needed. "The information flow has to come from the minister" (UNDP, 2006).

Voting in the parliamentary committees usually takes place following the discussion of the draft laws and proposals submitted. Reports prepared by the parliamentary committees are sent to the general assembly and then added to the plenary session's agenda. The work of the committees is usually not considered binding. Their decisions are considered as a "recommendation" for the government. As one MP was quoted saying on the matter of information: "we combine all the points of view of the other committees. Sometimes, we [might] be studying economic issues, so we invite labor unions and business owners to understand their point of view" (UNDP, 2006). This indicates that there seems to be a lack of legal institutions or formal structures that might be able to provide the parliamentary committees with objective and evidence-based research.

According to Salamey and Payne (2008), committee proceedings are closed except when MPs decide to invite outside input. The Lebanese Parliament has a modest degree of institutional transparency. The website is basic but provides summaries of current

and recent legislative action. General parliamentary sessions are broadcast on television and radio. The activity report of 2006 does not show how a law is actually passed beyond the work of the committee in the parliament. Salamey and Payne (2008) also discuss the Lebanese Parliament's inefficiency in researching, drafting, reviewing, and amending laws to date. They argue that this is due to the parliament's inability to reach consensus on national issues of importance and a lack of internal capacity due to the sectarian make-up of the system. These sectarian blocs in the national assembly are more concerned with safeguarding their share of public resources than national needs and reform. There is no legislative counsel or effective research unit to provide technical assistance to MPs or committees despite various efforts made in this regard.

Drawing on Salamey and Payne's (2008) last point regarding the role of parliamentarians in policy-making, the perceived roles of parliamentarians in this study will be categorized according to Bolman and Deal's (2008) four framework approach, which suggests that leaders display behaviors in one of four frameworks: structural, human resource, political, or symbolic. Under the structural approach, an MP would try to design and implement a process or structure that will be applicable to the problem and the circumstances appropriate to both the task at hand and the environment. An MP operating within a human resources framework would be mainly concerned with being responsive to the needs of the people. As for the political MP, s/he tends to play a political role in the policy-making process where the decisions are purely based on building alliances. Finally, the fourth framework describes the symbolic MP who relies heavily on the organizational traditions and values as a basis for building a common vision and culture.

Realities in Policy-making in Lebanon

The background overview of the Lebanese context on policy-making demonstrates that the executive branch plays a critical and directive role in decision-making. The executive branch is commissioned to draft bills, which are then submitted to the parliament for consideration (Salamey and Payne, 2008). MPs can also sponsor, support, and advance a proposal for a new law to the chamber. In the case of public policy, the executive is left with more power to set the agenda and much of the politics take place outside of parliament. However, given the political and sectarian divisions within the national assembly, Cammet (2010) argued that parliamentary activity is usually not centered on priorities that improve citizens' everyday lives. She notes that between 2005 and 2007, over 18 initiatives submitted by MPs of the Future Movement

to the parliament were directly related to justice (including institutional arrangements for investigating the assassination of former Prime Minister Rafic Hariri). Meanwhile, opposition MPs tended to propose parliamentary reforms and anti-corruption measures, the foundations for the opposition's critiques of the ruling majority. Only one law proposed in this time period addressed social services. The majority of legislation passed in 2005 and 2006 related to international pacts and agreements, while there were no laws concerned with basic socio-economic issues. Cammet (2010) also pointed out that even prior to the eventful times, the Lebanese Parliament was unable to accomplish much in addressing the socio-economic needs of the people. Cammet (2010) and Salamey (2008) highlighted the lack of achievement of the Lebanese Parliament. They explained that the primary purpose of politics has become the division of the state's resources, including money and jobs. This division has been monopolized by the governing elites, particularly on a sectarian basis. This system has created political sectarian elitism, which then in turn strips public policy-making of any measures of accountability and undermines the government's commitment to the public good. The parliament has played an instrumental role in promoting this confessional system of governance.

Lebanese Council of Ministers

The Lebanese COM plays an active role in decision-making in national governance, particularly as it is the executive branch of the government. However, the separation of powers in Lebanon is not very strict. It is common to find that some elected MPs are often also appointed to the executive body or the COM. The Council is usually engaged in informal consultations and consensus-building with parliamentary blocs before introducing draft laws. This happens as a result of the dominance of sectarian considerations, whereby most policy issues are usually settled outside parliament. Scholars analyzing the political structure of Lebanon have highlighted the power of the executive branch within the policy-making process. This authority stems from the variety of decisions that are available to policy-makers in Lebanon and the respective roles of both the national assembly and the COM. For example, the COM has the authority to approve a decree without the parliament being directly involved. On the other hand, the process of passing a new law is usually a much longer one that entails the active participation of parliamentary committees and a national assembly vote. Besides decrees, there are also ministerial decisions that require a single minister's approval.

Civil Society Interactions and Impact on Policy-making and Policy Implementation

Kamrava (2001) uses Philip Oxhorn’s (1998) definition of Civil Society (CS), which is the one that will be used throughout this paper. CS is “a rich social fabric formed by a multiplicity of territorially and functionally based units. The strength of civil society is measured by the peaceful coexistence of these units and by their collective capacity to simultaneously ‘resist subordination’ to the state and to ‘demand inclusion’ into national political structures” (p.6).

