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(LOCAL GOVERNMENT AND  
ADMINISTRATION  
IN LEBANON)

by

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AN ABSTRACT OF LOCAL GOVERNMENT  
AND ADMINISTRATION IN  
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Lebanon is a unitary state with deeply rooted traditions of governmental centralization. Local government in Lebanon has always been centralized. From the time when the Ottomans conquered the Country in 1516 up till the present, centralization characterized and characterizes to day (1954) the form of local government administration in Lebanon.

Central authority<sup>1</sup> controls the local authorities through its appointed officials. This control is exercised by means of the Ministry of Interior. Thus, for the purpose of this study, Lebanese local government can be defined as the government of all parts of the Country by means of centrally-appointed local agents and elected councils which are subservient to them.

The Lebanese Republic is divided into five principal administrative districts called muhafazas. These are Beirut, North Lebanon, South Lebanon, Mount Lebanon and Beqa. Each

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<sup>1</sup>"Central authority" denotes the President of the Republic and the Ministers.

muhafaza is administered by an appointed government official called a muhafez. The muhafez is responsible to the Minister of Interior for the direction of all the affairs of his administrative district. He, thus, is responsible for the publicity and execution of laws, keeping order and security, protection of personal liberty and sanctity of home, supervision of tax-collection, the raising of the standards of living in villages, health and education. The muhafez is helped in the execution of his duties by the various departments which are scattered all over his muhafaza. Thus in every muhafaza there are departments of health, finance, education, public works, property-affairs, justice, social affairs, agriculture and police. These departments are placed by law under the authority of the muhafez who is supposed to supervise and coordinate their various functions. He has the right to inspect and direct their affairs, and every department is supposed to send periodical reports on its activities to him. In practice, however, the situation is different; for each muhafaza-department usually receives its instructions directly from its corresponding ministry and the muhafez does not actually interfere in their works except to ask their help when he needs it.

Alongwith the departments, there are two kinds of councils which help the muhafez in the direction and execution of his work. These are the "Muhafaza-Council" and "Health - Council". A Muhafaza-Council is set up in every district with the exception of Beirut. The Council is mainly an advisory

body; for with the exception of matters relating to the construction and maintenance of roads, the muhafez is not compelled to follow its recommendation. The Council of Health, on the other hand, meets at least once a month on the request of the muhafez and it aids him in the administration of all health matters. The Council also advises the Ministry of Interior on all the necessary steps for the advancement of health standards in the muhafaza.

The muhafez arranges for meetings and inspections.

Every month he calls a meeting of all the heads of the various departments of his district and discusses with them the general affairs of their departments. Copies of the discussions and the resolutions ~~taken~~ in these meetings are sent to the Minister of Interior and to the other Ministries to inform them about the muhafaza-affairs. The muhafez, every three months, also arranges for a meeting of all the qaimmaqams<sup>1</sup> of his district. During this meeting the general affairs of the qadas are discussed, and here again the discussions are recorded in a report, a copy of which is sent to the Minister of Interior. In addition to these meetings the muhafez tours his district inspecting its conditions.

The muhafazas are divided into twenty-four sub-districts called qadas. Each subdistrict is administered by an appointed qaimmaqam responsible to the Minister of Interior through the

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<sup>1</sup>A "qaimmaqam" is the representative of the muhafez, and takes his place in the administration of the "qada" which is a subdivision of a muhafaza.

muhafez. The qaimmaqam's functions are similar to those of the muhafez whom he represents, and like the muhafez the qaimmaqam is helped by the different departments of his qada<sup>1</sup> with the cooperation of the various qada municipal-councils. In carrying out his functions the qaimmaqam meets some administrative problems. The muhafez often interferes in his work, leaving him with practically no discretionary powers. Qaimmaqams often complain of over-centralization, for the Minister of Interior and the muhafez monopolize authority.

As was mentioned before, the qada is an administrative subdistrict. This subdistrict contains towns and villages. These towns and most of the villages<sup>2</sup> are administered by municipal-councils. Every municipal council has a mayor and a deputy-mayor. Their services with those of the councillors are honorary, for they do not receive salaries. But they do however get remuneration for expenses incurred in the course of their duties. The functions of a municipal council fall into two categories, depending on the decisions relating to them. Decisions connected with important matters, like those relating to permanent municipal regulations, the municipal budget, rates, expenses and loans, are executed after the approval of the Minister of Interior. All other decisions,

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<sup>1</sup>Supra, pp. 1-2.

<sup>2</sup>Not all the villages have municipal-councils. Villages with five-hundred persons or more, and which have an annual income of L.£2,000 are entitled to have municipal-councils. Other villages may have municipal-councils if the government finds that necessary.

like those relating to the administration of municipal property, lease contracts providing for a period less than three years, financial aid to the poor and destitute, are executed one month after they have been submitted to the muhafez.

Whereas the municipal-council functions are legislative and deliberative in nature, the mayor's are executive. His duties comprise acts of municipality administration, health services, social affairs, security and order, public works and affairs of local interest. The mayor's functions in "small"<sup>1</sup> municipalities do not differ greatly from those of "large"<sup>2</sup> ones. In "large" municipalities his functions are executed with the help of municipal departments of Administrative affairs, Finance, Engineering, Sanitary and Veterinary, and Audit. In "small" municipalities the mayor is usually aided by the Town Clerk, the Cashier, the Engineer, the municipality Physician and the Veterinary doctor. The mayor can also employ workers and laborers on daily basis, at the current wage, for accomplishing the approved municipal projects. The accounts of all municipalities, "large" and "small", are post-audited by the concerned departments in the Ministry of Finance and the Ministry of Interior. Thus the Minister of Interior is able to control the activities of every municipality by his control over the execution of the municipal-budget.

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<sup>1</sup>A "small" municipality is that having a population of less than ten - thousand.

<sup>2</sup>A "large" municipality is that having a population of more than ten - thousand.

Municipalities in Lebanon meet various problems. A major problem which a municipality in this Country meets is the lack of cooperation on the part of its citizens and on the part of the Minister of Interior. This lack of cooperation is mainly a result of divergent personal interests based on sectarianism and politics. Mayors often complain of the negligence and the non-cooperation of the Minister of Interior. Yet it must not be denied that government on its part helps municipalities by giving them funds in aid and loans. Such help is the duty of every government, since all governments must be responsible for the good administration of their towns and villages.

The village and the quarter in a town are the smallest administrative divisions in Lebanon. These are administered by elected officials called mukhtars and elected "Councils of Elders" which help them. The mukhtar is the smallest executive authority and as such he has general responsibilities with regard to public security, personal status, finance, land registration, agriculture, public health and education. In practice most of his work is devoted to the issue and authentication of certificates relating to personal status. The problems a mukhtar meets are connected mainly with the difficulties they find in the authentication of certificates. Mukhtars do also complain about the delay caused by the government departments in clearing official matters relating to their duties. The mukhtar, in turn, is responsible to the Minister



of Interior. Thus centralization is well founded, and the Minister of Interior is able to control all local administration in Lebanon.

Administration in Lebanon faces many difficulties. The "government" is looked upon as a charitable institution. Many of its employees are inefficient and irresponsible. To make matters worse, these employees enjoy immunities given to them by law.<sup>1</sup> As a result, a government official may stay in office until either he resigns or dies, or is put on pension. In some instances the law does not provide a sufficient guarantee for its enforcement. It,<sup>2</sup> for example, provides for a meeting of all the muhafaza department-heads under the presidency of the muhafez to discuss their department affairs; but it does not provide for punishing those who do not hold this meeting, or provide other means for insuring it.

The Minister of Interior in Lebanon, as in other places, is a political appointee usually not well trained in administrative matters. His control and interference in nearly every local government affair creates many weaknesses and problems. The appointment of administrative officials, for example, are not made primarily on the basis of merit. Personal relations including formal and informal influences enter the scene, and good administration is usually sacrificed on the alter of

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<sup>1</sup>Legislative Decree No. 13, dated January 7, 1953.

<sup>2</sup>Legislative Decree No. 18, January 12, 1953.



politics. This is mainly why insecurity, disorder and administrative weaknesses prevail. Yet the nature and causes of such problems are also affected by other factors consisting of feudalism, sectarianism and general irresponsibility on the part of both the people and the government.

Over-centralization created in Lebanon many problems; will decentralization solve them? The government has tried to solve these problems by giving the localities limited authority, but this does not remedy the matter. Decentralization must be on a larger scale.

The muhafez and the qaimmaqam must be well trained in administrative affairs, and must be freed from political interference. The muhafez must have more practical powers over the administration of work in his district, and the "Muhafaza-Council" must be an elected body which must be able to enforce its decisions on the muhafez. It is advisable that the muhafez should be assisted by a staff well versed in administration. Such a staff will be able to advise the muhafez and will plan, organize, coordinate and direct the affairs of his district for him. The qaimmaqam, in turn, must be provided with more discretionary powers. Although responsible to the muhafez for the administration of his sub-district, yet he should be able to use his discretion especially in matters relating to the public peace of his qada since public security is one of the qaimmaqam's major duties.

Municipal bodies must be given more authority. A municipal-council must be free to pass and execute its decisions with minimum interference on the part of the Muhafez and the Minister of Interior. Finally all municipal-councils must be elected; but the Minister of Interior must have the power to dissolve them if the muhafez advises him to do so, but this must only be done if the councils exceed their jurisdiction or misuse it.

Local government administration in Lebanon stands today (1954) at an important crossroads. It either stays centralized under the Ministry of Interior, or heads towards decentralization. Decentralization and self-government are being advocated, but their satisfactory realization cannot be obtained by the enactment of a law or the ~~issue~~ of a decree! To be applied and give satisfactory results they must have the Country prepared for their reception. The people must therefore be persuaded to take an active interest in local self-government, and for such an end a special form of education is needed. Children must be made "citizen - minded" and adults should be acquainted with the whole organization of local government, particularly with the activities of their own local authority. Schools, universities, societies and clubs must cooperate with the central authorities and local governments in educating citizens towards that end.

Educating the public alone is not enough, local-government officials must also be well trained in administrative matters.

They, in turn, must be prepared for local self-government administration. Therefore instruction in Public Administration is especially needed. The Lebanese, government and citizens, must prepare themselves for a better future - a future that will dawn on local self-governing authorities exercising democratic control.

## CHAPTER I

### INTRODUCTION

The purpose of this thesis is to study local government and administration in Lebanon, showing its weaknesses and offering suggestions for its improvement. Practically nothing has been written on this subject either in English or in Arabic and little research conducted. However, this lack of information is not unique, for the study of public administration, as an art or science distinct from the traditional political functions of the chief executive, is only a recent innovation of the late nineteenth and early twentieth centuries.<sup>1</sup>

Before beginning a discussion on local government and administration, certain terms must be explained. The term "local government" itself needs elaboration - what is local government? Local government may mean one thing in one country,<sup>2</sup> and a different thing in another.

Every state has two essential needs: first, protection

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<sup>1</sup>For further detail see Leonard D. White, Introduction to the Study of Public Administration (New York: The Macmillan Co., 1946), pp. 10-11

<sup>2</sup>G.D.H.Cole, Local and Regional Government (London: Cassel and Company Ltd., 1947), pp. 27-28. Also Charles Barratt, Your Local Authority (London: Sir Isaac Pitman and Sons, Ltd., 1949), pp. 2-4.

from external aggression, and second, the maintenance of internal peace and order. "The first is invariably in the hands of the Central Authority of the State; the latter may, in its earliest stages, when it is confined mainly to the provision of elementary justice, also be kept under central control, but at a later date, with the growth in the number of services... some form of decentralization becomes essential."<sup>1</sup> In a completely centralized state, local government consists of appointed agents accountable and responsible to the central government alone. In a decentralized state, the central government leaves to the localities the provision and administration of purely local matters, and only interferes in matters of national importance.<sup>2</sup> The problem is the irresistible tendency for the local affair to become a national concern.

Lebanon is a unitary state with deeply rooted traditions of governmental centralization. Local government in Lebanon is, and has always been, centralized. Central authority - the President of the Republic and the Ministers - controls the local authorities. This control is exercised, through the Ministry of Interior, by means of appointed officials. Thus, for the purpose of this thesis, Lebanese local government can be defined as the government of all parts of the Country by means of centrally-appointed local agents and elected councils which are

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<sup>1</sup>Barratt, *op.cit.*, p. 1.

<sup>2</sup>*Ibid.* See G. Montagu Harris, Comparative Local Government (London: Hutchinson's University Library, 1948), p. 9.

subservient to them. The local agents are appointed and responsible only to central authority, and the elected councils are directly under their control.

There are four different ways of looking at local government structure and organization. The first of these is the technical. If, for example, an electrical engineer is asked what regions he considers to be suitable for local government purposes, he will probably answer in terms of what will suit best the technical conditions for electricity. The technical approach will almost certainly yield different sets of regions for each service. "The electrical experts, the gas experts, the transport experts, the land drainage experts, and so on, would all, for good reasons of their own, want different arrangements of the country into regions, even on the doubtful assumption of each group agreeing among themselves."<sup>1</sup> This approach will lead to as many local government areas as there are technical services to be provided, as each expert will recommend a different arrangement for local government administration.

The second approach is administrative. The administrator "is more concerned than the technician as such with the problems of size, of the number of subordinate units to be kept under supervision, of distance from the centre to the periphery of the administrative area, of facility of communication, and

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<sup>1</sup>Cole, op.cit., p. 35.



of complexity."<sup>1</sup> He wants an area that will suit these purposes. That area will vary with the opinion of the administrators concerned, so that one agreed-solution is difficult to reach.

The third approach from which local government can be looked at is that viewed from the standpoint of the local authority itself. In this respect, <sup>D.</sup> G. H. Cole suggests: "Let the final voice rest with the City, or Town, or Village, or Region, as an organized community, with a right to control and order its own means of providing the essentials of good living for all its inhabitants."<sup>2</sup> In this respect local authorities may be given a great deal of discretion and final decision in matters relating to their localities.<sup>3</sup> Yet, this will give rise to many difficulties and problems since there are no fixed limits to the spheres of government activities and no definite lines of separation between national, regional and local government functions. Thus functions will differ widely depending on the locality concerned, and a competition for services will take place between the "central authority" and the localities.

The fourth approach from which local government structure and organization can be looked at is that viewed from the standpoint of the central government.<sup>4</sup> In this respect,

<sup>1</sup>Ibid., p. 36.

<sup>2</sup>Ibid., p. 47. Cf., Harold J. Laski, et.al., editors, A Century of Municipal Progress: 1835-1935 (London: George Allen and Unwin Ltd., 1936), p. 464.

<sup>3</sup>William Anderson, editor, Local Government in Europe (New York: D. Appleton - Century Company Inc., 1939), pp. xiii-xv.

<sup>4</sup>Cole, op.cit., p. 37.

local government could be merely an agency for carrying out in detail the policies laid down for it by the central authority.<sup>1</sup> This approach to the problem is applicable to the Lebanon wherein the Ministry of Interior controls all the local government functions through its agents. The Minister of Interior holds in his grip all local administration. It is he who appoints and, within certain limits, dismisses the governors of the administrative districts and sub-districts of the Country. These governors are his agents and they are responsible to him for the administration of their localities. The municipal-councils of the towns and villages are also under the control of the Minister who has the power to dissolve them. Thus, the whole fabric of local government is centralized under him.

The other term which requires explanation is "administration". In its broadest meaning, "it can be defined as the activities of groups cooperating to accomplish common goals."<sup>2</sup> The term "administration" will, in this thesis, be restricted to public administration which "consists of all those operation having for their purpose the fulfillment or enforcement of public policy as declared by the competent authorities."<sup>3</sup> For the purpose of this thesis, "competent authorities" will mainly include the national government and local authorities of Lebanon.

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<sup>1</sup>Ibid., pp. 37-38.

<sup>2</sup>Herbert A. Simon et.al., Public Administration (New York: Alfred A. Knopf, 1950), p. 3.

<sup>3</sup>White, op.cit., p. 3. Ibid., p. 7.



Local government in Lebanon, today (1954), is to a large degree influenced by the Ottoman type of government and administration. In this respect, therefore, it is essential to turn back the pages of history to the times when the Ottomans incorporated Lebanon into their empire. Thus the second chapter will deal with the historical background of local administration in Lebanon from the time the Ottomans conquered the Country in 1516 until 1943 when Lebanon secured independence from France. It will lay down the political framework and describe the local government and administration that existed during both the Ottoman and the French periods respectively. The aim of this chapter is to present a general picture about the background of local government in Lebanon. In addition it will describe and analyse types of local government prevailing during these periods.

Chapters three and four will deal with the Muhafazas and Qadas which are the present administrative divisions and sub-divisions of Lebanon. These two chapters will also discuss the representatives and appointed agents of the Minister of Interior, namely, the Muhafez and the Qaimmaqam. These two officials administer the Muhafazas and Qadas for the Minister and are thus responsible for the publicity and execution of laws, keeping order and security, protection of personal liberty and sanctity of home, supervision of tax-collection, the raising of the standards of living in villages, health and education. The Muhafez and the Qaimmaqam administer their localities: first with the help of the various district's

departments of health, finance, education, social affairs, agriculture, public works, police and courts; and second with the aid of Councils ("Muhafaza-Council", "Health-Council", and municipal councils"). Both of the chapters will then discuss the problems that meet the Muhafez and the Qaimmaqam. These problems are a result of overcentralization which often gives rise to lack of adequate discretion on the part of the Muhafez and Qaimmaqam, and irresponsibility on the part of the people.

Chapters five and six will discuss the administration of the towns, villages and quarters. The towns and most of the villages in Lebanon are administered by municipal-councils who carry out their functions through mayors, although there are certain exceptions in Beirut, Tripoli and Al-Mina. The village, and the quarter in a town are the smallest administrative divisions in Lebanon. These are administered by elected officials, called "Mukhtars", and elected councils called the "Councils of Elders". The Mukhtar is the smallest executive authority and as such he has general responsibilities with regard to public security, personal status, finance, land registration, agriculture, public health and education. The Council of Elders is mainly an advisory body which assists the Mukhtar in his administrative duties. Both these chapters will show that centralization is well rooted and that the control of the Minister of Interior reaches down to the smallest village and quarter. The Minister of Interior can veto any municipal council-decision, and the Municipal-budget itself must be approved by the Minister before it can be executed. The Mukhtar and the

Council of Elders have even smaller areas of discretion.

The final chapter will discuss the changes and reforms which are needed in the machinery and organization of Lebanese local government. The proposed changes recommended in this chapter are based on decentralization and more local-autonomy. They are: (1) more practical powers for the Muhafez, making him less dependent on the Minister of Interior and more dependent on his Muhafaza-Council; (2) more discretionary powers for the Qaimmaqam with relation to the administration of work in his sub-district; and (3) more authority for municipal-councils especially in connection with the execution of their decisions.

It must be borne in mind that local government manifests its existence in our daily-life. It regulates and administers our districts and sub-districts, our towns and villages. Thus, it is hoped that **this** thesis will, in addition to its objects, stimulate in the reader a likeness for more research work which is very much needed in this important field of study.

## CHAPTER II

### HISTORICAL BACKGROUND

#### Administration under the Ottomans (1516 - 1918)

"Lebanon"<sup>1</sup> (1516-1860).-- Prior to 1516, Lebanon, which was a part of Syria, was geographically confined to what is now the "Mountain" area of the present Republic of Lebanon, with an added narrow strip of land between the estuary of the Dog River and the Batrun River. At that time Syria belonged to the decaying Mamluk empire.<sup>2</sup>

In 1516, Sultan Salim incorporated Syria in the Ottoman empire, after defeating the Mumluks at Marj Dabiq. For political and for administrative purposes Syria was divided into the three wilayats of Damascus, Aleppo and Tripoli.<sup>3</sup> These in turn, were subdivided into twenty-four sanjaqs in the following order:-<sup>4</sup>

(1) Ten sanjaqs in the wilayat of Damascus, the most important of which were Jerusalem, Nablus, Gaza, Tadmur, Sidon and Beirut.

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<sup>1</sup>Its capital until 1920 was Deir-al Qamar in summer and Baabda in winter.

<sup>2</sup>Philip K. Hitti, History of Syria (London: MacMillan & Co. Ltd., 1951), pp. 637-638.

<sup>3</sup>Pronounced "vilayat" in Turkish. A wilayat was a semi-independent state. In 1660 Sidon was also made into a wilayat. Hitti, op.cit., pp. 663-664.

<sup>4</sup>Ibid., p. 664.

(2) Nine sanjaqs in the wilayat of Aleppo; and

(3) Five sanjaqs in the wilayat of Tripoli, including Homs, Hamah, Jabalah, and Salamiah. A wali whose honorary title was "pasha" administered the wilayat, and was responsible directly to the Sultan for its government. The sanjaqs were in turn administrated by an officer appointed by the wali and responsible to him.<sup>1</sup>

In 1516, while Salim I was in Damascus, he received a delegation of Lebanese "amirs" (princes). These amirs came to offer their allegiance and homage to him. The delegation was headed by Fakhr-al-Din I al-Ma'ni, the prince of al-Shuf. Jamal-al-Din Arslan, the prince of al-Gharb, and 'Assaf al-Turkmani, prince of Kisirwan, accompanied him. Salim subsequently recognized Fakhr-al-Din as the leading chieftain of the "Mountain", and confirmed the right of all the amirs in their principalities.<sup>2</sup>

The Lebanese amirs were allowed certain privileges over their principalities. Although vassals of the Sultan, they were given independent authority, had full powers over their subjects and collected their own taxes and duties. Sometimes they were able to conclude treaties with other powers. They passed their principalities to their descendants, and offered no military

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<sup>1</sup>Ibid.

<sup>2</sup>Ibid., pp. 665-666.

services to the Sultan. In return, the amirs had to pay a comparatively light tribute.<sup>1</sup>

The Lebanese, who were mainly divided into two religious groups: the Maronites<sup>2</sup> and Druzes,<sup>3</sup> were in matters of personal status governed by laws administered by their religious heads, for example, cases of marriage, divorce, and inheritance. On the other hand, all criminal cases, and matters of tax default were reserved for the amirs. Each religious community had its own laws and its own courts. This

<sup>1</sup>Ibid., p. 666.

<sup>2</sup>The Maronites are descendants of the ancient Syrians. They are so called from Maron, who lived in the fifth century A.D. After being condemned by the General Council of Constantinople as holding the Monothelite heresy, his followers were expelled from the towns of Syria, and took refuge in the mountains of Lebanon. They recognize the supremacy of the Pope, and constitute an influential sect. They celebrate the Mass in Syriac; and they have many churches, convents and schools throughout the country.

<sup>3</sup>The real founder of the Druze religion was the Caliph Hakem, who ruled in Egypt at the end of the tenth century A.D. Hakem proclaimed himself as the God Incarnate, he disappeared in a mysterious manner (it is said that he was assassinated outside the city of Cairo which had been his capital). Derazy and some other men of Hakem's followers fled to "Lebanon" and there preached this new faith, which never took root in Egypt. The Druzes do not reject the Koran but explain its language and laws as symbolical and mystical. Nothing is to be taken in literal sense, but there is a hidden meaning known only to the "Okkal" (the "wise"). These "Okkal" are bound to secrecy by solemn oaths, and they obey their religious heads in all matters. The Druzes are divided into two classes; the Okkal (the wise) and the Jahel (the ignorant) who are exempted from any kind of religious rite. Mrs. Bowen Thompson, The Daughters of Syria (London: Seeley, Jackson and Halliday, 1872), pp. 49-52.



system of administration was an outcome of the Millet system.<sup>1</sup>

After the Ottoman conquest, the Ma'ns (Fakhr al-Din I and his successors) became the sole rulers of central and southern Lebanon. The Assafs (Assaf al-Turkumani and his successors) became the rulers of northern Lebanon; whereas the Arslans (Jamal al-Din and his successors) became the rulers of western Lebanon.<sup>2</sup>

Fakhr al-Din II of the Ma'in family extended greatly the dominions of his principality. He became amir in 1590 after the death of his father. Under him the Ma'in power reached its zenith. After annexing the sanjaqs of Beirut and Sidon from the Sultan, he conquered northern Lebanon from the Sayfas.<sup>3</sup> Thus his principality included the sea-coast from the Dog River to Mount Carmel and it also included the cities of Safad, Banyas, Tiberias and Nazareth.<sup>4</sup> The Ma'in family came to an end in 1697 after the death of the childless amir Ahmad.<sup>5</sup>

Lebanon having no ruler, elected Bashir I al-Shihabi as prince.<sup>6</sup> In 1789, following a series of weak princes, Bashir II al-Shihabi (later called "the great") became the ruler of Lebanon

<sup>1</sup>"Millet" means a "religious community". The Millet-system was practiced by the Ottomans in the different parts of their empire. Since the Ottoman empire had embraced many religious communities, it was convenient to have every community governed in matters of personal status by its own religious laws applied by its religious heads. Hitti, op.cit., pp. 667-668 and p. 679.

<sup>2</sup>Ibid., p. 678.

<sup>3</sup>The Sayfas had gained power from the Assafs after murdering the last Assafid ruler in 1590. Ibid.

<sup>4</sup>Ibid., p. 680.

<sup>5</sup>Ibid., p. 686.

<sup>6</sup>Ibid.

succeeding his father who was the first Shihabi to forsake Islam in favour of Christianity. Bashir II assimilated Western culture to a great extent and encouraged foreign trade. He dreamt of an independent and greater Lebanon. Bashir welcomed political refugees and religious minorities, and offered refuge to a number of Druze families from Aleppo and to Greek Catholics from other parts of the Ottoman empire.<sup>1</sup>

Under the Ma'ns and Shihabis who were feudal lords,<sup>2</sup> Lebanon was administered and divided into parts which were called Mu'amalatayn. The two parts were the Mu'amalah of the North and the Mu'amalah of the South. They were separated by a bridge. This bridge still stands today, and is known as "the bridge of the Mua'malatayn!"<sup>3</sup> Each Mu'amalah was again subdivided into muqata'aha.<sup>4</sup> These subdivisions were based on geographical considerations, for example, a river or a mountain would be sometimes a means of separating one territory from the other.<sup>5</sup>

The amir appointed officials for the administration of the muqata'ah. Appointment was not based on merit, but on grounds of favoritism. Usually the posts were offered to the highest bidders, with the exception of the posts of amirs which

<sup>1</sup>Ibid., p. 694.

<sup>2</sup>The Lebanese feudal lords were divided according to their family-positions into three classes: the "amirs" (princes), the "muqaddams" (front-men), and the "mashayekh" (sheikhs). Ibid., p. 678; Sheikh E. Bulaybel, Tarikh Lubnan al-'Am (Bakfaya: Majallat al-Arayis Press, 1938), p. 131; and Nasim H. Nasr, Al-Minhaj Fi Tarikh Lubnan (Tripoli: Liwa Press, 1938), p. 116.

<sup>3</sup>Nasr, op.cit., p. 116.

<sup>4</sup>Bulaybel, op.cit., p. 131. A "muqata'ah" means a part, a fief or a province.

<sup>5</sup>Nasr, op.cit., p. 116.



were inherited. The amirs represented central authority, and the system of administration was centralized since all officials were responsible to them for the administration of their provinces. They had civil and criminal courts of justice.<sup>1</sup> They also were responsible for the administration of taxes.<sup>2</sup>

Thus the amirs were able to keep a firm control over their territories. This situation did not last long, for in 1840 Bashir III al-Shihabi came to power. Bashir was weak and with him came anarchy and disorder. The Ottomans who were then carrying out a policy of centralization decided that the only way of controlling Lebanon was to sow the seeds of disorder between Christians and Druzes.<sup>3</sup> In the middle of the year 1841, a Christian hunter from Deir al-Qamar went into the Druze area of Ba'aqlin in search of partridge. A Ba'aqlin resident stood in his way and tried to forbid him from hunting. An argument followed and the two men soon exchanged blows. Later the altercation became a fight that included outside groups. With Ottoman instigation the fight became a bloody struggle. Many battles took place in the districts of Deir al-Qamar, al-Shahhar and on the coastal plains of Beirut. The fighting extended inland to the Matn and Zahleh.<sup>4</sup>

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<sup>1</sup>Cases of personal status were the concern of the religious courts. *Supra*, p. 15

<sup>2</sup>Bulaybel., *op.cit.*, p. 130.

<sup>3</sup>Hitti, *op.cit.*, p. 694.

<sup>4</sup>Bulaybel, *op.cit.*, p. 118.

This was what the Ottomans had wanted. Upon the presence of restoring order, they put an end to the principality of Lebanon. In 1842 they divided Lebanon into a Christian part and a Druze part. The Christian territories extended from Damascus road in Beirut to river Barid in Akkar, and the Druze part extended from Damascus road in Beirut to Jabal el-Rihan. Each part was named the Qaimmaqamiah<sup>1</sup>, and was ruled by a Qaimmaqam. The Qaimmaqam of the Christian part was a Christian, and a Druze governed that of the Druze section. Both parts were responsible to the wilayat of Sidon and annexed to it.<sup>2</sup> This was the end of the freedom which Lebanon had enjoyed since the time of Fakhr al-Din I.

Although under the government of the two "Qaimmaqamiahs" Lebanon lost its freedom, its internal administration remained centralized. The administration of each Qaimmaqamiah was carried out by a Qaimmaqam, a Qaimmaqam-agent, five judges, six advisors, two high military officers, two-hundred infantrymen, and one religious judge. All administrative officials were appointed on sectarian basis by the Qaimmaqam with the consent of the wali of Sidon.<sup>3</sup>

The Qaimmaqam was responsible to the wali of Sidon for

<sup>1</sup>A "Qaimmaqamiah" means the district of a "Qaimmaqam". A "Qaimmaqam" was a district-officer appointed by central authority to administer the district concerned. The word "Qaimmaqam" means "agent". In this case an agent of Central Authority.

<sup>2</sup>Bulaybel, *op.cit.*, pp. 121-122.

<sup>3</sup>*Ibid.*, p. 123.

the administration of his Qaimmaqamiah. Whereas policy formulation was in the hands of the wali of Sidon, laws were executed by the Qaimmaqam. All administrative matters were referred directly to the Qaimmaqam who then would channel them to the proper authorities. He would thus assign criminal cases and affairs of personal status to the civil and religious judges respectively. The qaimmaqam was also charged with the collection of taxes. All other matters were assigned to his agent and to his other administrative officials.<sup>1</sup>

Local self-government did not exist. The wali of Sidon retained ultimate power and the qaimmaqam and the other officials were merely subordinates. The Ottomans cared little about the administration of the qaimmaqamiahs as long as they got the taxes. Therefore in practice the wali was free to do whatever he wished as long as he paid his taxes to his master the Sultan.

The "1860 Troubles".-- The troubles of 1860 were not spontaneous. These unfortunate happenings took root far back in 1841.<sup>2</sup> In 1843 troubles took place in the Na'ameh and Damour. In the year that followed Lebanon was in a turmoil. There were acts of violence and bloodshed between Christians and Druzes in 150

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<sup>1</sup>Ibid.

<sup>2</sup>Bulaybel, op.cit., p. 125. Supra, pp. 14-15.

villages in the Shuf and Matn districts.<sup>1</sup> In the ensuing struggle the Christians suffered heavy losses.

The Ottomans were mainly responsible for what had happened since they intentionally neglected their duties as rulers and instigated a new trouble when one had ceased,<sup>2</sup> for their policy was to divide and rule. The European powers, namely England, France and Russia also were involved in the matter, since they had political interests and ambitions in the country. Each desired more influence, and wanted an excuse for intervention.<sup>3</sup>

The successive conflicts increased in scope and intensity.<sup>4</sup> The year 1860 found Lebanon divided, troubled and bleeding. 'Abd al-Majid, the Ottoman Sultan during that time sent military troops to the Lebanon on the pretence of maintaining order.<sup>5</sup> The massacre, instead of subsiding, increased. The time was ripe for European intervention. France claimed the protection of the Maronites, Russia the Greek Orthodox; and England, finding ~~no/else~~<sup>one</sup> to protect, championed the Druzes.<sup>6</sup>

On July 1, 1860, France and England sent their fleets

<sup>1</sup>Ibid., op.cit., p. 125.