The Case of Arab Countries in the Arab World

The following section presents the cases of Civil Society Organizations (CSOs) in two countries in the Arab world. CSOs in Iraq, after the U.S.-led coalition removed Saddam Hussein from power in 2003, became more involved in charting the course for an emerging nation: a “free” Iraq. The CSOs faced a lot of challenges at first, especially because the power was in the hands of just one political figure. Today, the number of CSOs has increased, reaching 25 think-tanks and CSOs seeking to interact with the government and influence policy. However, most of these organizations are still unclear on how to go about interacting with the government and informing policy-makers.

Jordan, another country in the MENA region, has been characterized by its political openness as indicated by the Civil Society Index Analytical Country Report. This political openness resulted in a growth of CSOs in the country (Al Urdun Al Jadid Research Center, 2011). Despite these findings, scholars report that the engagement of CS in politics remains weak. This is most probably due to the uncertainty of the reaction and attitudes of governmental authorities toward political organizations or parties.

Kamrava (2007) noted that professional associations, as well as many CSOs, have recently increased in size and influence in the MENA region to an unprecedented extent. He added that these CSOs are simultaneously working in highly hostile political environments, except in the cases of Turkey and Israel. The hostile environments have led to the fragmentation of those CSOs that were initially established to influence policy-making. Furthermore, Kamrava (2007) indicated two factors that lead to dysfunctional CSOs. The primary factor is the state’s profound suspicion of any movement that insinuates autonomy and challenges state monopoly on policy-making. Kamrava (2007) used Henry and Springborg’s (2001) four categories/ types of Middle Eastern states with regard to their relationships to civil society:

Table 1

State/CSO Categories of Henry and Springborg (2001).

TYPE	STATES	DESCRIPTION
Bunker States	Algeria, Sudan, Libya, Yemen, Syria, and Saddam Hussein’s Iraq	The state does not trust CSOs and is oppressive.
Bully Praetorian States	Egypt, Tunisia, and the Palestinian Authority	The state is suspicious of CSOs, but it has a relatively open economy and is therefore a better environment for CSOs.
Globalizing Monarchies	Bahrain, Jordan, Kuwait, Morocco, Oman, Qatar, Saudi Arabia and the United Arab Emirates	CSOs, like the people, are dependent upon government for their existence/ sustenance.
Fragmented Democracies	Iran, Lebanon and Turkey	The state seems to be most open to influence by CSOs.

Source: Kamrava 2007.

The Case of Lebanon

Lebanon has the largest numbers of CSOs in the Arab world. These CSOs work closely with a number of sectors such as the environment, human rights, women’s rights and good governance. However, Abou Assi (2006) explained that “the weaknesses of civil society prevail over its strengths” (p.74). These weaknesses are particularly due to the structural confinements and external surroundings that tend to drain the organization’s human capacities and compromise its values. Abou Assi (2006) added that civil society needs to reinforce its public image, particularly through the participation of new actors in the civil society with sector specializations and good governance. As individual CSOs revise their visions, it is critical that work is done to strengthen trust among stakeholders. It was also highlighted that networking and coordination among CSOs needs to be cultivated. Civil society stakeholders should come together to make their voices heard in policy-making through improved interactions with the government and the private sector.

In a recent study of the behaviors of MPs in Lebanon and Jordan, Abdel-Samad (2009) concluded that Lebanese policy-makers recognize CSOs as an important source of expertise. According to Abdel-Samad's 2009 study, MPs acknowledge their limited institutional ability to conduct policy research. In addition, MPs expressed strong interest in receiving information and expert consultations on policy issues from the civil society sector. Lebanese legislators seem to approach CSOs positively, portraying their role as valuable and influential. The study reported that lobbying did not seem sufficient as CSOs do not intervene in some of the most important daily life issues, such as criminal law, but rather concentrate their efforts on advocating for "less important" situations, such as diesel pollution. However, the civil society contradicts this view as they raised the issue of a lack of welfare services by the state, which then diverts CSOs' resources and attention away from policy-shaping efforts. Nevertheless, Abdel-Samad (2009) argued that Lebanese legislators' decisions are usually influenced by CSOs.

Although there seems to be little work on public policy in the MENA region, several conclusions can be drawn from the literature and contextual overview on public policy-making in Lebanon. Parliamentary activity does not seem to prioritize the improvement of the citizens' daily lives. Some scholars argue that this may be due to the lack of achievement by parliamentarians, while others note that CSOs are lagging in providing expertise on issues that matter to the citizens. It remains unclear how to close the gap between parliamentarians and CSOs in creating a more collaborative work environment for policy-making and policy planning for the benefit of the people.

RESEARCH METHODOLOGY

This study aims to provide an understanding of the policy-making context in Lebanon by identifying the roles of the various actors within this process in the country. It further investigates the skill and experience gap in formulating and implementing policies in the context of Lebanon. It explores the current situation of the policy-making process in the Lebanese Parliament and provides insight on supporting a participatory and transparent process, particularly highlighting the relationship of active civil society organizations with the policy-makers in the country. The research methodology addresses the following research questions:

1. How are policies developed and what role does the parliament have (in challenging policy change before and after implementation and holding government actors responsible?)
2. What are the relationships between policy institutes and policy-makers?