<sup>2</sup>Nasr, op.cit., pp. 125-126. Sir Charles Napier, The War in Syria (London: John W. Parker, 1842), pp. 292-294.

<sup>3</sup>Colonel Churchill, The Druzes and the Maronites under the Turkish Rule from 1840 to 1860 (London: Bernard Quaritch, 1862), pp. 282-283.

<sup>4</sup>William Miller, The Ottoman Empire: 1801-1913 (Cambridge: University Press, 1913), p. 301.

<sup>5</sup>Bulaybel, op.cit., p. 128.

<sup>6</sup>Miller, op.cit., pp. 301-302.

to Beirut. In September of the same year, six thousand French soldiers occupied Lebanon and were, at last, able to restore order.<sup>1</sup> The estimated number of the Christians massacred in 1860 was 11,000.<sup>2</sup>

The "Protocol of September 9, 1861" and its Revision;--

On September 9, 1861, Turkey submitted to the demands of the Europeans and made Lebanon a Mutasarrifiah under the rule of a Mutasarrif<sup>3</sup> who would be guided by a protocol. The protocol was approved by a council of the five big powers of that time (France, England, Russia, Prussia and Austria). The Sultan was in no position to refuse, and gave his consent reluctantly.<sup>4</sup> The protocol was revised in 1864, and it remained the basis of government and administration until the first world war when the Turks abolished the privileged position enjoyed by Lebanon.<sup>5</sup>

By the protocol of 1861, revised in 1864, an autonomous government was set up in Mount Lebanon<sup>6</sup> under a non-Lebanese Christian Governor-General (Mutasarrif). The Governor-General was appointed by the Sultan with the approval of the five big

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<sup>1</sup>Bulaybel, op.cit., p. 128.

<sup>2</sup>Churchill, op.cit., p. 219; cf. Nasr, op.cit., p. 125.  
Hitti, op.cit., p. 695.

<sup>3</sup>The Arabic verb "Tasarrafa" means to deal with, to administer; hence the word "mutasarrif" means the administrator, the governor.

<sup>4</sup>Bulaybel, op.cit., p. 129.

<sup>5</sup>Hitti., op.cit., p. 695.

<sup>6</sup>"Beirut" during that time was separated from "Lebanon", and was made a wilayat. Ibid.

powers (France, England, Russia, Prussia and Austria) and was directly responsible to the Sultan.<sup>1</sup> He served for a renewable term of five years, and possessed all executive powers. Thus he was responsible for the keeping of order, internal security, and the collection of taxes. He appointed the judges of the courts,<sup>2</sup> and set up departments to administer the country.

The Governor General was assisted by an administrative council of twelve representatives elected from the different religious communities: two Maronites, two Catholics, two Greek Orthodox, two Shiites, two Sunnites, and two Druzes (i.e. six Christians and six non-Christians.)<sup>3</sup> The council members were elected by the Sheikhs of the villages for a term of six years. In order to secure conformity, one third of their number was elected every two years. The village sheikhs, in turn, were elected by the villagers.<sup>4</sup>

The council exercised advisory powers. Its duties included the apportionment of the land tax, and the control of the administration of revenue and expenditure. However the budget was proposed by the Governor General and the council could not reject it.<sup>5</sup>

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<sup>1</sup>Ibid.

<sup>2</sup>Bulos Mas'ad, Lubnan wal-Dastour al-Uthmani (Cairo: Ma'arif Press, 1909), p. 9.

<sup>3</sup>Ibid., pp. 9-10.

<sup>4</sup>Bulaybel, op.cit., p. 134.

<sup>5</sup>Ibid.

Administratively, Lebanon was divided into seven qadas.<sup>1</sup> Each qada was headed by a qaimmaqam who was an agent of central authority. The duty of a qaimmaqam was to implement orders received from the Governor General. He supervised the elections of the members of the administrative council, and was also responsible for the keeping of order in his district. In matters that affected the public peace, the local police force took its orders from him. In short, he exercised locally the powers of the Governor General.<sup>2</sup>

The qaimmaqam was advised by a local administrative council of three to six members. These members represented the different religious sects, and the council met once a year on the request of the qaimmaqam who was also its presiding-officer. It was responsible for giving its advice in cases of local interest, and also helped in the allotment of the qada-taxes.<sup>3</sup> The qada in turn were subdivided into forty-three nahiahs.<sup>4</sup> A "nahiah" was made up of several villages, and at the head of each nahiah was a mudir.<sup>5</sup> The mudir was appointed by the Governor General. He was responsible to the qaimmaqam, and was accountable to the Governor General.<sup>6</sup>

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<sup>1</sup>Called also "Qaimmaqamliks". The seven qadas were: al-Kura, Batrun, Kisirwan, Matn, Shuf, Zahleh and Jezzine. Ibid., p. 133.

<sup>2</sup>Ibid. Also Mas'ad, op.cit., p.10.

<sup>3</sup>Mas'ad, op.cit., pp. 10-11.

<sup>4</sup>The word "nahiah" means direction. Mas'ad op.cit., p. 3.

<sup>5</sup>The word "mudir" means director.

<sup>6</sup>Mas'ad, op.cit., p. 11.



The village was the smallest administrative unit. At the head of each village was a sheikh<sup>1</sup>. He was elected by the villagers, but he too was responsible to the governor, because he served as his agent. He received his orders from the mudir of his nahiah, and assisted the mudir in the maintenance of public security. The sheikh was also responsible for the reporting of changes in the personal status of his villagers. He notified central authority of all births and deaths in his village. In short, all the administrative system was centralized. The governor controlled all local divisions through his appointed agents. Only the sheikhs were elected, and even then, they were not responsible to the villagers who elected them but to central authority who controlled them.<sup>2</sup>

In 1877 the "Ottoman Law of Municipalities" was applied to Lebanon. This law was largely based upon ~~French~~ Municipal Law.<sup>3</sup> Under it, any town or village was allowed to form a municipal-<sup>4</sup>ity on the presentation of a request to central authority. Every municipality had an elected municipal council. The council was responsible for the social works and the public undertakings of its municipality. These included all health, public works, and social services. It had the power to pass

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<sup>1</sup>A "sheikh" corresponds to the "mukhtar" of today (1954).

<sup>2</sup>Mas'ad, op.cit., p. 11.

<sup>3</sup>Walter W. Ritscher, Municipal Government in Lebanon (Beirut American Press, 1932), p. 1.

<sup>4</sup>"Central authority" denotes the Governor and his appointed agents (the qaimmaqam and the mudirs of the Nahiahs). Supra., pp. 19-20..



its own budget. It could settle petty-criminal cases, and it could decide its own work program. The executive head of the council was the mayor. He executed all the administrative works of his municipality, and prepared the municipal budget. The council met twice a week, and the mayor presided over it. At the beginning of every year the municipal council met with the qada local administrative council, thus forming one general council. This general council studied and approved or disapproved all plans that were to be executed by the municipal council.<sup>1</sup>

Under its 1864 settlement Lebanon enjoyed considerable independence in its internal administration. But "Lebanon" was only the "Mountain" part of the present Lebanese Republic, with an added narrow strip of land between the estuary of the Dog River and the Batrun. All the coastal area between the Dog River and Jaffa belonged to the wilayat of Beirut. The boundary line in the east spread out to include Marj'iyum and Marj ibn-'Amer, it descended gradually and included Tiberias and Baisan in Palestine. Nablus which is a city in Palestine, situated on the Sumarian Hills, also belonged to the wilayat of Beirut. The "Mutasarrifiah of Lebanon" was smaller in area than the "Wilayat of Beirut".

<sup>2</sup>  
The Wilayat of Beirut.-- This covered an area of 30,500sq.kms.

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<sup>1</sup>Nakhlah Kulfat, ed., Compiler of Laws (Beirut: Adab Press, 1893), part 17, pp. 1-23.

<sup>2</sup>As a result of the "1864 Settlement" Beirut was separated from the Mutasarrifiah of Lebanon and made a wilayat. It, therefore, shall be discussed under a separate heading. Hitti, op.cit., p. 695.

It embraced all the lands of the Syrian coast except the northern part which belonged to the "wilayat of Aleppo", the middle part which constituted "Lebanon", and the southern part which belonged to the "Liwa of Jerusalem". In the south, the territory of the wilayat of Beirut included the districts of Acre and Nablus. It also included all lands in the Sumaria district up to the territories of the district of Jerusalem.<sup>1</sup>

The geographic location of the mutasarrifiah of Lebanon divided the wilayat of Beirut into two fairly equal parts. These two parts were the Northern Part, and the Southern Part. As part of the Ottoman empire the wilayat of Beirut was governed by a wali (governor) who was directly responsible to the Sultan at Constantinople. For purposes of administration, the wilayat of Beirut was divided into five "Liwas" (districts). These were the Liwas of Beirut, Acre, Nablus, Tripoli, and Latakiah.<sup>2</sup>

The "Northern Part" of the wilayat consisted of the two districts of Latakiah and Tripoli, while the "Southern Part" of the wilayat consisted of the three districts: Beirut, Acre, and Nablus. Each "Liwa" (district) was administered by a "mudir" (director) appointed by the "wali" and responsible

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<sup>1</sup>Mohamad Rafiq and Mohamad Bahjat, Wilayat Beirut, (Beirut: Iqbal Press, 1914), I, 7.

<sup>2</sup>Ibid., p. 7.

to him for the administration of his liwa.<sup>1</sup>

The wilayat of Beirut had municipal-councils established in towns and villages. These councils were set up by means of an official request which was presented to central authority<sup>2</sup> by the inhabitants of the places wishing to establish a municipality. This was in accord to the Ottoman Law of Municipalities of 1877 which was also applied to the Wilayat.<sup>3</sup> The municipalities were mostly concerned with the administration of the health services, and the public works of their cities. The municipality of Tulkarm, for example, appropriated in 1910 one-fourth of its income for the purchase of medical drugs, scavenging, lighting and the construction of roads. Another fourth of its income was appropriated for the salaries of its officials. The remaining half was allotted for expenses for official celebrations, aid to the poor, debt redemption, and miscellaneous.<sup>4</sup> In this respect it is interesting to note that, in a time when the city of Nablus suffered from contagious diseases, its municipality income in 1911 exceeded its expenditures. During this same period, the city of Nablus appropriated two-thirds of its income for salaries, pensions, and official celebrations, while only one-third was appropriated for social services.<sup>5</sup>

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<sup>1</sup>This type of administration was the one that was applied in the "Mutasarrifiah of Lebanon". *Supra*, p. 20.

<sup>2</sup>"Central authority" denotes the wali and his appointed agents (the mudirs of the liwas).

<sup>3</sup>*Supra*, pp. 22-23.

<sup>4</sup>Rafiq and Bahjat, *op.cit.*, p. 182.

<sup>5</sup>*Ibid.*, pp. 116-117.

Administration under the French  
(1918-1943)

In 1914 Turkey entered the first world war on the side of Germany. It put an end to the freedom of Lebanon by military occupation. Following the **defeat** of Germany the Turkish empire was divided among the victors. Syria, including Lebanon, fell to France which was to rule it in trust for the League of Nations. The Wilayat of Beirut was greatly decreased in size, for all its southern territory was taken from it and added to Palestine which fell to the British mandate.

In 1920 France formed the Grand Liban by adding to "Lebanon" the cities of Beirut and Tripoli; and the qadas of Sidon, Tyre, Marja'youn, Rashayya, Hasbaya, Biqa and Ba'albak. These additions of territory were taken from what had been Syria and comprised what was called the "Grand Liban".<sup>1</sup>

On May 23, 1926, the country was re-named the "Lebanese Republic". From the time of their occupation of Lebanon until 1930, the French retained the Ottoman organization of "qadas", "nahiahs"<sup>2</sup> and villages. If France had to introduce an organization of its own it would have set up the same system, it suited her very well. After several, minor unimportant changes

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<sup>1</sup>Bulaybel, op.cit., p. 151. The city of Beirut became the capital of the newly-formed state.

<sup>2</sup>Government of Lebanon, Compilation of Resolutions for the State of Grand Liban, Sept. 1920 - Dec. 1923. (Beirut: Adab Press, 1925), pp. 15-26.

the administrative organization of Lebanon was based on Decree No. 5 dated February, 3, 1930.<sup>1</sup> By this decree Lebanon was divided into five Muhafazas (districts) governed by a Muhafez. The muhafazas, in turn, were divided into eighteen "qadas"<sup>2</sup> (sub-divisions) governed by a "qaimmaqam".

The Muhafazas.-- Administratively the "Republic of Lebanon" was divided into the five Muhafazas of Beirut, **North** Lebanon, Mount Lebanon, South Lebanon and the Beqa.<sup>3</sup> The boundaries of the five muhafazas were fixed by law, and could not be changed except by it.<sup>4</sup> Each muhafaza was administered by a muhafez. The muhafez was nominated by decree. He represented the government, and therefore exercised all the administrative powers over the muhafaza-services. The muhafez was also responsible for the maintenance of public security within his muhafaza. He assisted tax-collectors and supervised the officers in charge of the financial administration in his muhafaza. All the other appointed government officers were responsible to the muhafez, who was their senior in rank.<sup>5</sup> Although the muhafez

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<sup>1</sup> George Haymari, et.al., ed., Compilation of the Laws and Decrees of the Government of the Republic of Lebanon: Jan. 1929-Dec. 1930. (Beirut: Dabbour Press, 1933), pp. 221-241.

<sup>2</sup> Ibid., pp. 221-223.

<sup>3</sup> The Arabic word "Muhafaza" means a district governed by a Muhafez. A "Muhafez" is a keeper or a protector; in this respect he is charged with the duty of "keeping and protecting" the district for the Ministry of Interior.

<sup>4</sup> Haymari, op.cit., pp. 221-223.

<sup>5</sup> Ibid., pp. 223- 229.

appeared to have had complete administrative powers over his muhafaza, in fact, alongside each muhafez there was an appointed French "advisor" who authorized his acts.<sup>1</sup> Through these advisors, France was able to control the administration in Lebanon.

The Qadas.-- The five muhafazas were divided into eighteen qadas. These were: Tripoli, Zgharta, Akkar, Kura, and Batrun in "North Lebanon"; Ba'abda, Aley, Shouf, Matn and Kisirwan, in "Mount Lebanon"; Tyre, Sidon, Jezzine, and Marj'iun, in "South Lebanon"; and Zahleh, Rashaya, Ba'albak and Hermel in the "Beqa" (the muhafaza of Beirut contained no qadas). Here again the boundaries of the eighteen qadas were determined by law and could only be changed by it.<sup>2</sup>

Every qada was headed by a qaimmaqam who was directly responsible for the administration of his district to the muhafez. The qaimmaqam assumed the responsibility for internal order and peace, and executed the judgements passed by the courts. All educational and health services fell under his jurisdiction. He passed the orders he received from the muhafez directly

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<sup>1</sup> Michael F. Abcarius, The Administrative Laws of the Near Eastern Countries (Beirut: A.U.B., 1951), pp. 149-150.  
<sup>2</sup> Haymari, op.cit., pp. 221-223.

to the mukhtars, and he supervised their execution.<sup>1</sup> The mukhtars<sup>2</sup> and the Qada Council<sup>3</sup> functioned under his direction. The qaimmaqam also had to report all activities in his qada to his chief the muhafez. Centralization was, therefore, maintained.<sup>4</sup>

Under the French, the village administration in Lebanon was governed by the Law of January 13, 1928. The law provided for the election of mukhtars by direct male suffrage in the village or quarter. In practice, mukhtars were appointed by the Minister of Interior upon the recommendation of the muhafez.<sup>5</sup> In matters of public security the mukhtar informed the qaimmaqam about events which disturbed the peace and order of his village or quarter. Official reports on all criminal matters were sent by him to the qaimmaqam. The mukhtar, also helped other government officials, by supplying them with all information they asked for. He published in his village all the government rules, regulations and instructions. Thus, he implemented the duties prescribed by the law and was responsible to the qaimmaqam for their application.<sup>6</sup>

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<sup>1</sup>Ibid., pp. 229-231.