Research Design

The study used a descriptive qualitative methods approach. The qualitative method used is particularly effective in allowing for improved insights into the current status of policy-making in Lebanon through examining the perspectives of the study participants, an understanding of which is integral to the reality of the policy-making process in the country (Maxwell, 2005; Creswell, 2009). The study draws on three sources of data: literature, semi-structured interviews, and official documents. The literature review process provides an overview of the international experiences of policy-making, particularly highlighting the aspects relevant to the MENA region. It also presents a background overview of the Lebanese context, with a special focus on policy-making dynamics in the country. Semi-structured interviews were designed to identify the experiences and perspectives of the policy-makers and various actors within the policy-making process in Lebanon as they relate to policy-making. The interviews also identified the current practices from the perspectives of the different groups of participants, and recorded their suggestions for future practices. This approach helped bring meaning to the individual perspectives and experiences of the participants in order to develop a better understanding of the current practices of policy-making in the country. Furthermore, the current method allowed for the identification of emergent themes from the perspectives of the policy-makers

and others involved in policy-making, which, in turn, led to the identification of unanticipated phenomena that is experientially credible (Maxwell, 2005). Finally, an analysis of the official documents on the Lebanese constitution and how they describe the policy-making process was conducted. The document analysis provided a comparative aspect through which the participants' perspectives could be observed.

Participants

The sample selected for this study included representatives from four groups of actors in the policy-making process in Lebanon: a group of members of the Lebanese Parliament, a group of ministers from the COMs, a group of civil servants, and a group of representatives from CSOs, making up a total of 37 participants, with about five to ten participants from each of the four groups identified. This allowed for more accurate conclusions and generalizations both within each group and across groups of participants. The number of participants varied across the selected groups based on availability during the data collection phase, particularly when inviting members of the parliament and ministers to participate. For the purpose of the study analysis, the participants were further grouped in two categories: members of the parliament and other actors in policy-making, consisting of ministers, civil servants and representatives of CSOs.

Data Collection

This study attempted to answer the question of how policies are developed and what role the parliament plays in both challenging policy change before and after implementation and calling to account government actors responsible. It is also an attempt to explore the nature of the relationships between policy institutes and policy-makers in Lebanon. Semi-structured interviews consisting of open-ended questions were conducted to gather information to answer the research questions. Questions were developed based on the research questions and information from the literature review. The individual interviews were conducted to explore in greater depth the perspectives of policy-makers and other actors within policy-making as relevant to the decision-making process in Lebanon. These elite interviews provided an in-depth understanding of what the participants think, how they interpret events, and what roles they have played in the policy-making context (Aberbach and Rockman, 2002). Participants,

as typical in elite interviewing, were “well-informed and influential people” (Dexter, 1970, p. 6). Using open-ended questions with the elites interviewed gave them the opportunity to introduce their own notions of what they regard as relevant and allowed them to explain how they see the policy-making situation in the country, and what the real problems are (Dexter, 1970).

Interviews were the primary source for data collection. The major categories addressed by the interview questions emerged from the literature on policy-making. Each group of participants was asked the same questions in order to allow for comparison across the groups. All the questions encouraged the participants to define policy-making in Lebanon, and to evaluate the status quo of the process, as well as to identify their role and that of the members of the parliament in that process.

Data Analysis

The data for this study was collected through interviews that were all transcribed. The data collected was analyzed using the conceptual framework mapped in the literature review for this study, primarily based on Boleman and Deal (YEAR)’s four frames of leadership, and Anderson’s (2011) political system categorization of public policy. There were also additional themes and categories that emerged from the whole text analysis.

After completing the interview and transcription process, the interviews were coded using Computer-assisted Qualitative Analysis (CADQAS). The software used for coding and subsequent analysis, Nvivo10, is an interactive one, allowing for a number of different interpretative concepts to emerge (Berg, 2011).

Thematic categories, such as MPs’ roles and policy-development approaches, were developed both deductively, based on major theories of decision-making identified in the literature, and inductively, such as the roles of other actors in decision-making and the issues of accountability and the use of evidence in the policy-making process, linking these categories to the data from which they derive (Berg, 2011). The emergent themes were described from the perspectives of the participants embedded within the Lebanese context.

The employed data analysis scheme helped provide a deeper understanding of the perspectives of policy-makers and other actors involved in policy-making in Lebanon, on the processes of policy-making in Lebanon, the role of MPs in this process and the relationship of CSOs in tandem with the decision-makers. The analysis also yielded recommendations that provide insight on supporting a participatory and transparent process of policy-making, particularly highlighting the potential of an active role for CSOs in the country.

FINDINGS

The study examined how policy-makers and other actors in the decision-making process in Lebanon perceived the process of policy-making in Lebanon and the role of MPs in this process. It depicts the perceived role of MPs as well as others who usually play a role in policy-making in the local context. The following section provides a description of the findings, which are grouped into three main categories, each of which is further developed into subcategories, followed by a discussion of these findings. The results have been organized in thematic categories in order to highlight these themes and how people are thinking about the issues discussed within each theme, providing a description of each of the groups of participants. The findings and the results in this section address the following research questions:

1. How are policies developed and what role does the parliament play (in challenging policy change before and after implementation and holding government actors responsible?)
2. What are the relationships between policy institutes and policy-makers?