<sup>2</sup>The "mukhtar" means the "select", i.e. "the selected person". He was the smallest executive authority in the village or quarter.

<sup>3</sup>This council advised and helped the qaimmaqam. It was composed of the "qada Chief Clerk", the "qada Finance Officer" and six other members. Of these six members, two were appointed by the qaimmaqam, and four were elected by the mukhtars and members of the municipal council. Haymari, op.cit., pp. 231-240.

<sup>4</sup>Abcarius, op.cit., p. 150.

<sup>5</sup>Ibid.

<sup>6</sup>Haymari, op.cit., p. 230.



The mukhtar prepared and verified certificates that related to personal status and passports. In matters of finance, the mukhtar assisted the tax-collectors and the excise officers, and issued certificates regarding the financial status of guarantors, of property owners, et cetera. on matters of health he reported all diseases and supervised vaccinations and <sup>1</sup>innoculations. In short, the mukhtar was the smallest executive organ of local government, in the centralized system that existed. His work was onerous; it included functions of public security, public health, finance, justice and agriculture.<sup>2</sup>

Municipalities.-- The history of municipal government in Lebanon dates back to the Ottoman Municipal Law of 1877. "The transition to the new municipal code promulgated in 1922 after the establishment of the French mandatory regime was comparatively simple."<sup>3</sup> The general framework remained nearly the same with minor differences in procedure and in the degree of centralization. The entire system was controlled by the High Commissioner through the French "advisors" who were employed in the district

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<sup>1</sup> Republic of Lebanon, The Law of the Mukhtars (Beirut: Adab Press, 1928), pp. 8-10.

<sup>2</sup> It was his duty to report on pests and diseases, and he was under obligation to carry out instruction received for the protection of plants and crops. Ibid., p. 9.

<sup>3</sup> Ritsher, op.cit., p. 1.

alongwith the muhafez, thus bringing municipal government well within the highly centralized system of national government.<sup>1</sup>

Any town at least of five-hundred inhabitants could upon the demand of one-third of its qualified electorate be incorporated into a municipality, provided it could present an annual budget of at least 2,500 Syrian pounds.<sup>2</sup> Neighbouring villages within two and one-half kilometers of each other, and with common interests could combine together in the formation of a municipality, on condition they satisfied these general law requirements.<sup>3</sup>

Municipalities were governed by an elected municipal council which varied in size according to the number of inhabitants as shown in the following table:-<sup>4</sup>

5	members	in	towns	up	to	500	population.
6	"	"	"	from	501	to	2,000 population.
7	"	"	"	"	2,001	to	8,000 "
8	"	"	"	"	8,001	to	20,000 "
9	"	"	"	"	20,001	to	40,000 "
10	"	"	"	"	40,001	to	60,000 "
11	"	"	"	"	60,001	to	100,000 "
12	"	"	"	"	100,001	or	above population.

The council-members were elected for a renewable term of four years.<sup>5</sup> Municipal councils could be dissolved by a ministerial

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<sup>1</sup>Ibid.

<sup>2</sup>During that time the Lebanese and Syrian currency were the same.

<sup>3</sup>Government of Lebanon, *op.cit.*, pp. 363-363.

<sup>4</sup>Ritsher, *op.cit.*, p. 3. Also *ibid.*, p. 367.

<sup>5</sup>The councillors were elected by direct universal manhood suffrage.

decre<sup>1</sup>e.

Every municipal council was headed by a mayor who was its chief executive. The Minister of Interior appointed the mayor and his assistants from among the council members. The other members ranked according to their seniority of office.<sup>2</sup> The council's meetings were private. The qaimmaqam, and the French advisors were ex-officia members, and decisions of the council were determined by majority rule with the mayor voting in case of a tie.

The municipal council legislated on all municipal affairs. It also acted as an advisory body to the qaimmaqam and the muhafez. It inspected the budget and accounts of the mayor and municipal treasurer. Although the council passed its budget, the consent of the Minister of Interior was needed for its execution.<sup>3</sup> Moreover, a municipal council was forbidden to make any proclamation or to express its views on the political, religious, or administrative systems.<sup>4</sup>

The mayor, within certain limits, appointed and removed all municipal employees with the consent of the qaimmaqam of his district. As an agent of the government of Lebanon, the

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<sup>1</sup>Ritsher, op.cit., p. 5.

<sup>2</sup>Ibid., p. 11.

<sup>3</sup>Government of Lebanon, op.cit., pp. 379-381.

<sup>4</sup>Ritsher, op.cit., p. 15.

mayor was charged with the publication and execution of the laws and regulations which affected his municipality. The mayor signed all contracts and leases which dealt with public works. He was responsible for the direction of all municipal public works, and regulated the burial procedure in his municipality. The maintenance of municipal order, health, and peace were also the responsibility of the mayor. He took precautionary and relief measures at times of public catastrophe, such as fires, floods, epidemics and accidents of all kinds.<sup>1</sup>

As the new capital of the Grand Liban and the residing place of the Commissioner, Beirut operated under a special law. Whereas the rest of the municipalities were administered by the "Municipal Law of 1922" Beirut was governed by the "Municipal Law of 1924".<sup>2</sup>

The administrator of Beirut "became the mayor or president of the municipal council, a position which had been elective under the preceding regime".<sup>3</sup> The mayor of Beirut had final authority in all matters of appointment and dismissal from the municipal services. Unlike the mayors of the other municipalities, the Mayor of Beirut received a salary from the Lebanese government. This salary was provided for in the municipal budget, but it was paid into the National Treasury.<sup>4</sup>

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<sup>1</sup>Ibid., pp. 17-20.

<sup>2</sup>Supra., p. 29.

<sup>3</sup>Ritsher, op.cit., p. 23..

<sup>4</sup>Ibid., p. 23.

The law governing the Beirut municipal council differed from the other municipalities, since it permitted all sectarian representations. The council was made up of five Sunni Moslems, two Maronites, two Greek Orthodox, one Shiite Moslem (or one Druze), one representative of the minority sects and four "foreigners" (nationals of states which were members of the League of Nations, or of the United States). The Lebanese members of the council were elected by direct universal suffrage of all the male residents who had the legal qualification requirements. The foreign members were elected separately by the inhabitants of foreign nationality who resided in Beirut.<sup>1</sup> The council was invested with all the powers that appertained to the ordinary municipal councils under the general code of 1922.<sup>2</sup> It was given the authority to fix the tariff for all public conveyances, to make provision for the poor, and to execute all projects of construction, reparation, or demolition which were in the interests of public safety and hygiene.<sup>3</sup> As in the other municipalities, Beirut's annual budget was prepared and passed by its municipal council and like them it required the consent of the Minister of Interior before it could be executed.<sup>4</sup>

Like the Ottomans before them the French carried on the

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<sup>1</sup>Ibid., p. 24.

<sup>2</sup>Supra, pp. 30-31.

<sup>3</sup>Ritsher, op.cit., pp. 25-26.

<sup>4</sup>Supra, p. 31.

system of administrative centralization.<sup>1</sup> Through the muhafez, the qaimmaqam, the mayor and the mukhtar, the ministry of interior was able to control all local authorities, France carried out this policy until 1943 when it was forced to give Lebanon its independence. Nevertheless, this system of centralized administration inherited from the French, was adopted by the new Lebanese government that followed.

Today, the Muhafez, Qaimmaqam and Mukhtar are fully responsible to the Minister of Interior for their administrative functions. Administrative centralization which characterized government under the Ottomans and the French, has been incorporated into the municipal laws of the Lebanese Republic of today (1954).

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<sup>1</sup>Leonard Stein, Syria (New York: Adolphi Co., 1926), p. 41. Also George Shahla et al., Al-Tarbiah al-Wataniah (Beirut: Dar al-Elm Lilmalayeen, 1946), pp. 42-44.

## CHAPTER III

### THE MUHAFAZAS

Between February, 1930 and January, 1953, local government in Lebanon was controlled by rules and regulations contained in Decree No. 5 which was issued on February 3, 1930.<sup>1</sup> Almost twenty-three years later Decree No. 5 was replaced by Decree No. 18 under which local government is presently operating.<sup>2</sup>

The Lebanese Republic is divided into five principal administrative districts called "muhafazas".<sup>3</sup> These muhafazas are: Beirut, North Lebanon, South Lebanon, Mount Lebanon and Beqa. Each muhafaza has a capital which usually is its largest city. The five muhafaza-capitals are respectively: Beirut, Tripoli, Sidon, Ba'abda and Zahla.

The administrative divisions of Lebanon are primarily based on geography. The coast and the chain of mountains running parallel to it were divided into three fairly equal

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<sup>1</sup>Supra, pp. 25-29.

<sup>2</sup>Lebanese Ministry of Interior, Legislative Decree No. 18, Jan. 12, 1953 (Beirut: Dar al-Fonoon Press, 1953), p. 14.

<sup>3</sup>The Arabic word Muhafaza means "held in trust". In this respect the muhafaza is supposed to be held in trust for the people who occupy it.



parts (i.e., North Lebanon, Mount Lebanon and South Lebanon). Beirut, as the capital of the country with population of about 300,000, was excluded from the division and made a separate muhafaza, and so was the Beqa which forms an independent geographic area in the eastern part of the country. The purpose of this division was to create geographically consolidated areas in order to facilitate administration. Population considerations and other administrative factors were also taken into account, for example, Furn al-Shubbak, Burj Hammoud and Sinal-Feel were joined to the district of Mount Lebanon and not to the muhafaza of Beirut.<sup>1</sup>

### The Muhafez

Each of the five administrative districts has an appointed government official called Muhafez as its head. This muhafez is the most important official in his district. On him falls the heavy responsibility of directing the affairs of his locality for the Ministry of Interior. Therefore, he is nominated by the Minister of Interior, although his appointment must be confirmed by the Council of Ministers by means of a decree.<sup>2</sup>

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<sup>1</sup> Shahla et.al., op.cit., pp. 159-161. These administrative divisions of Lebanon are embodied in the appendix of Decree No. 18, Jan. 12, 1953. They are set down in detail, and cannot be changed or altered except by a decree. Lebanese Ministry of Justice, Legislative Decrees of Oct. 15, 1952-April 15, 1953 (Beirut, Ministry of Justice publications, 1953), I, 332-345.

<sup>2</sup> Lebanese Ministry of Interior, op.cit., article 3, p. 2.

Since the Minister of Interior nominates the muhafez, he also has the right to discipline him if he exceeds his jurisdiction or misuses it. In these cases the Minister refers the matter to the Disciplinary Council<sup>1</sup> which then takes action on it. The Disciplinary Council will, if it deems it proper, ask the President of the Republic to issue a decree discharging the Muhafez from his post.<sup>2</sup>

Salary, responsibilities and duties.--- The salary of a muhafez may vary from LL. 615 to LL. 920,<sup>3</sup> depending upon the differences in the grades which are based primarily on the seniority of the official. In addition to his monthly salary, the muhafez is entitled to allowances for expenses incurred in connection with official duty.<sup>4</sup>

In his capacity as representative of the Minister of Interior, the muhafez is responsible for the direction of all the affairs of his administrative area. The law provides that all the muhafaza officials should receive orders from

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<sup>1</sup>The Disciplinary Council (Majlis Ta'dibi) is an administrative court for settling all matters of administration relating to dishonesty, misuse of post, insubordination et. cetera, of government officials. In this case the Council is constituted of five Directors General (Mudireen A'meen), and its decisions are taken by majority votes. Lebanese Ministry of Justice, op.cit., pp. 221-222.

<sup>2</sup>Ibid., p. 222. On the un-voluntary absence of the muhafez, as for example absence due to sickness the Minister of Interior commissions the muhafaza's chief-secretary or a qaimmaqam to take his place. If the absence is more than a month, an agent is appointed by decree. Lebanese Ministry of Interior, op.cit., article 8, p. 3.

<sup>3</sup>Salary scale sheet No. 4. See Appendix A.

<sup>4</sup>Lebanese Ministry of Interior, op.cit., article 7, p. 3.

him, and that through him the various ministries should contact<sup>1</sup> and supervise all their local departments.

The functions, responsibilities and duties of the muhafez are many. They include: publicity and execution of laws, keeping order and security, protection of personal liberty and sanctity of home, supervision of tax-collection, spreading of education and raising the standards of living in villages, and improving health and economic conditions.<sup>2</sup>

Since the muhafez is the "direct representative of central government",<sup>3</sup> then all laws and regulations are passed by him to the different departments in his muhafaza. He is also responsible for making public in his muhafaza all the laws and decrees.

Since order and security are important and necessary to government and administration alike, they form an important part in the daily work of the muhafez. Thus, it is his duty to maintain peace and order in his muhafaza. He has the authority to demand the services of the police-force when the public peace of his muhafaza is endangered, for example, demonstrations threatening the peace, riots and unlawful assemblies. Again, it is his duty to aid the judiciary and

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<sup>1</sup>Except in routine matters whereby the departments can directly contact their ministries. *Ibid.*, article 4, p. 2.

<sup>2</sup>*Ibid.*, article 4, p. 2; and article 11, pp. 3-4.

<sup>3</sup>This is the literally translation of the Arabic phrase of the decree. *Ibid.*, article 4, p. 2.

the courts in their applications of the laws and their apprehension of criminals.<sup>1</sup> The law gives him advisory powers in all matters relating to the appointment and replacement of all police officers. In Beirut it also gives him the authority to appoint, suspend, pension and dismiss members of the municipal-police force.<sup>2</sup> Recently the muhafez of Beirut signed an order for establishing a municipal-police division whose duty will be to look into the complaints of citizens as soon as they are received.<sup>3</sup>

The muhafez has the right to demand from the attorney's office in his district information regarding all penal cases. It is his duty to look after prisons and detention places of his locality. In this respect he must tour at least once a month the prisons in his muhafaza in order to examine their physical conditions. On hearing of the mistreatment of any prisoner, and in cases of prison disorders, the muhafez inspects and reports his findings to the Minister of Interior. In cases of mistakes or violations committed by the prison-guards, the muhafez asks the chief prison-officer to investigate and correct the injustice.<sup>4</sup>

The muhafez, therefore, with the cooperation of the

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<sup>1</sup>

<sup>2</sup>Ibid., articles 19-21, p. 6.

This power is only given to the Muhafez of Beirut, because in addition to being a "muhafez" he undertakes the executive functions of the municipality.

<sup>3</sup>Al-Anba' (Beirut), February 13, 1954, p. 4.

<sup>4</sup>Lebanese Ministry of Interior, op.cit., articles 21 and 22, pp. 6-7.

police-force of his district and with the aid of the courts, administers order and security in his muhafaza. All officials working under his direction are also bound to offer him every possible help required to maintain peace and stability in their locality.<sup>1</sup>

The Lebanese constitution stresses the sacredness of personal liberties and rights.<sup>2</sup> The protection of these rights is one of the chief functions of the muhafaiz. The muhafaiz, therefore, must guarantee within the limits laid down by the law the free movement of all the passengers and inhabitants of his locality. He sees that nobody is detained or imprisoned without legal cause.<sup>3</sup>

The sanctity of homes, which is an outcome of personal liberty is another responsibility undertaken by the muhafaiz. Every man is entitled to the inviolability of his home, and it is the duty of the muhafaiz to preserve that right for him. This the muhafaiz does by seeing that proper warrants are used in cases of home entries.<sup>4</sup> Since the protection of personal liberty and sanctity of <sup>the</sup> home are closely linked to the preservation of order and security, the muhafaiz can therefore ask for the cooperation of the courts and the police to help

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<sup>1</sup>

<sup>2</sup>Ibid., article 23, p. 7.

<sup>3</sup>The Lebanese Constitution of 1926 (amended), articles 13-15. Sobhi Mahmassani, Al-Dastour wal-Dimocratiah (Beirut: Dar al-Elm Lilmalayeen Press, 1947), pp. 94-97 cf., Fuad Shubat, Al-Hugooq al-Asassiah (Damascus: Nashr al-Elmi Press, 1947), pp. 222-223.

<sup>4</sup>Mahmassani op.cit., pp. 94-97.

<sup>5</sup>Ibid., p. 97 cf., Shubat, op.cit., pp. 225-226.

him preserve these rights.

The economy of any country depends to a large degree on the amount of taxes collected. The Treasury Department in the Ministry of Finance undertakes the collection of taxes under the supervision of the muhafezes. Each muhafez supervises the officers in charge of the financial administration in his district, and offers them help. He furnishes tax-collectors with the information required by them for the execution of their fiscal duties. He may supply them with maps, statistical figures and similar data which aid them in their work. In matters of tax-delinquency, the muhafez can help the tax-collectors by requesting the aid of the police. Alongwith the aid of two finance-officials, he undertakes liens on the property of those who are unable to pay their taxes.<sup>1</sup>

The improvement of education is an important duty of the muhafez. The muhafez must encourage the spreading of education in his muhafaza. He visits village schools and institutions to ~~maintain~~ maintain their educational standards, and to see that their health conditions are maintained. In addition, the muhafez has the duty of helping educational societies. He encourages educational clubs and sets up public libraries when funds for that purpose are appropriated in the Budget.<sup>2</sup>

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<sup>1</sup>From an interview with the Muhafez of Mount Lebanon Mr. Housni al-'Uja (June 1, 1954).

<sup>2</sup>Shahla et.al., op.cit., p. 170.

The law specifically gives the muhafez general powers for the raising of the standards of living in villages.<sup>1</sup> The muhafez may compel the villagers to ~~comply~~<sup>with</sup> sanitary conditions, in order to prevent the spread of disease. He also arranges for the supply of water for all the parts of his muhafaza. He orders the inspection of all the wells and water reservoirs of his district, and takes remedial measures in all cases of water pollution. Here, it is interesting to point out that the muhafez has power to issue licences for the making and selling of "raw cheese",<sup>2</sup> and he also has the power to grant permits for the keeping and raising of pigs. In addition the muhafez is entitled to give licences for the exploitations of industrial areas. licences for the use of explosives, and building licences in places having no municipal councils.<sup>3</sup>

The government also charges the muhafez with economic-<sup>4</sup> functions. He is to encourage productivity in his muhafaza by increased agricultural production, and by assisting the farmers when they need help. He also supports and aids the commerce and industry in his muhafaza, for example, by offering them

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<sup>1</sup>Lebanese Ministry of Interior, op.cit., article 11, section 4, p. 3.

<sup>2</sup>What is termed "raw cheese" is local cheese made by villagers. This cheese contains a poisonous substance which is called masswa in Arabic. This "masswa" is prepared from the gastric contents of kids and lambs, and its function is the coagulation of milk. An excess in the use of "masswa" is very poisonous and may cause death. The examination of the cheese and its manufacture process is therefore necessary before it is offered for sale.

<sup>3</sup>Lebanese Ministry of Interior, op.cit., article 13, p.4.

<sup>4</sup>Ibid., article 11, section 4, p. 3.



material aid as did the Muhafez to the Rashayya potter-industry. In short, he is supposed to raise the economic standards of his administrative district.<sup>1</sup>

### The Execution of Work

It can be seen that the muhafez has burdensome functions to perform. These cannot be carried out by him alone. A look at his duties and responsibilities shows clearly that his functions are basically similar to the work undertaken by the different Ministries. The Ministries have departmental branches located in all the muhafazas. In every administrative district there are departments of Health, Finance, Education, Public Works, Property-Affairs, Justice, Social Affairs and Agriculture.

The district's Department of Health is headed by a doctor. It consists of a nurse and a health-supervisor.<sup>2</sup> The doctor's work is mainly administrative, for although he has medical duties to perform yet he supervises and directs the affairs of his office. The nurse undertakes inoculations and vaccinations. She also directs the inhabitants of the district in matters relating to health and sanitation, giving them medical aid when they need it. The health supervisor inspects villages and quarters and records sanitary violations.

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<sup>1</sup>From an interview with the Muhafez of Mount Lebanon Mr. Housni al-'Uja (June 1, 1954). Also Shahla et.al., op.cit., p. 171.

<sup>2</sup>Lebanese Ministry of Justice, op.cit., II, 607.

The Department of Health has also attached to it a driver who is in charge of an ambulance. Alongside with the Department, there is a government hospital in every muhafaza-capital.<sup>1</sup>

The muhafaza's Department of Finance undertakes the financial affairs of its district. It supervises the financial transactions of the muhafaza, it arranges the accounts of the qadas, and pays the vouchers, bills and other monetary-orders which are against the government by means of its accountants. The Department also collects government taxes and fees through its tax-collectors.<sup>2</sup>

The district's Department of Education administers the educational affairs of the muhafaza. This Department is mainly responsible for the government elementary schools of the district.<sup>3</sup> Its Inspector makes periodic tours in the various qadas. During these visits he inspects the conditions of the government schools, especially their educational standards. He gives his advice and recommendations to the principals and school-teachers when he finds that necessary. The Department studies the educational necessities of towns and villages and reports on its findings to the Ministry.<sup>4</sup>

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<sup>1</sup>Ibid., cf., with Lebanese 1953 Budget, p. 201.

<sup>2</sup>Ibid., I, 426.

<sup>3</sup>There are only three government Secondary Schools in all Lebanon. Two in Tripoli (one for boys and one for girls) and one in Beirut for boys.

<sup>4</sup>Lebanese Ministry of Justice, op.cit., II, 618.

The muhafaza's Department of Public Works is headed by an engineer. The Department undertakes the maintenance of public highways. It lays down and executes plans and modern devices for the construction of roads and government buildings. The Department is aided by the district's department of "Water and Electricity Affairs" which is also headed by an engineer. This Department studies and reports on technical matters relating to water-constructions, such as the conditions of springs and waterfalls. It also undertakes the administration of the water and electric projects of the muhafaza.<sup>1</sup>

The district's Department of Property-Affairs,<sup>2</sup> which is a branch of the Ministry of Finance, administers the immovable properties in the muhafaza. The Department is run by the Secretary of Land Registration who is aided by an assistant and clerks.<sup>3</sup> It keeps records of the immovable properties in the muhafaza and certifies ownership relating to them. In addition, the department of Property Affairs undertakes the registration of all the purchases and sales which are connected to the muhafaza's immovable properties.<sup>4</sup>

In every muhafaza there are "Single-Judges" who are

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<sup>1</sup>Ibid., I, 481-489.

<sup>2</sup>Its name is Ama'nat Sijil Al-Muhafazat. Ibid., p. 428.

<sup>3</sup>Ibid., pp. 449-450.

<sup>4</sup>Ibid., p. 428.

responsible for the administration of civil justice.<sup>1</sup> These judges act as civil courts of first instance, and their decisions can be appealed to the appellate-court of the muhafaza. This "Court of Appeal" also administers criminal justice.<sup>2</sup> Thus all the civil and criminal cases of the muhafaza are referred to these two kinds of courts for adjudication.

The social affairs of the muhafaza are undertaken by the district's Section of Works and Social Affairs. This Section comprises a clerk, inspectors of work, and an Assistant of Social Affairs who is a woman.<sup>3</sup> It collects and compiles information and statistical figures regarding the economical and agricultural conditions of the muhafaza, especially rural conditions. It also studies the social conditions of the farmers and gives them instructions relating to modern welfare conditions. In addition the Section encourages cooperative work like the arranging for cooperative societies; and it undertakes other services relating to the protection of the family and orphans.<sup>4</sup>

The district's Department of Agriculture, which is headed by an Agricultural Engineer, administers the agricultural affairs

<sup>1</sup>It is within the power of a "Single Judge" to adjudicate: applications for compensations due to damages caused by public works or by the execution of public affairs; cases connected to contracts, purchases and concessions undertaken by the Administration; cases of direct-taxes; cases relating to the salaries and pensions of government officials; and cases connected to works relating to public-owned properties. *Ibid.*, II, 829.

<sup>2</sup>Lebanese Ministry of Justice, *op.cit.*, II, 830,

<sup>3</sup>*Ibid.*, p. 713.

<sup>4</sup>*Ibid.*, pp. 708-709.

of the muhafaza. It undertakes irrigational-projects and looks after the quality of the soil, trying to increase its productivity through the use of chemical fertilizers and modern agricultural-equipment. The Department also undertakes the preservation of forests and plants, and it takes preventive measures against their pests and diseases. By means of its veterinary doctors it looks after the district's animals and fowls. It, in addition, carries out periodic inspections checking the agricultural and veterinary conditions of the muhafaza, giving instructions and advice to farmers and peasants.<sup>1</sup>

Finally, scattered all over in every muhafaza are police stations and post and telegraph offices.<sup>2</sup> The number of the stations and offices varies with the size of the muhafaza's qadas. Whereas the police stations are mainly responsible for the keeping of order and security in every muhafaza,<sup>3</sup> the post and telegraph offices undertake the postal services of every district.<sup>4</sup>

To maintain coordination between these several departments, the law places them under the authority of the

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<sup>1</sup>Ibid., pp. 548-549.

<sup>2</sup>There are ninety-nine post-distribution offices all over Lebanon with the exception of the Muhafaza of Beirut. Ibid., p. 695.

<sup>3</sup>Lebanese Ministry of Justice, op.cit., I, 346.

<sup>4</sup>Ibid., II, 679.

Muhafez.<sup>1</sup> He has the right to supervise, inspect and direct their various affairs. Every department is supposed to send periodical reports on its activities to the muhafez when requested to do so by him, so that he may be constantly informed about the execution of work. The muhafez, on his part, is entitled to send recommendations to these various departments. Legally, the muhafeze's observation and advice should be taken into account in every matter relating to the appointment, dismissal and exchange of the department-officials of his muhafaza. In the same manner, the muhafeze's point of view should also be given in all corrective measures taken against his muhafaza officials.<sup>2</sup> Thus by such a provision the law hopes to coordinate the several services undertaken by the various departments of the muhafaza.

In practice, however, the situation is different. Each muhafaza-department usually receives its instructions directly from its corresponding ministry, for example: the district's Department of Agriculture from the Ministry of Agriculture, the district's Department of Finance from the Ministry of Finance, et. cetera. The muhafez on his part does

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<sup>1</sup>Except the courts which are independent. The muhafez is aided by his office which is usually composed of a section head, four to five clerks, and two messengers. Ibid., I, 313-316.

<sup>2</sup>Lebanese Ministry of Interior, op.cit., article 18, pp. 5-6. The muhafez except in Beirut is the president of the "Disciplinary Council" which undertakes disciplinary measures against muhafaza-officials. Lebanese Ministry of Justice, op.cit., p. 221.

not actually interfere in their works, except to ask their help when he needs it. For example he may send for the police to disperse an unlawful meeting, he also may require the aid of his district's Department of Agriculture in cases of plant-diseases. Yet the muhafez does sometimes issue directions to the departments of his muhafaza in matters relating to the execution of laws and administrative regulations for which he is responsible, since he represents central authority.<sup>1</sup> One may ask what will happen if a muhafez gives an order to one of his district's departments contrary to another order given to it by its corresponding ministry. Suppose that a case arises wherein the muhafez issues an order to his district-department contrary to an instruction given to it by its corresponding ministry. What will happen, for example, if the muhafez gives an order to his district Health Department in conflict to instructions issued to it by the Ministry of Health? In such a case, undoubtedly, the department will ignore altogether the muhafeze's order. The muhafez can then report the violation of his order to the Minister concerned who will then have the final word in the matter.<sup>2</sup>

#### Councils, Meetings and Inspections

Decree No. 18, of January 12, 1953 specifically provides

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<sup>1</sup>Lebanese Ministry of Interior, op.cit., article 4, p.2.  
<sup>2</sup>Ibid., article 5, p. 2.



for two kinds of councils whose duties are to help the muhafez<sup>1</sup> in the direction and execution of his work. These are the "Muhafaza-Council" and "Health Council". In addition to these two bodies, the muhafez gets the assistance of the municipal councils of his district.

A Muhafaza-Council is set up in every administrative district with the exception of Beirut.<sup>2</sup> The council consists of six appointed<sup>3</sup> members, plus an elected<sup>4</sup> person from each qada in the district. Thus the muhafaza of Mount Lebanon, for example, has a council of twelve persons.<sup>5</sup> All the council members, whether appointed or elected, hold office for four years. Nevertheless, they can be discharged before their term of office by a ministerial decree.<sup>6</sup>

The council is mainly<sup>7</sup> an advisory body. Its advice

<sup>1</sup>Ibid., pp. 9-12.

<sup>2</sup>Beirut does not have a Muhafaza-Council because it is the capital and seat of government. Ibid., article 31, p. 9.

<sup>3</sup>These members are appointed by a decree on the recommendation of the muhafez. They must represent the following classes: merchants, industrialists, syndicalists, property-owners and businessmen. Ibid., article 31, section 1, p. 9.

<sup>4</sup>These persons are elected by the municipal and the Mukhtar's Councils of Elders of the muhafaza. Ibid., article 31, section 2, p. 9.

<sup>5</sup>The muhafaza of North Lebanon has twelve members on its council; South Lebanon has thirteen council-members; and the Beqa' has a council of eleven members.

<sup>6</sup>Lebanese Ministry of Interior, op.cit., article 40, p. 11.

<sup>7</sup>"Mainly" is purposely used, because the Council has the function of distributing funds over the villages which have no municipal councils. These funds are provided for by law, and they are deducted from direct taxes at the rate of two percent thereof. They are used for raising village standards, and the consent of the Minister of Interior is required before their distribution. Ibid., article 35, p. 10.

is binding in matters relating to the construction and maintenance of roads. With this exception, the muhafez is not compelled to follow its recommendations.<sup>1</sup> Every six months, the council submits to the muhafez a detailed report containing its recommendations.

The muhafez calls a meeting of the Council every month. The Council can also meet on the request of one-third of its members to discuss urgent muhafaza affairs. All meetings are held in camera under the presidency of the muhafez.<sup>2</sup> A quorum of one half of the council members is necessary, if this is not secured the muhafez adjourns the meeting. A second meeting is held on the request of the president on condition that it takes place at least after twenty-four hours from the one that preceded it, and this time it is not necessary to have the required quorum.<sup>3</sup> Decisions are taken by a majority vote and in case of a tie the muhafez who is the president of the council casts the deciding vote.<sup>4</sup>

Alongwith the Muhafaza-Council, there is a council of

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<sup>1</sup>The council gives its advice on: (1) the setting up of extra expenses and rates, (2) the advance of agriculture, (3) protective health measures, (4) affairs of travel and summer-resort, and (5) every case forwarded to it by the muhafez. Ibid., article 33, p. 10.

<sup>2</sup>Although the meetings are held in camera, yet the Muhafez has the right to admit persons to testify on certain matters. Ibid., article 36, p. 11.

<sup>3</sup>Ibid., article 37, p. 11.

<sup>4</sup>The members present sign their names in a register, while the excuses of the absent members are entered into the same register. Ibid., article 39, p. 11.

Health. This council is composed of six official members, consisting of the head of the technical agency of the Ministry of Health, the head of the department of health-supervision, the representative of the Ministry of Social Affairs, the representative of the Ministry of Health, the muhafaza's sanitary engineer, and the qaimmaqam of the<sup>1</sup> sub-district. The Council of Health whose function is to spread sanitary conditions in the muhafaza, meets at least once a month, on the request of the muhafez who acts as president. It executes health-laws, and helps the muhafez in the administration of all health measures. The Council also advises the Ministry of Interior on the steps necessary for the advancement of health standards in the muhafaza.<sup>2</sup>

The Muhafaza-Council and the Council of Health supervise the general affairs of the muhafaza. The municipal affairs of the muhafaza's cities and villages are undertaken by municipal councils under the direction of the qaimmaqam and muhafez.<sup>3</sup> The muhafez has the right to attend the meeting of the municipal councils whenever he wishes.<sup>4</sup>

In addition to these councils, Decree No. 18 provides

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<sup>1</sup>Ibid., article 42, p. 12.

<sup>2</sup>Ibid., articles 43 and 44.

<sup>3</sup>A special chapter will be devoted for the detailed discussion of the municipal councils.

<sup>4</sup>Lebanese Ministry of Justice, op.cit., I, article 54,46.

for a committee in each muhafaza whose duty is to arrange for the selling of state domains. These committees are set up in all the muhafazas except Beirut, and are composed of the muhafez who is the president of the committee, the chief treasurer of the muhafaza, and the secretary of land-registration.<sup>1</sup> With their help the muhafez is able to manage the sale of state property according to the law.