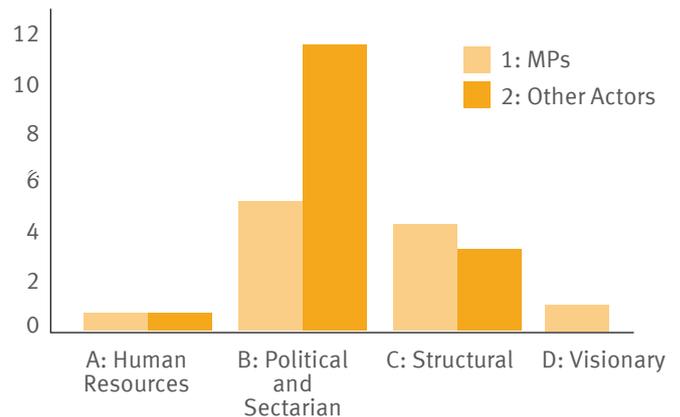
Actors in Policy-making Members of the Parliament

It is important to understand how MPs themselves view their role in the decision-making process, for it critically influences their actions. It is also interesting to understand how other actors in the policy-making process view the MPs' role as it impacts the way they interact with them in the process itself. For the purpose of this study, the perceived roles of the MPs were classified according to Bolman and Deal's (2008) four frames of leadership: structural, human resources, political and sectarian, and visionary. As shown in Figure 2, most participants viewed MPs as playing a political leadership role in the policy-making process in Lebanon, whereby they recognize major constituencies and function based on coalition building. The decisions of MPs were portrayed as "political decisions" that are taken on the spot as a result of political compromises. So, in many instances, legislation is customized to fit the potential political benefits whereas, ideally, legislation should be freed from all political compromise. One of the participating civil servants further explained this issue:

"When something [a policy decision] is considered as a political decision then people [MPS] ... don't study the draft policy proposal closely, but rather they just form a strong alliance with their political party and each one starts to push it to his side [regardless of the public good]."

Figure 2

Perceived Role of MPs in Policy-making



Directly linked to the political aspect of leadership is the sectarian character of the MP's work and leadership. Participants explained that in Lebanon, policy-making is significantly influenced by politics, religion, and sect. For example, one participant explained:

"Decision-making in Lebanon is based on sectarianism, which always leads to creating solutions based on political compromises. Of course these compromises are made based on the power groups and this decides the level of the compromise and how it will be resolved."

This phenomenon is further ameliorated when decisions are kept in the hands of a limited number of people who are leaders of political parties. These decision-makers are reported to "weigh" policy options according to the benefits of their sects. This is justified because, as most of the participants explained, MPs believe that they are in power because of their sectarian connections and therefore they feel obliged to do what pleases their sect:

"Decision-making in the end is in the hands of politicians and it is vulnerable to pressures and sectarian rule."

On the other hand, some participants viewed MPs as playing a structural role in the policy-making process where they are rational in their decision-making and focus on facts and logic rather than political, sectarian and personal priorities. One of the MPs described the process as follows:

“We study the suggested laws in the assigned commissions to see how beneficial each will be and we also vote in the end in the general assembly at the parliament. In the commissions [or parliamentary committees] we work on the basis of legislating according to necessity and impact.”

Very few participants viewed MPs as playing a human resource role, whereby they keep the thought of the people at the heart of their work and the policy-making process. These few participants described that the emphasis of the MPs’ work would, in that case, be particularly aimed at supporting and empowering the people. One of the participants explained:

“We [MPs and Ministers] are called “public servants” and this should be our role. We are not here to boss people around or to just be in power. We are in our positions to help people and work for their benefits.”

This role was emphasized by only a few of the participants particularly due to the “absence of policies” in Lebanon and the lack of efficient work by the government. The MP is viewed as a link between the people and the executive authority, particularly when they are unable to have their needs addressed through the regular and technical means available through the constitution. Further description of how an MP plays a human resource role is described by one of the civil servants participating in the study:

“...because his [an MP’s] heart and mind are concerned with the interests of the people he will eventually take the right decision.”

Finally, only one MP perceived the role of MPs in Lebanese policy-making as a visionary one, where they provide inspiration and a vision for people to believe in. He explained that people will give loyalty to an MP who has a unique identity and makes them feel that they are important. For example, he said:

“I care about the health and wellbeing of the citizens of my country. If I am not doing this then I am not doing my job and I don’t deserve the trust of the people that elected me.”

Other Actors in Decision-making

Civil servants report that they are sometimes marginalized in the decisions of the minister, particularly when a new minister is appointed. One of the participants explained:

“...policy-making is made by the minister and his advisors most of the time without taking into consideration the director general.”

However, other civil servants expressed that their role is significantly influential in decision-making. Therefore, the particular capacity in which the

civil servant serves may reflect the role they play in decision-making and their influence on certain processes relevant to the policy.