Every month, the muhafez calls a meeting of all the heads of the various administrative departments of his district.<sup>2</sup> This conference of which he is president, discusses the general affairs of the different departments of the muhafaza. The head of each department offers a detailed account about the work and condition of his organization. In this report, the department head explains the departmental activities that were undertaken during the thirty days preceding the meeting. He also lays down before the conference, his future plans for the execution of work. The reports of all the members are then discussed by the whole body which gives its recommendations on the various matters debated. The muhafez takes part in this debate, and gives his advice on all administrative matters. The proceedings of the meetings are recorded and copies of them are sent to the Minister of Interior and to the other Ministries in the central

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<sup>1</sup>Lebanese Ministry of Interior, op.cit., article 46, p. 13.

<sup>2</sup>The heads of the departments of justice are excluded from these meetings. ibid., article 23, p. 7.

government.<sup>1</sup>

Every three months, the muhafez also arranges for a meeting of all the qaimmaqams of his district. During these meetings the qaimmaqams submit to the muhafez reports about the general affairs of their qadas, with their needs and requests. The muhafez studies these reports and then gives his directions to the qaimmaqams to follow. The proceedings of the meeting and discussions are then recorded in a report, a copy of which is sent to the Minister of Interior.<sup>2</sup>

These meetings give the muhafez general information about the execution of work in his district. Through these meetings the Minister of Interior and the muhafez check and control the administration of the muhafaza. They are important means for administrative supervision and control.

The muhafez does not rely solely on the reports he receives from the various departments of his muhafaza. From time to time, he tours his district inspecting its affairs. By means of these tours he supervises and looks into the administration of the several departments spread out in his muhafaza.<sup>3</sup> These administrative tours are of two kinds: twice a year and periodic. In the first case the Minister of Interior appoints

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<sup>1</sup>Ibid.,

<sup>2</sup>Ibid., article 24, p. 7.

<sup>3</sup>Shahla et.al., op.cit., p. 176.

the dates for the travels, after an agreement with the muhafez himself. In the second case the muhafez undertakes tours which, in his opinion, are necessary and which are usually made whenever a crisis arises, such as floods, bad harvests, epidemics and other misfortunes.<sup>1</sup>

These inspections bring the muhafez face to face with the departments and the officials that function under his direction. They also allow him to examine the problems that arise. The report he sends to the Minister of Interior, enables the Minister to check and control the administration of the district. The control of the Minister of Interior leaves the muhafez with little discretion especially in the important affairs of his muhafaza.

The muhafezes had complained about over-centralized control in 1945,<sup>2</sup> about ten years have elapsed since then and the scope of control has not changed significantly. Politics and administration are intermixed and administration is usually sacrificed on the alter of politics. The Minister who is a political appointee cares primarily for his political interests disregarding the requirements of good administration. As a result, the appointments of many muhafaza-officials and the approval of

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<sup>1</sup>Ibid., Also Lebanese Ministry of Interior, op.cit., article 25, pp. 7-8.

<sup>2</sup>Beirut (Beirut), February 15, 1948, p. 4. Also Abcarius, op.cit., pp. 148-149.

most of the muhafeze's actions are usually based on the Minister's political considerations. Often, the provisions of the law itself are disregarded for political reasons and the muhafez finds himself bothered by illegal interference on the part of influential men who are favoured by the minister in power.



## CHAPTER IV

### THE QADAS

The five muhafazas which are the main administrative divisions for local government in Lebanon were discussed in the previous chapter. It was shown that the muhafaiz is the highest government official in the muhafaza, and that he directs its affairs for the Minister of Interior. The functions and duties of the muhafaiz were pointed out, and his relations with the various departments and officials of his district were analysed.

The muhafazas with the exception of Beirut are sub-divided into twenty-four sub-districts called qadas.<sup>1</sup> These sub-divisions, like the muhafazas, are primarily based on

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<sup>1</sup>These sub-districts are arranged in the following order:-

(1) The muhafaza of Beirut which is small in area, is not sub-divided into qadas.

(2) The muhafaza of South Lebanon contains seven qadas. These are: Sidon, Nabatiyah, Tyre, Marj'ayoun, Jezzine, Bint-Jubeil and Hasbayya.

(3) The muhafaza of North Lebanon contains six qadas. These are: Tripoli, Akkar, Zgharta, Bishirri, Batroun and Koura.

(4) The muhafaza of Mount Lebanon is sub-divided into six qadas. These are: Ba'abda, Matn, Kisirwan, Jubeil, Shouf and Aley.

(5) The muhafaza of Beqa' is sub-divided in five qadas. These are: Zahla, Ba'albak, Rashayya, South Beqa' and Hirmel. Lebanese Ministry of Justice, op.cit., I, 332-345.

geography, so that every qada forms a natural consolidated area. A person, therefore, does not have to travel long distance to reach the capital of his qada in order to settle his official business.<sup>1</sup>

The boundaries of the twenty-four qadas are set down in detail by a legislative decree, and they like the muhafazas, cannot be altered or changed except by a decree.<sup>2</sup> Four of the qadas are administered by the muhafezes directly, since they are the capitals of the muhafazas. These are: Sidon, Ba'abda, Tripoli and Zahla. The remaining twenty qadas are administered by qaimmaqams who are the representatives of the muhafezes in the sub-districts.<sup>3</sup>

#### The Qaimmaqam

Appointment and dismissal.--- The Arabic word "qaimmaqam" means "representative". The Qaimmaqam is thus the representative of the muhafez, and is the chief official in his qada. He has the duty of administering the various affairs of his sub-district for the muhafez.<sup>4</sup> Therefore, the muhafez is consulted on the appointment of his qaimmaqams.

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<sup>1</sup>Shahla et. al., op.cit., p. 161.

<sup>2</sup>Lebanese Ministry of Interior, op.cit., article 1,  
p. 1. See Appendix B.

<sup>3</sup>Shahla et. al., op.cit., pp. 161-162.

<sup>4</sup>Lebanese Ministry of Interior, op.cit., article 26,  
p. 8.

The qaimmaqam is appointed by means of a decree. This decree is signed by the President of the Republic on the nomination of the Minister of Interior who in turn asks the advice of the muhafez.<sup>1</sup> In this way cooperation between the muhafez and the qaimmaqam is, within limits, guaranteed from the start.

A qaimmaqam holds office on good behaviour. On the other hand, if a qaimmaqam exceeds his authority or misuses it, he can be dismissed from his job by a decree of discharge signed by the President of the Republic. In such an instance, the decree is based on a decision taken by the Disciplinary Council, after a thorough study of the case.<sup>2</sup>

Salary, responsibilities and duties.-- The salary of a qaimmaqam varies from LL. 460 to LL. 720. This variation depends upon the differences in the grades which are mainly based on the seniority of the officer.<sup>3</sup> The qaimmaqam is the highest government official in his sub-district. All government officials in the qada are by law responsible to him for the administration of their duties, and they are supposed to obey his orders within the limits of the law.<sup>4</sup>

The qaimmaqam is responsible to his chief, the muhafez, and thus, he must make public and execute the laws and regula-

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<sup>1</sup>Ibid.

<sup>2</sup>Lebanese Ministry of Justice, op.cit., article 42, p.222.

<sup>3</sup>See Appendix A.

<sup>4</sup>Lebanese Ministry of Interior, op.cit., article 27, p. 8.

tions forwarded to him by the muhafez. He is mainly charged with maintaining peace and order in his qada.<sup>1</sup> However the means at his disposal, for carrying out this function, are not adequate. Often there is only one police-station for twelve to fifteen villages, and the station seldom has over ten to thirteen policemen.<sup>2</sup>

The functions of the qaimmaqam are similar to those of the muhafez. It is his duty to protect personal liberty and sanctity of home in his qada. To protect these rights the qaimmaqam can request the cooperation of the police. The supervision of tax-collection is another important function which the qaimmaqam performs in his qada. It is his duty to help the tax-collectors of his sub-district in the performance of their jobs by supplying them with the necessary information, and in the cases of tax-delinquencies by arranging for the property attach of the delinquent tax-payers.<sup>3</sup>

Health and education also fall partly on the qaimmaqam.<sup>4</sup> It is his duty to maintain healthy conditions in his qada, and to advance educational standards in his sub-districts. These functions are carried out with special attention to villages, because it is here that health and education-standards are the

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<sup>1</sup>Ibid.

<sup>2</sup>From an interview with Mr. Salim Abu-Jamra, a former qaimmaqam (May 28, 1954).

<sup>3</sup>Ibid.

<sup>4</sup>These functions are also undertaken by the muhafez, municipal-bodies and mukhtars.

poorest. In this connection, the qaimmaqam is also charged with the duty of raising the economic conditions of villages. In addition to these functions,<sup>1</sup> the qaimmaqam is charged with the duty of supervising the mukhtars, their councils and the natours<sup>2</sup> (watchmen) of his qada.<sup>3</sup>

The acquaintance of the qaimmaqam with the problems of his qada is necessary for the proper execution of his duties. In order to be well informed about the affairs of his villages, the qaimmaqam calls quarterly meetings of all the mukhtars of his qada. At these meetings he discusses the general affairs of the villages, and gives his recommendations on work projects.<sup>4</sup> Yet the qaimmaqam does not depend solely on these conferences, for he personally visits the villages of his sub-district, hears the complaints of its inhabitants, and tries to correct them. He gives special attention to matters relating to personal-status, and it is his duty to confirm the honesty<sup>of</sup> documents when the mukhtar's confirmation cannot be secured.<sup>5</sup> Since the qaimmaqam has many duties to perform, he executes his functions through the various departments of

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<sup>1</sup>All those functions were discussed in more detail under the "Muhafez", because he is responsible for the direction of their execution. Supra, pp. 38-43.

<sup>2</sup>A natour is a man who is charged with guarding planted properties in villages. He is appointed by the mayor of the village after the consent of the qaimmaqam.

<sup>3</sup>Lebanese Ministry of Interior, op.cit., article 29, pp. 8-9.

<sup>4</sup>Ibid.

<sup>5</sup>Ibid., article 30, p. 9.

finance, agriculture, health, education, et cetera, which are scattered throughout his qada.<sup>1</sup> These departments work under the supervision of the qaimmaqam - office which consists of the qaimmaqam himself, and a staff of three.<sup>2</sup>

The law provides that all the reports, petitions and correspondence of the qaimmaqam must be channelled through the muhafez before submittal to "higher authority".<sup>3</sup> In the same manner, all national ministries must contact the qaimmaqam through the muhafez.<sup>4</sup> In practice this is not quite so, since many times the qaimmaqam contacts the Ministry of Interior or any other Ministry directly and vice versa.

The execution of the orders of the muhafez by the qaimmaqam is not routine or simple. He is confronted by many difficulties and obstacles. Many of the qaimmaqams complain of their limited authority. Since the Minister of Interior and the muhafez monopolize authority, the qaimmaqam is left with little discretion; for he mainly executes the orders he receives from the muhafez. Although he has an advisory power in the appointment of natours (watchmen),<sup>5</sup> even these must receive the

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<sup>1</sup>The departments were discussed in detail before. Supra, pp. 43-47.

<sup>2</sup>A secretary, a clerk and an office-boy. Lebanese Ministry of Justice, op.cit., pp. 313-316.

<sup>3</sup>"Higher authority" stands mainly for the Ministry of Interior, although it indicates also the other Ministries.

<sup>4</sup>Lebanese Ministry of Interior, op.cit., article 27, p. 8.

<sup>5</sup>Supra, p. 61.

approval of the Minister of Interior. Often times, the persons appointed by the Minister of Interior are not those recommended by the qaimmaqam. In such cases the qaimmaqam is powerless to object.

Another major problem every qaimmaqam meets is that his authority does not correspond to the responsibility that falls on him. A qaimmaqam is responsible for the execution of many functions,<sup>1</sup> but in practice he many times does not have the discretion to execute them as he sees fit. Sometimes the qaimmaqam exceeds his authority, but he does this at his own peril. The following events are examples of the conflict of authority between the qaimmaqam and other officials including the muhafez.<sup>2</sup>

In one of the qadas, four members of the police came up to the qaimmaqam with orders from the muhafez to ~~attach~~ in the property of a person for later confiscation. This person was very influential and rich in the district. He had borrowed a sum of money and did not pay it back. The qaimmaqam told the policemen to leave the matter to him, for he was convinced that the person would pay. The qaimmaqam was then able, through tact and diplomacy, to settle the matter peacefully. The person

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<sup>1</sup>Supra, pp. 59-61.

<sup>2</sup>From an interview with a qaimmaqam who does not want his name disclosed (February 25, 1954).



paid the money to the last penny, and the trouble was avoided. But the muhafez, whose orders were violated, reported the "misconduct" of the qaimmaqam to the Minister of Interior. The Minister of Interior subsequently approved the action of the qaimmaqam. Although the qaimmaqam may have been guilty of insubordination, nevertheless he was willing to face the consequences.

The police came to the qaimmaqam of a certain qada with orders to arrest three laymen for political reasons. The qaimmaqam believed that these arrests would make them martyrs and cause a disturbance which the Government wanted to avoid. He also was convinced that the arrested men would later on be set free, since many arrests of that kind had taken place before and all those arrested were released thereafter. As a result, he refused to execute the order and sent back the policemen. The qaimmaqam then sent an official letter to the muhafez explaining his conduct. A short time later the government stopped such arrests. Although the qaimmaqam exceeded his authority, he was able to maintain order in his qada.

Another time the muhafez rang up the police-station of one of his qadas and asked the police to prevent a political demonstration. Since the order was a verbal one, the qaimmaqam thought it improper. He, therefore, requested most of the police to withdraw leaving only a few men to keep order. Subsequently the reception took place and order was maintained.

In another qada the qaimmaqam received a telephone-call from the muhafez informing him of a meeting which was illegal since it was to protest against the Government, and to create trouble in the subdistrict. The qaimmaqam disagreed. In his opinion the association was not contrary to the law, and its organizers had asked permission for holding it. He therefore permitted the meeting on his own responsibility, although cautioning the organizers not to disturb the peace. The meeting took place and caused no trouble. The muhafez whose orders were violated, reported the misconduct of the qaimmaqam to the Minister of Interior. The qaimmaqam, in his turn, explained what he did, and the case was thus cleared.

One must not infer from these examples that the qaimmaqam can violate the muhafeze's orders and escape responsibility. These and other cases depend on many factors among which are: the personalities of both the qaimmaqam and the muhafez, the relations between them, and the relation between each one and central authority. In such matters one cannot generalize. For whereas one of the qaimmaqams declares that his muhafez issues orders making his work more difficult for him, a qaimmaqam of another qada says that his muhafez is very cooperative. A third qaimmaqam claims that his muhafez is very uncooperative and that the policemen of his sub-district fail to obey him, and they even sneer when they pass him in the streets. The main problem in such cases is that the

qaimmaqam cannot officially protest against his muhafez directly to the Minister of Interior. For the law provides that all the qaimmaqam's correspondence to central authority must pass through the muhafez.<sup>1</sup>

On many occasions the work of a qaimmaqam is hindered by the lack of cooperation on the part of other responsible government officials. In one qada, the Inspector of Education visited the schools of the sub-district without contacting its qaimmaqam to discuss with him the educational problems that arose. "How," said the qaimmaqam, "could I advance educational standards in my sub-district, without the cooperation of those in charge?"

The qaimmaqam of another subdistrict wrote to the Government asking it to undertake the qada electricity-project which was run by a private company owned by influential people. To illustrate the defect of the present electric power the qaimmaqam wrote sarcastically: "Alongside the electricity, the people light their lamps. If you ask me why they do that, I'll say they do it in order to see the electricity!" The Ministry of Public Works whose cooperation was needed apposed the project and the report was ignored altogether.<sup>2</sup>

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<sup>1</sup>Lebanese Ministry of Interior, op.cit., article 27, p. 8.

<sup>2</sup>The qaimmaqam said that somebody on behalf of the Company had, through his influence, convinced the Ministry to pend-action on the case.

Below is a copy of a report which was directed to the government and which was written by an intelligent qaimmaqam<sup>1</sup> of a prominent subdistrict. The report shows concisely and clearly the problems of a qaimmaqam as described by him.

I submit this report in my personal name so as to avoid trouble among the administrative officials, especially my colleagues the qaimmaqams. I am sure they agree to everything that appears in this report.

Description of the Qaimmaqam's job.-- (1) The qaimmaqam is the representative of central authority in the sub-district, and is the highest official in it. (2) The responsibility which falls on him exceeds the authority given to him. (3) His prestige exceeds his pay, i.e., his salary is not proportional to the prestige of the position he occupies.

Powers.-- It is clear that the administrative organization is made up of two links: the muhafez and qaimmaqam. The powers of a qaimmaqam are very limited. During the Mandate the Government for political purposes centralized all powers in the capital. As a result the powers of the qaimmaqam and the muhafez were diminished. The National Government ignored this fact, and matters stayed unchanged.

Prestige.-- Being the representative of central authority, the qaimmaqam enjoys a considerable amount of prestige. He and his family have to appear in a manner which corresponds to the post he occupies. But his salary does not allow him to do so...

Salary-discrepancies.-- In this respect, I would like to draw your attention to the clear discrepancies that exist between the salaries of the judges and those of the qaimmaqams...

While due regard is given to the judges, no attention is paid to the administrative officials, in spite of their small salaries. Yet the administrators are very important in the machinery of the government. Such discrepancies in the salaries may have a bad effect on their moral.

It is important to point out that when high administrative vacancies occur, they are filled by judges. As a result, the administrative officials who look to such an opportunity for promotion have their hopes frustrated.

This is what I want to bring to your attention... You are the emblem of justice.

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<sup>1</sup>Mr. S. Abu-Jamra. The report was dated "28.11.1952."

In conclusion one may say that since the qaimmaqam is the representative of the muhafez, then he represents the Ministry of Interior in his qada. Thus, he is responsible for the publicity and the execution of the laws and regulations he receives from the muhafez, the protection of personal liberty and sanctity of home, the supervision of tax-collection, the maintenance of health, and the advancement of educational and economic conditions in his qada. In addition to these functions, the qaimmaqam has the duty of supervising the munkhtars and their councils, and the "natours" of his sub-district. These responsibilities and duties which fall on him exceed the authority given to him, for the qaimmaqam can do nothing without the approval of his muhafez. Yet that does not forbid him from acting according to his own discretion; but this he does at his own peril, since he may be charged with excess of jurisdiction or insubordination and therefore disciplined.

Thus the control of the Minister of Interior is insured over the qadas. He controls the muhafez, and they in turn control the qaimmaqam. The muhafez executes the orders he receives from the Minister, and the qaimmaqam implements these orders. Each of these local administrators is an important link in the centralized system that exists in Lebanon.

## CHAPTER V

### MUNICIPALITIES

The administrative divisions of the country were explained in the previous two chapters. It was pointed out that Lebanon is divided into muhafazas and that muhafazas are subdivided into qadas. This chapter will deal with municipalities. The qada, as was pointed out before, is an administrative sub-district which contains towns and villages. The municipal affairs of these towns and most<sup>1</sup> of the villages are administered by municipal councils which function under the control of the Ministry of Interior.<sup>2</sup>

The present system of municipal government in Lebanon is regulated by legislative Decree No. 5, dated October 31, 1952.<sup>3</sup> According to the provisions of that law, municipal-councils are established in every town, and village whose population is above five hundred. Nevertheless the Government may establish municipal councils in summer resorts, and towns

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<sup>1</sup>Not all the villages have municipal-councils. Villages with five-hundred persons or more, and which have an annual income of two-thousand Lebanese pounds are entitled to have municipal-councils. Other villages may have municipal-councils if the government finds that necessary.

<sup>2</sup>Lebanese Ministry of Justice, op.cit., I, article 1, 35.

<sup>3</sup>This Decree is based on the Municipal Law of 1947 which was in its turn based on the promulgated Municipal Code of 1922. Supra, p.29. Also Abcarius op.cit., pp. 163-164.



and villages where the population is below five hundred.<sup>1</sup> In addition to the population requirement, a municipality must have an annual income of at least two-thousand Lebanese pounds. In case the annual total revenue of a municipality falls below this figure, then the municipality is abolished.<sup>2</sup> Forty municipalities were abolished for this reason between the years 1922 and 1930.<sup>3</sup>

Neighbouring villages with common interests can combine together to form a municipality, on condition they satisfy the general requirements of a population of at least five-hundred persons and an annual income of two-thousand Lebanese pounds. The villages must be less than two and one-half kilometers apart to be authorized to form their combined municipality. The request for an amalgamation of villages into a municipality is officially considered only if the number of applicants for the merger in each village exceeds one half the total number of its electors. Here too, the Government reserves the right to amalgamate adjacent villages without any request from the electors of the included areas, if it considers such a step in the interest of the public.<sup>4</sup>

Just as the amalgamation of municipalities is possible, so may villages be detached from a combined municipality. This

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<sup>1</sup>As it did in the town of Bolonia. See Tellegraph (Beirut), February 22, 1954, p. 5. Also Lebanese Ministry of Justice, op.cit., article 1, p. 35.

<sup>2</sup>Lebanese Ministry of Justice, op.cit., article 1, p.35.

<sup>3</sup>Ritsher, op.cit., p. 40.

<sup>4</sup>The name and seat of an amalgamated municipality are assigned in the decree which establishes their combined formation. Lebanese Ministry of Justice, op.cit., article 2, p. 36.



can be done on the request of two-thirds of the number of electors in the village asking for the separation. Such a request must be approved by the Minister of Interior, who will then issue a decree to that effect. If the application of that village is for the purpose of being attached to another neighbouring municipality, its request is considered only if one half, or more, of the electors in the latter municipality agree.<sup>1</sup> Each village of an amalgamated municipality when detached to form a municipality of its own recovers the properties it owned before the combination,<sup>2</sup> as happened to the Murooj-municipality.<sup>3</sup> The boundaries of attached and detached municipalities are determined by the Ministry of Interior.<sup>4</sup>

Municipalities in Lebanon are classified into two categories, "large and small". A "small" municipality has a population of less than ten-thousand, while a "large" municipality has a population in excess of ten-thousand. Both categories enjoy corporate existence. Thus every municipality is entitled to own and purchase properties, conclude contracts, erect buildings, accept donations, and sue and be sued.<sup>5</sup> These rights are

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<sup>1</sup>Ibid., article 3, p. 36.

<sup>2</sup>Ibid., article 4, p. 36.

<sup>3</sup>This example was offered by Mr. N. Sadakah (Director General of the Lebanese Ministry of Education) in a lecture on the municipalities in Lebanon. The lecture was delivered to the Public Administration Graduate-Seminar Class on March, 19, 1954.

<sup>4</sup>In this connection it must be pointed out that a municipality covers the area occupied by its population. It also covers the buildings and farms which are at a distance within three-hundred meters from the limit of the crowded-areas. Lebanese Ministry of Justice, *op.cit.*, article 6, p. 37.

<sup>5</sup>Ibid., articles 7-8, p. 37.

essential; they are the manifestation of the legal personality of the municipality, and through them it carries out its functions.

The government of a municipality consists of legislative and executive authorities. The legislative authority is given to a municipal council, and the executive authority is undertaken by the mayor who is the president of the council.<sup>1</sup>

### The Municipal Council

The municipalities in Lebanon are governed by municipal councils which vary in size according to the number of inhabitants as follows:<sup>2</sup>

- 1). Seven members in towns having a population up to 2000 persons.
- 2). Nine members in towns having a population from 2,001 to 8,000 persons.
- 3). Eleven members in towns having a population from 8,001 to 20,000 persons.
- 4). Thirteen members in towns having a population from 20,001 to 60,000 persons.
- 5). Fifteen members in towns having a population of 60,001 or more persons.

The members of the municipal council are elected by universal suffrage on the basis of the secret voting list.<sup>3</sup> So that men and women who are twenty-one or over, have the right to vote, although they are not obliged to do so by law.

The Lebanese government has given special attention to

<sup>1</sup>Ibid., article 9, p. 37.

<sup>2</sup>Ibid., article 11, p. 38. See Appendix C.

<sup>3</sup>Ibid., article 12, p. 38. In Beirut, Tripoli and Al-Mina, along with the elected council there is an appointed number of councillors too. Ibid., article 128, p. 66.

summer resorts, since they provide a considerable income to the Country and are major factors in the economy of Lebanon. Since visitors from Egypt, Iraq, Saudi-Arabia and Jordan come to spend the summer in the mountain resorts, special provisions have been established for them. In these villages and towns the Government has reserved the right to appoint by decree additional members from outside, provided they own buildings in these areas. The number of these additional members should not exceed that of the originally elected municipal-council.<sup>1</sup>

The municipal council is elected for a term of four years.<sup>2</sup> In the course of thirty days preceding the termination of its period, the council is provided with a successor.<sup>3</sup> In this way a municipality assures the continuation of its elected council-body.

Elections.-- Legislative Decree No. 5, lays down in comprehensive detail every step of municipal elections. It does so to insure the fairness of these elections. The election process must be carried out on a Sunday, starting at<sup>4</sup>

<sup>1</sup>The Ministry of Interior also reserves the right to appoint council-members in summer resorts which have no electors. Ibid., article 11, p. 38.

<sup>2</sup>Beirut as the capital of Lebanon, and Tripoli with Al-Mina (the Harbour) the second chief town and port in the Republic, are accorded a special treatment. Whereas municipal councils are elected, in Beirut, Tripoli and Al-Mina they are partly elected and partly appointed (one half elected and one half appointed) by a decree. The municipal-councils are made up from twenty-four members in Beirut, eighteen members in Tripoli and twelve members in Al-Mina. Ibid., article 128, p. 66.

<sup>3</sup>Ibid., article 32, p. 42.

<sup>4</sup>Sunday was chosen as an election-day because it is an official holiday.

8:a.m. and ending at 4:p.m. of the same day. The date and place of the elections are assigned by a written order from the Minister of Interior on the recommendation of the muhafez. The order is then made known to the inhabitants at least twenty days before the date of the election.<sup>1</sup>

No person can be elected to the council, unless he is registered as an elector on the election-list of his municipality, and can read and write. Candidates who hold official posts are not allowed to run for elections, unless they resign their positions.<sup>2</sup> Every candidate submits his application to the muhafez or the qaimmaqam, at least ten days prior to the election. If his nomination is judged legal he is informed of this fact within five days. But if his nomination is declined, then he has the right to appeal to the Administrative Court. A list of the names of the approved nominees is afterwards posted on the door of the election-place.<sup>3</sup>

The process of election is controlled by a committee composed of a president appointed by the muhafez, and four members chosen by the president himself. Usually one or more government clerks are called upon to help the committee in its work. To be legal, the president and half of the committee

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<sup>1</sup>Lebanese Ministry of Justice, op.cit., article 18, p. 40.

<sup>2</sup>Ibid., article 15, p. 39.

<sup>3</sup>Ibid., article 16, p. 39.

members must be present throughout the time of election. The president is solely responsible for the maintenance of discipline in the election-room, and when necessary he may call upon the police.<sup>1</sup>

When the elections are over the president closes the door of the election-hall. Voting then continues until all those in the hall have dropped their ballots in the box. The president then opens the election-box and checks the ballots to make sure that their number is correct. Then the names of the persons written on the ballots are read loudly by the clerks and registered on a form made for this purpose. Ballots which do not comply with the general regulations are disregarded.<sup>2</sup> After completing the reading and registration of the number of the votes that each had, the president of the election committee prepares a list in their names and posts it on the door of the election-room.<sup>3</sup>

At the time the preliminary results of the elections are announced a report on the election is prepared by the president in duplicate. Then the report and its duplicate are sent immediately by the president to a special committee set

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<sup>1</sup>Ibid., articles 19-21, p. 40.

<sup>2</sup>Ballots which do not comply with general regulations are those which are not distinctly written, or could not be read, or those written on colored-paper, or carry a sign on the outside, or bear insulting expressions to the nominees, et cetera.

<sup>3</sup>Lebanese Ministry of Justice, op.cit., articles 25-27, p. 41.

up for the purpose. This special committee goes carefully through them, and it then declares its results in a report-form a copy of which is posted on the main door of the office of the Government.<sup>1</sup>

No one is considered officially elected, unless he gets more than one half of the total number of votes. If, after this election it is found necessary that additional members should be elected, the electors are then called upon for an additional election which takes place on the following Sunday. The new elections are carried out in the same manner as the former ones.<sup>2</sup> In the second elections, one is considered officially elected if he gets a plurality. But if certain nominees get <sup>an</sup> equal number of votes, then the eldest among them is selected.<sup>3</sup>

The legality of an election must be disputed eight days following the election and brought to the attention of the Administrative Court.<sup>4</sup> This occasionally happens, for example the municipal election in Ma'asir were cancelled on March 3, 1954, and the charge was sustained by the Administrative Court.<sup>5</sup>

A municipal council-member may sometimes be unable to

<sup>1</sup>Ibid., article 28, p. 41.

<sup>2</sup>Ibid., article 22, p. 40.

<sup>3</sup>Lebanese Ministry of Justice, op.cit., article 29, p.41.

<sup>4</sup>Ibid., article 30, p. 41.

<sup>5</sup>Al-'Amal (Beirut), March 4, 1954, p. 3.



carry out his functions due to serious illness, death or imprisonment. In such cases, an election is held within two months after the date of the vacancy.<sup>1</sup> However an election for a vacant post is not compulsory if it falls six months preceding the general municipal elections.<sup>2</sup>

During 1952, municipal elections took place throughout Lebanon. Although the government tried to have fair and honest elections, yet incidents of corruption did occur. In some towns and villages votes were bought by candidates. Whereas the names of many voters were not registered on the official lists, for example that of the Prime Minister himself,<sup>3</sup> the names of persons who had died were entered on the lists. In some ballot-stations persons were caught with forged identity-cards, and others were found dropping two ballots in the box instead of one.<sup>4</sup>

Disorder occurred in several places. One man went so far as smashing the election-box of his quarter, another stole the box and attempted to run away with it. Unfortunate incidents also took place causing the death of four men and the injury of some others.<sup>5</sup>

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<sup>1</sup>Lebanese Ministry of Justice, op.cit., article 33, p. 42.

<sup>2</sup>The only exception is when a municipal council loses more than one half of its members. Ibid.

<sup>3</sup>Mr. Abdullah al-Yafi.

<sup>4</sup>See the Lebanese daily newspapers of December 9 to 16, 1952, specially Beirut (Beirut), December 9, 1952, pp. 2-4.

<sup>5</sup>Ibid.



These municipal elections aroused little popular interest. In Beirut only twenty-five percent of the eligible voters participated. This may be a result of political immaturity, but most probably it is a result of indifference to government shown on the part of the citizens.

Composition, organization and dissolution.-- No person<sup>1</sup> is allowed to be a member in more than one municipal council. Close relatives<sup>2</sup> also are not allowed to be members of the same municipal council if the population is below five hundred.<sup>3</sup> In case two close-relatives are elected, one of them must resign.<sup>4</sup> If he does not do so, then the muhafez dismisses the younger.

During its first meeting, the municipal council elects a mayor or president of the council and a deputy by a secret ballot. If two members receive equal votes, the elder is selected as mayor or deputy. The Decree governing elections provides that the mayor cannot have as his deputy a person who is employed by him.<sup>5</sup>

The mayor, his deputy and the councillors do not receive

<sup>1</sup>Lebanese Ministry of Justice, op.cit., article 35, p.42.

<sup>2</sup>The law lists close relatives as: a father and one of his sons or daughters, a mother and one of her sons or daughters, a husband and wife, a father and son-in-law or daughter-in-law, a mother and son-in-law or daughter-in-law, brothers and sisters, an uncle and his nephew or niece, and fathers and sisters-in-law. Ibid.

<sup>3</sup>The word is misprinted in the text as "above", it should be "below". Ibid.

<sup>4</sup>If they are of equal age, one of them is dismissed by the casting of a lot during the first council-meeting. Ibid.