Ministers were described by some of the participants as the executive authority responsible for setting up the agenda or policies for the country. The Ministerial Statement, unique to each new government, maps out the various policies that will be addressed by each new council that assumes office. Furthermore, Article 65 of the Lebanese Constitution stipulates that the COM defines the public policy of the country in the different fields. However, the participants also explained that the ministers’ role has evolved, particularly due to political influence. For example, one of the participants said:

“There are ministers affected by pressure groups, whether they are economic or political groups.”

Another participant further explained this political influence on ministers:

“The council of ministers is a representative of the major political parties in the parliament.”

Another aspect that has slightly changed the role of ministers in decision-making in Lebanon is that there is now greater involvement of stakeholders in the policy-making process. The participants explained that in the past, the minister was the only person who would take a decision within the ministry or suggest a law. However, today all stakeholders are involved in developing and discussing a draft law, the decision usually being arrived at as a group after considerable debate.

The lack of continuity of a minister’s mandate has furthermore been identified as one of the factors limiting the role of ministers in policy-making. One of the participants described the situation as follows:

“Every minister that is appointed wants to prove himself and to accomplish things on his/her own that are not based on what former ministers did or planned.”

Another participant further explained:

“...work usually stops when a certain minister leaves a ministry...and the reason for that is that there are no institutional setups [to ensure the continuity of the work], so if a minister is replaced then the predecessor doesn’t continue the work.”

Finally, civil society organizations were viewed as being relatively active in the policy-making process. As shown in Table 2, almost half of the participants viewed CSOs as playing an interactive role in decision-making in Lebanon, where their participation ranged from organizing campaigns to joining implementation efforts.

Table 2

Perceived Role of Civil Society Organizations

Participants

Interactive Role	46.0 %
Proactive Role	32.4 %
Reactive Role	13.5 %
Null or Confused	8.1 %

CSOs are seen as being reactive when they are either invited to respond to a certain issue or to participate in meetings for draft law discussions, as opposed to a proactive role whereby they are involved in initiating a policy discussion or proposing a draft law. One of the civil servants described the proactive role:

“Sometimes there are draft laws that are suggestions from civil society and they are ones that we can’t discard since they are really good ones.”

For example, one of the CSOs participating in the study was contracted by the parliament after the latter had been alerted to policy briefs that the CSO had prepared. As such, a number of participants described CSOs as playing a role in creating policies and setting directions for many issues. The proactive aspect of the involvement of CSOs in decision-making was further exemplified:

“The role of the civil society organizations enriches the vision of the government and its public policy, raises the attention of the ministries to many practices, and keeps an eye on public interests regardless of sects.”

CSOs that are perceived as interactive are mostly those that do not depend solely on government entities to initiate change, but rather interact closely with government entities and amongst themselves to propose a certain draft law or to introduce a campaign regarding a critical public issue. One of the CSO representative participants explained this involvement:

“Some ministers want our help and expertise and they involve us in policy-making.”

Given the increasingly active role CSOs have been playing in policy-making, one of the concerns raised by the participants is the need to distinguish between the responsibilities of the civil society and those of the government:

“The role of a civil society organization is to alert and help these [government] institutions instead of doing their job.”

However,

“...they [CSOs] also work on and cover a lot of the gaps that the government is not there to deal with or simply doesn’t have the time and resources to do.”

It was also pointed out that the members of parliamentary committees have a clear understanding of the need to cooperate with CSOs in discussing draft laws. There have been cases where CSO representatives were invited to participate in the general committee meetings. One of the MPs explained:

“...if we see that their feedback might prove important for a certain issue then of course we invite CSOs to attend the meetings.”

Despite the active role of CSOs perceived by most of the participants, there were a few participants who viewed CSOs as confused. This was interestingly also framed as being due to the political environment of policy-making in the country. One of the ministers explained:

“They [CSOs] are active, they are there, I am for them but I do not think that they are sufficiently strong and influential in terms of how they make recommendations and draw attention to certain policies.”

Policy-making Process
Accountability

Most participants believe that there is no specific mode of accountability within the policy-making process in Lebanon. According to the Lebanese constitution, MPs are responsible for monitoring the work of the COM and each of the ministries. However, participants explained that MPs are not actually accomplishing the role expected of them. Furthermore, one of the participants explained that the citizens themselves don’t hold elected politicians accountable for not fulfilling their agendas and promises. This is particularly due to the existing political system and the role of sectarianism in the country. A participant described the situation thusly:

“They [the policy-makers] have been elected by sectarian groups of people or parties. So, they do not feel accountable to those who are interested in the public affairs and the public good as such.”

One of the modes of accountability that has recently been attempted is inviting all political parties to attend policy deliberations so that they might be integrated in the decision-making process. Yet problems persist: some participants highlighted the difficulty of ensuring the implementation of those laws, regulations or decrees that have been issued. The absence of a monitoring and accountability system leads to the lack of implementation or a deficiency in the implementation of a certain decree or policy.

Participants elaborated further on the issue of accountability in policy-making in Lebanon, linking it particularly to politics. One of the participants illustrated the current situation:

"...political parties have a say...for example, if I am a member of a political party, and I am a minister, and I do something that is not acceptable, I am not held accountable because I am protected by my political party."

Participants further explained that in the absence of a monitoring and accountability system, the decision-makers are free to do as they desire, with the situation becoming amplified given that the last official audit performed was in 1993.

Policy Development

Using the systems theory perspective, policy-making development in Lebanon was grouped into four approaches: the group theory, the elite theory, the rational choice theory, and institutionalism. Participants' perspectives on policy development in Lebanon were classified into these four categories, with an additional category created, which includes those participant perspectives that do not fall under any of the categories within the systems theory approach. According to the group theory, public policy-making is the result of the group struggle (Anderson, 2011). Very few participants (27% of all participants, and only one MP) explained that policy developed out of group struggle in Lebanon. However, it is important to understand that the groups the participants referred to in their discussions were essentially "pressure groups" rather than a "group" formed of members of the general public. One of the participants from the civil society organizations explained:

"What we see [in terms of public policy-making] is customized to the interests of the political groups in power."

These groups are further divided into sectarian affiliations, as one of the ministers explained:

"Some MPs would say that they are in power because of their sectarian affiliation and therefore they would do what pleases their sectarian party."

From the perspective of the elite theory, participants viewed public policy as reflecting the values and preferences of a governing elite (Anderson, 2011). All of the participating MPs believed that policy in Lebanon develops through an elitist approach, whereby public policy is not determined by the demands and actions of the people but rather by an elite group within Lebanese society whose preferences are then carried into effect by public officials who are in the parliament.

Other MPs explained that the elitist approach is a result of the "lack of a vision" [for national development] in the country. This is particularly due to the political decisions that supersede other concerns and produce "outputs" through political compromises based on "personal visions."

"For example, let's say we want to build a highway. When [the highway] gets to a certain village, the contractor diverts the route so that it doesn't affect the interests of a certain minister or his companions and then the same case happens in another village so we end up with a "zig-zag" road and not a highway. This is due to the political compromises that happen."

The few participants who described the policy development process from the institutionalism perspective particularly highlighted the formal and legal aspects of the governmental institutions in the process. One of the MPs described the policy-making process with the institutionalism framework:

"...Any draft law or proposed law is discussed in the presence of all those involved in the law and of course in the presence of the executive authority that is represented either by the minister or a representative from his side. When the discussions are over, and if all the committees have provided comments or feedback that are generally similar, then it (the draft law) is sent to the general committee for voting, but if there are major contradictions among the committees then it must pass to a Joint Committee meeting to try and reach a solution that receives approval from all committees and after that it goes to the general committee for voting. This is the process that resembles public policy-making in Lebanon."

Role of Evidence

The use of evidence in informing policy-making has been reported to be more of an "unstructured" process rather than a systematic one. Participants directly involved in the decision-making process in Lebanon reported that they consulted evidence and experts in the process of policy-making. However, there doesn't seem to be a pattern for the use of evidence in informing policy-making:

"...some MPs are organized and base their work on studies and others don't do that... so it really depends on the head of the Parliamentary Committee..."

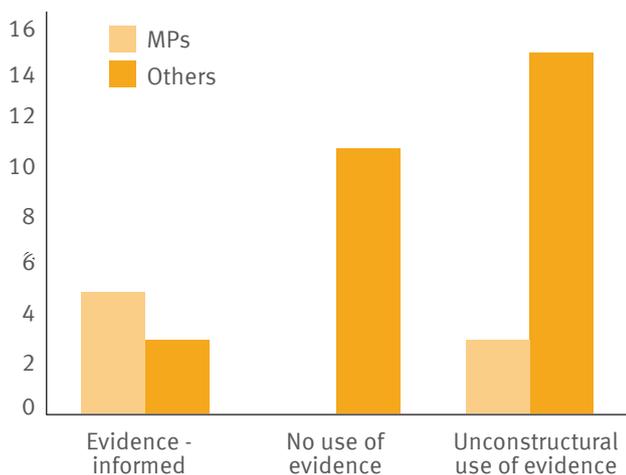
On another note, some participants explained that when there is a need for more information on a certain policy being discussed in parliament, experts in the field, whether practitioners or others, are invited to attend the parliamentary committee meetings and provide input. Therefore, the nature of consulting evidence or experts on policy issues at the parliament varies between scientific evidence and consultations.

It was also reported that there were times where evidence was intentionally consulted and used to inform policy decisions in Lebanon. For example, the smoking law in Lebanon was based on studies and research supplemented by the American University of Beirut. In the discussions of the draft law, the Parliamentary Committee of Administration and Justice invited all stakeholders, including members of the national campaign for a smoke-free environment, representatives of the Regie Libanaise des Tabacs et Tombacs, and tobacco industries. The law that was issued is reported to have taken into consideration the scientific studies that were conducted, as well as the input and concerns of the stakeholders. It was noted by one participant, however, that despite all the evidence and expert consultancies provided to MPs, there is no system in place to enforce the use of evidence when the decision is being made. The process is more of a “personal choice” as one of the participants described it.

Figure 3, below, shows the views of participants in regards to the use of evidence in decision-making in Lebanon. MPs seem to be confident that they use evidence to inform their decisions, although it seems to be equally varied between a structured approach to seeking expert input and evidence in informing their policy decision, and an unstructured approach. Whereas other actors in decision-making, including ministers, civil servants and representatives of CSOs, seem to feel strongly that MPs either do not use evidence to inform their policy decisions or follow a rather unstructured pattern in doing so. Very few of them reported examples of a structured approach to seeking expert consultation and evidence in informing their decisions.

Figure 3

Perspectives of MPs and Other Actors on the Use of Evidence in Informing Policy-making in Lebanon



Consequently, most of the participants reported that there is no consistency in the use of evidence in policy-making in Lebanon, particularly among MPs. In some cases, particularly when politics play a more significant role, evidence gets dropped. Therefore, it was recommended that a culture of evidence-based decision-making be cultivated in the parliament through a raised awareness in the importance of this matter, as many of the MPs are reported not to be aware of its significance.

Relationship between Civil Society and the Parliament

The relationship between CSOs and the parliament has been described quite differently by the various participants in the study. The perspectives of the participants have been categorized according to their description, varying between a cooperative relationship, a one-dimensional relationship, and one that either does not exist or is not accepted.

Table 3

Relationship between CSOs and the Parliament

	COOPERATIVE	NOT ACCEPTED	ONE-DIMENSIONAL
MPs	16%	0%	5%
Other Actors	30%	16%	33%
TOTAL	46%	16%	38%

Table 3 depicts the perspectives of the participants with respect to the nature of the relationship between CSOs and the Lebanese Parliament. About half of the participants described this relationship as a cooperative one, particularly highlighting the involvement of CSOs in the work of the committees as they discuss draft laws. MPs reported that they invite CSO representatives to attend discussion meetings particularly when they have feedback or experiences to share on certain issues. Despite this active involvement, MPs noted that they provide the final decision:

“...there is an important point which is that we take the points of view and opinions of the different stakeholders from the Civil Society Organizations, but in the end the MPs are the ones to give the final decision.”

MPs explained that the involvement of CSOs in the decision-making process is essential, as some of these organizations are experts in their fields of consultation, and some tend to propose good ideas for new laws, which are in many instances taken into consideration. Similarly, some ministers reported that there is a lot of collaboration with civil society and non-governmental organizations. This collaboration was also described as a cooperative one, as it ranges from campaigns to implementation plans. One of the CSO participants explained that this cooperative and collaborative relationship is a relatively new concept:

“The politicians now better understand the role of civil society organizations, and it has also become mandatory by international standards that we get involved in policy-making.”

Another group of participants (38%) described the relationship between CSOs and the parliament as a one-dimensional one, whereby effort to participate and inform policy-making is undertaken solely by the CSOs themselves rather than collaboratively between the two entities. This restricted relationship is reported to be limited particularly by the political and sectarian influences within the country:

“...even though there are hundreds of CSOs in Lebanon, and most of them are working hard... their part is limited as decision-making in the end is in the hands of the politicians and is vulnerable to pressures and sectarian rule.”

Finally, very few participants (16%) believed that the CSOs' work was not accepted, particularly noting that it may depend on the desire and personality of the MP involved. One of the ministers participating in this study explained that CSOs are not accepted due to the political constraints that place pressures on the decision-makers and make it almost impossible to involve yet another party in the policy-making process. One participant explained:

“The civil society tries to get involved in policy-making while governmental institutions try to keep them away.”

Therefore, participants believe that there is a positive and collaborative relationship between CSOs and decision-makers, with a few exceptions where this relationship may be limited due to political and/or sectarian reasons.

DISCUSSIONS, CONCLUSIONS AND RECOMMENDATIONS

This study provided an examination of the experiences and needs of the policy-makers in Lebanon, a democratic Arab state by constitution, in order to identify the current practices from the perspectives of various actors and policy-makers in society, to map the suggestions for future practices, and to understand the links that exist between CSOs and policy-makers. Among the questions it attempted to answer are:

- ▶ How are decisions made?
- ▶ Who makes these decisions?
- ▶ What is the role of MPs in the decision-making process?
- ▶ Where is the (formal and informal) power located?
- ▶ What is the relationship of CSOs with MPs?

The aim of this study was to answer how policies are developed and what role the parliament plays in challenging policy change before and after implementation and in being able to hold government actors responsible, in addition to looking at the nature of the relationships between policy institutes and policy-makers.

These questions were addressed and answered through the literature review and in-depth interviews the study conducted with 37 participants from four groups of stakeholders and policy-makers in Lebanon:

- ▶ MPs
- ▶ Ministers from the COM
- ▶ Civil servants
- ▶ Representatives of CSOs

Among the key findings of this study:

- ▶ The Public Policy-making Process (as perceived by the participants)
 - ▶ The development of public policies in Lebanon: The process of developing public policies in Lebanon is an elitist approach where public policy is perceived as reflecting the values and preferences of the governing class. It was observed that most participants viewed public policy in Lebanon as being determined by the demands and actions of the ruling elite whose preferences are carried into effect by public officials and agencies rather than by the demands and actions of the people.

- ▶ The role of evidence in informing policy-makers: Evidence informed policy-making remains a novel phenomenon in the policy-making context in Lebanon. It may be concluded that there remains an unstructured use of evidence in public policy-making and uncertainty due to a highly politicized environment of decision-making. For example, very few MPs reported that they ask external experts for advice when examining a certain public policy. However, it was particularly argued by representatives of CSOs that seeking expert advice and scientific evidence is an initiative that depends on the policy-maker.
- ▶ Accountability: There seems to be a lack of an accountability system in the policy-making process in Lebanon. Participants explained that this was due to the political and sectarian system in which public policy was embedded. This is also observed in a number of situations where a policy is passed but then fails either on the level of implementation or appropriate enforcement. Therefore, there are now mechanisms in place to provide public or legal questioning for policy-makers, who are the ultimate decision-makers in the country.

▶ Actors:

- ▶ The Role of the Parliament in Policy-making: The formal role of the MPs is divided into three distinctive aspects: a legislative role, a monitoring role, and a political role. However, it was found that the MPs' role was mainly a political one, oriented by the sectarian regime in the country.
- ▶ The Role of CSOs in Policy-making:
 - ▶ The level of activism of CSOs: CSOs mainly play a reactive role within the policy-making context in Lebanon, with just a few examples provided where they were reported to be more interactive and proactive, playing an advocacy role.
 - ▶ The relationship of CSOs with the parliament: CSOs' relationship with the parliament within the public policy-making context was observed to be consultative and one-dimensional. Participants explained that CSOs have not been effective in playing a cooperative role in public policy-making in Lebanon, which may be due to the nature of the political context of policy-making, where decisions are highly vulnerable to political pressures and the sectarian rule.

A number of recommendations can be drawn from this study. Firstly, the need to move away from a highly politicized context of policy-making and the need for parliamentary activity to be centered on priorities improving the citizen's everyday life. Secondly there is the need to work on a structured process of decision-making, where each actor plays an effective role. Another important recommendation would be the necessity of conducting research and the consultation of research institutes, as well as CSOs, in order not to fall into the trap of a lack of evidence in public policy-making. And finally, for the policy to be enforced appropriately, there should be a system of accountability where the policy-makers are held responsible.

Lastly, we hope that this report and that the findings, conclusions and recommendations of this project can be adapted to other countries in the region with the recognition that each country has special circumstances and policy-making approaches.

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ANNEX

The Lebanese Republic is a country in the Eastern Mediterranean. It is bordered by Syria to the north and east and Palestine to the south.

Figure 4

Map of Lebanon³



Prior to the recent crises in the region, Lebanon's total area, which covers 10,452 km², has an estimated population of 4,131,583 (July 2013 estimate). These figures have changed particularly after the influx of Syrian refugees into the country. According to some recent estimates, the Lebanese population is made up of 65% Muslim (Shia, Sunni, Druze, Isma'elite, Alawite or Nusayri), 35% Christian (Maronite Catholic, Greek Orthodox, Melkite Catholic, Armenian Orthodox, Syrian Catholic, Armenian Catholic, Syrian Orthodox, Roman Catholic, Chaldean, Assyrian, Coptic, Protestant), with other religious sects making up the remaining 1.3% (The Monthly, 2013).

Lebanon gained its independence on November 22, 1943. Prior to the country's independence, Lebanon was ruled by the Ottoman Empire (1517-1918) and then placed under the French mandate which started in 1920 and lasted until 1943. Under the Ottoman Empire, Lebanon was part of a bigger region, or collection of chieftaincies, which included Syria, Lebanon and the Palestinian Territories. During the rule of the Ottomans, it gained semi-autonomous status, whereby local chieftains governed under the rule of the Ottomans. They collected taxes for the Ottoman Sultan and ran a feudal political system. It was during this time that Lebanon witnessed the increasing class and religious antagonisms that remain until today. Tensions between the two sects increased and were nurtured by foreign powers. Direct Ottoman rule of Lebanon remained in effect until the end of World War I in 1918.

At the outbreak of World War I, the Ottomans abolished Lebanon's semi-autonomous rule and appointed Jamal Pasha, its Minister of Navy, as the commander-in-chief of the Turkish forces in Syria and Lebanon. In 1916, the governments of the United Kingdom and France signed the Sykes-Picot agreement, which divided the Arab provinces of the Ottoman Empire (outside the Arabian Peninsula) into areas of British and French control. The treaty came into effect after the Ottoman Empire was defeated and Britain moved into Palestine in 1918. The French colonial mandate aimed at assisting Lebanon in establishing a modern state. In 1920, the French proclaimed the establishment of the State of Greater Lebanon, in an attempt to provide a safe haven for the Maronites in Mount Lebanon. The area also included other religious groups, including Muslims. In 1926, the Lebanese Constitution was established and modelled after the French constitution under the Third Republic. The constitution stipulated an elected parliament, an elected president, and a cabinet. After the end of World War II, Lebanon gained its independence and formed its first democratic government, amending the constitution and ending the French mandate. Both Christian and Muslim leaders joined their efforts to achieve the country's independence. These efforts led France to recognize Lebanon's complete independence in 1943.

³ kharita.files.wordpress.com (2009)

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The AUB Policy Institute (Issam Fares Institute for Public Policy and International Affairs) is an independent, research-based, policy-oriented institute. Inaugurated in 2006, the Institute aims to harness, develop, and initiate policy-relevant research in the Arab region.

We are committed to expanding and deepening policy-relevant knowledge production in and about the Arab region; and to creating a space for the interdisciplinary exchange of ideas among researchers, civil society and policy-makers.

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- ▶ *Enhancing and broadening public policy-related debate and knowledge production in the Arab world and beyond*
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