The law gives the discharged member the right to dispute his case before the Administrative Court. Ibid., article 37, p. 42.

<sup>5</sup>Ibid., article 39, p. 43.

salaries. They do, however, receive remuneration for expenses incurred in the course of their duties. In large municipalities it is usual to approve the payment of sums of money to meet the expenses undertaken by the mayor for official receptions and the like. In matters where the performance of official duties require most of the time of the mayor or his deputy, then the municipal council can provide for a sum of money proportionate to the services rendered. This decision must be confirmed by the Minister of Interior.<sup>1</sup>

In the absence of the mayor, his deputy acts for him, and possesses the full power of this position. If the position becomes vacant, then the council elects a new mayor instead.<sup>2</sup> If a charge is laid against the mayor or his deputy in connection with his official duties, he is suspended by the muhafez if he is from a "small" municipality and by the Minister of Interior if he is from a "large" municipality. The suspension remains in force until a decision is reached. If found innocent, the mayor or his deputy is re-instated, otherwise he is dismissed by a decree.<sup>3</sup>

If the mayor has a private interest in certain municipal matters, then his deputy or any other member of the

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<sup>1</sup>Ibid., article 40, p. 43.

<sup>2</sup>Ibid., article 41, p. 43.

<sup>3</sup>Ibid., article 42, p. 43.

council replaces him during its discussion by the council.<sup>1</sup> If a mayor refuses or neglects to carry out any of his official duties, then the muhafez may undertake the duty himself, or appoint somebody else to do it. This can only be done after the consent of the Minister of Interior has been secured and after a warning has been sent to the mayor.<sup>2</sup> When a mayor or his deputy wishes to resign, he secures the approval of the Minister of Interior.<sup>3</sup>

Normally, a municipal council has a term of office of four years. However it may be dissolved by a decree if it exceeds its jurisdiction.<sup>4</sup> In this case the qaimmaqam or the muhafez constitutes a special committee to carry on the municipal functions until a new election takes place.<sup>5</sup>

Meetings and discussions.-- The number of municipal council meetings varies depending whether the size of the municipality is "large" or "small". The council of a "small" municipality meets whenever called by its mayor. It also meets at the request of the muhafez, the qaimmaqam, or two-thirds of its members.<sup>6</sup>

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<sup>1</sup>Ibid., article 45, p. 44.

<sup>2</sup>Ibid., article 44, p. 44.

<sup>3</sup>Ibid., article 43, p. 43.

<sup>4</sup>Between the years 1922 and 1930, ninety-eight municipal councils were dissolved. Ritsher, op.cit., pp. 37-39.

<sup>5</sup>Lebanese Ministry of Justice, op.cit., article 38, p. 43.

<sup>6</sup>Ibid., article 49, p. 45.

The council of a "large" municipality must meet four times a year in the months of February, May, August and November. These dates are fixed by decrees, and the sessions last for one month.<sup>1</sup> The date for the beginning of each meeting is assigned by the mayor, and this should not be after the tenth of the month.<sup>2</sup> The mayor on his own accord, by a request from the muhafez or qaimmaqam, or by a petition signed by one-half the total number of members, has the right to call for an extra-ordinary meeting<sup>3</sup> of the council which should not last more than fifteen days.

The notice and agenda for the meeting of a council is written in a special register, and two copies are sent to the qaimmaqam who forwards one copy to the muhafez.<sup>4</sup> In this way the muhafez and the qaimmaqam keep informed about all the municipal activities of their districts and subdistricts.

During the first meeting, after its election, a municipal council prepares a list showing the order of the ranks of its members. This list is recorded in the municipal register and copies are kept by qaimmaqam and the muhafez.<sup>5</sup>

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<sup>1</sup>But it is possible however to extend the November-session to the end of December. Ibid., article 46, p. 44.

<sup>2</sup>Ibid.

<sup>3</sup>Ibid., article 47, p. 44.

<sup>4</sup>Ibid., article 50, p. 45.

<sup>5</sup>Ibid., article 51, pp. 45-46. The list shows the order of rank which is prepared according to the following rules: (1) Those who are the oldest in membership; (2) if certain member have equal membership-periods, then the eldest has the priority; (3) in case where it is not possible to find out who is the eldest, then a lot is cast.

Then the council elects from among its members one or more secretaries. These officers, alongwith the mayor compose the "municipality-office". The duty of the secretary is to record, in the register, the decisions taken during the meetings.<sup>1</sup>

The municipal council meetings are not open to the public. The muhafez and the qaimmaqam can, however, attend the discussions if they wish and offer advice but they are not allowed to vote.<sup>2</sup> The mayor is permitted to ask any official or other person to attend the meeting to testify.<sup>3</sup> Meetings which are held for the discussion of the municipal accounts of administration, are presided over by the Deputy of the council, and not by the mayor. If the Deputy has personal interest in these accounts, then the eldest council member becomes the president of the meeting. The mayor can, if he wishes, attend these meetings but he is compelled to leave the assembly before voting takes place.<sup>4</sup>

Decisions and functions.-- The decisions of the council are taken by oral votes. Secret balloting is resorted to on the request of the mayor, or one third of the council members. Decisions are taken by a majority vote, and in the case of a tie the mayor casts the decisive-vote.<sup>5</sup> All

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<sup>1</sup>Ibid., article 52, p. 46.

<sup>2</sup>Ibid., article 54, p. 46.

<sup>3</sup>Ibid.

<sup>4</sup>Ibid., article 53, p. 46.

<sup>5</sup>Ibid., articles 57-58, p. 47. The decisions are recorded in a special register. Ibid., article 59, p. 47.

decisions are then made public by posting them on the municipality-gate.<sup>1</sup>

A municipal council may appoint committees to help it in all matters pertaining to its work.<sup>2</sup> The municipal council of Beirut, for example, has appointed several committees to facilitate its work. These are committees of Finance,<sup>3</sup> Complaints, Health and Social Welfare, and Assessment.<sup>3</sup> The same council also appointed a special committee to study and apply zoning.<sup>4</sup>

The functions<sup>5</sup> of a municipal council fall into two categories, depending on the type of decisions which must be made. The decisions connected with the following subjects are executed one month after they have been submitted to the muhafez.<sup>6</sup> These functions are:-

- (1) The administration of municipal property.
- (2) Lease contracts providing for a period less than three years.
- (3) Purchase of immovable properties, provided that their total annual cost does not exceed one tenth of the total annual revenues of the municipality.
- (4) Projects, plans and estimates which are connected with the maintenance of property, provided that the

<sup>1</sup>Ibid., article 60, p. 48.

<sup>2</sup>Ibid., article 62, p. 48.

<sup>3</sup>Al-'Amal (Beirut), February 17, 1954, p. 2.

<sup>4</sup>Al-Hayat (Beirut), February 26, 1954, p. 7.

<sup>5</sup>These functions include the administration of municipal property, welfare projects and all construction-works. Lebanese Ministry of Justice, *op.cit.*, pp. 49-53.

<sup>6</sup>Ibid., article 65, p. 49.

total annual cost does not exceed one tenth of the total amount approved in the budget for all works of this kind.

- (5) The insurance of municipal buildings.
- (6) The fixing of tariffs for transportation by cars, vehicles, and animals.
- (7) Financial aid to the poor and destitute.
- (8) All construction-projects which are submitted to the council for approval.
- (9) The acceptance, or refusal, of donations which do not put the municipality under any obligation whatsoever.

The muhafez has the right to cancel, within that month, any decision relating to the above functions if it is against the law, or if there is any objection to it on the part of persons having interest in it. He can also defer execution for fifteen days after the expiration of the month. <sup>1</sup>

The following decisions must have the approval of the Minister of Interior:-<sup>2</sup>

- (1) Resolutions purporting to setting up permanent regulations, among which are those concerning municipal officials.
- (2) Municipal budget.
- (3) Municipal rates.
- (4) Extra-ordinary expenses and loans.
- (5) Leases for periods ~~exceeding three years.~~
- (6) Sale and purchase of property which exceeds one tenth of the total annual revenues of the municipality. Also projects, plans and estimates which are connected with the maintenance of property provided that their total annual cost does exceed one tenth of the total amount approved in the budget for all works of this kind.

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<sup>1</sup>Ibid., article 65, p. 50. But in such an instance the municipal-council can dispute its case before the Administrative Court. Ibid., article 70, p. 52.

<sup>2</sup>Ibid., article 66, pp. 50-51. If the Minister of Interior annuls these resolutions, then the municipal-council has the right to dispute its case before the Administrative Court. Ibid.



- (7) Settlement of disputes.
- (8) The conversion of municipal-property which is used for a public purpose to a ~~private~~ purpose.
- (9) Public works of all kinds, like the construction of new roads, public gardens, parks, markets et cetera.
- (10) Matters relating to night-guards, fire-brigades, public sanitation, municipal police, hospitals, schools, water and electric supply, cemeteries, slaughter-houses, public drains, cinemas and public baths.
- (11) The acceptance of donations which place the municipality under obligation.

Should the Minister of Interior fail to approve or disapprove a resolution connected with the above functions within one month from the date of receipt, then the decision becomes executory.<sup>1</sup>

Members of a municipal council, or any municipal official, are not allowed to have any interest or connection<sup>2</sup> with the contracts concluded by the municipal council or its committees. If they have, they will then be liable to disciplinary punishments and possible dismissal.<sup>3</sup>

As a corporate body possessing a juristic personality, a municipality can sue and be sued. The municipal council discusses beforehand cases lodged by or against the municipality. But the mayor alone can take whatever steps he deems necessary in order to defend the rights of the

<sup>1</sup>Ibid., article 67, p. 51.

<sup>2</sup>"Connection" includes interest through wives, partners or agents. Ibid., article 68, pp. 51-52.

<sup>3</sup>Ibid.

municipality. It should be mentioned that a municipality is not allowed to sue in court unless approval has already been obtained from the muhafez.<sup>1</sup>

### The Mayor's Duties

The duties of a mayor vary in scope, depending on the size of his municipality. The legal functions of the mayor in "small" municipalities do not differ greatly from those of "large" ones.<sup>2</sup> His principle duties constitute acts of administration, health services, social affairs, security and order, public works and affairs of local interest.<sup>3</sup>

In the administrative sphere, the mayor directs and supervises the departments of the municipality.<sup>4</sup> He administers and supervises municipal finances and immovable municipal properties. He controls the revenues, expenditures and

<sup>1</sup>Ibid., articles 72-73, p. 52.

<sup>2</sup>Abcarius, *op.cit.*, p. 173. Also *ibid.*, article 81, pp. 54-56; and articles 101-104, pp. 60-62.

<sup>3</sup>An exception is made in Beirut, Tripoli and Al-Mina. In Beirut the Muhafez executes these functions. In each of Tripoli and Al-Mina they are carried out by a Director who is appointed by a decree. Lebanese Ministry of Justice, *op.cit.*, article 129, pp. 66-67.

It must be pointed out that not all the principle duties of the mayor are actually carried out. In the field of health for example, he has the legal responsibility of securing clean food and water for his municipality. Practically however, the mayor seldom executes such a duty one-hundred per cent. In certain cases he even neglects such a duty altogether. What the mayor does or fails to do cannot be pointed out generally. In some municipalities he practically executes all his legal responsibilities, in others he may not. This usually depends on the size of the municipality and the personal qualities of the mayor.

<sup>4</sup>This applies to "large" municipalities, for "small" municipalities do not have departments. *Ibid.*, article 81, section I, p. 54.

accounts of his municipality. He executes the municipal contracts connected with sale, purchase, lease, settlement and exchange. Donations for the municipality are accepted through him. And it is he who represents the municipality in courts when a case is lodged for or against his municipality.

The mayor's duties in the field of health services are wide. He undertakes measures against intoxication and the spread of contagious diseases. He is responsible for securing clean food and water for his municipality; and, with the agreement of the municipal council<sup>1</sup>, he fixes tariffs for food and other necessary commodities. In this connection, he may tour his municipality on periodic checks inspecting the price-lists of all the shops of his town. He may also issue a notice to the shops of his municipality urging them to conform to the price-list regulation.

With relation to the health services of a municipality, the mayor is also responsible for the supervision of the sanitary state of public buildings, hotels, public houses, cafes, restaurants, brothels, butcheries, groceries, barber-shops, bakeries, et cetera. Special attention is paid to commercial places, markets, breweries and to the sanitary conditions of those who are employed therein. The municipal police, for example, following the instructions of the mayor go on inspection tours in most of the streets of the capital.<sup>2</sup>

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<sup>1</sup>Al-Nahar (Beirut), February 19, 1954, p. 3.

<sup>2</sup>Ibid.

In the social field the mayor secures the distribution of financial and other material aid to casualties resulting from fires, floods, epidemics, and the like. He takes preventive measures against lunatics who endanger the public peace, he also takes precautions against harmful animals and beasts of prey.<sup>1</sup> The mayor has also the duty of preventing pauperism and the begging in streets. In this respect for example, the municipal-police in Beirut arrested sixteen street-beggars in one day.<sup>2</sup> The maintenance of public decency and morality are other duties which the mayor undertakes. The municipal police, in this connection, tours the libraries of Beirut in search of immoral books and magazines.<sup>3</sup>

The mayor's duties in the sphere of security and order are various and many. He takes measures against cases which cause the interruption of the public peace, like disturbing noises during night-time. He is required to take precautions against fire and flood. The mayor, therefore, supervises fire-brigades, stores of oil and alcohols. When necessary he directs his municipality to undertake the compulsory storage of inflammable substances and articles, like wood, coal and charcoal. The mayor, also arranges for funeral ceremonials

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<sup>1</sup>This may specially be true in mountainous-regions which are sometimes threatened by such beasts of prey as wolves during winter-time.

<sup>2</sup>The paupers were sent to court and sentenced to periods ranging from two to three years to be spent in a reformatory. Thus the total number of beggars in reformatories reached about two-hundred on February 18, 1954. Al-Nahar (Beirut), February 19, 1954, p. 3.

<sup>3</sup>Ibid.

and burials. And it is his duty to organize and facilitate public traffic. In this connection, the Beirut municipal-police reported in the course of one day two hundred and ninety five traffic<sup>1</sup> contraventions and four cases of clinging to tram-sides.

The duties of the mayor are also wide in public-works' affairs. He is responsible for the control of water-supply, and it is his duty to provide his municipality with clean water. He supervises street lighting and watering, he is responsible for the scavenging and the maintenance of the streets and roads of his municipality. In this respect the mayor is charged with the removal of obstructive building-materials, and with the demolition of dangerous buildings. The mayor of Roum (a summer resort in the qada of Jezzine), for example, supplied the streets of his town with lamps (Roum has no electricity).<sup>2</sup>

Finally, the mayor is charged with the duty of protecting natural views and historical places. He pays special attention to forests and parks. He also controls the weights and measures of his municipality, and it is his duty in this respect to see that the metric-system is in use. In this respect, public notices are issued in Beirut threatening non-

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<sup>1</sup>Ibid.

<sup>2</sup>This he did from municipal-rates collected for that purpose from the inhabitants of the town.

compliant vendors with punishment.<sup>1</sup>

All the decisions of a mayor which are related to his duties are subject to the approval or disapproval of the Minister of the Interior. In "large" municipalities all the mayor's decisions and orders are immediately communicated, in their order of issue, to the Minister of Interior for approval. Should the Minister fail to approve such resolutions within fifteen days from the time of receipt, then the decisions can be carried out.<sup>2</sup>

In the "small" municipalities, the mayor's resolutions fall under more strict supervision. The decisions are sent first to the muhafez who gives the mayor an acknowledgement receipt. The muhafez then transmits the resolutions, with his recommendations, to the Minister of Interior. Decisions which become a permanent regulation are not executed, unless they are approved by the Minister. But other resolutions become executory after one month from the date of their receipt by the muhafez. The Minister of Interior is entitled to cancel the decisions or suspend their execution and he can give orders for

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<sup>1</sup>Al-Sahafat (Beirut), February 12, 1954, p. 2. Four contraventions were reported on February 18, 1954, in Beirut with connection to measures and weights. See Al-Nahar (Beirut), February 19, 1954, p. 3.

During September, 1953, the mayor of Roum personally checked the weights and measures of his municipality.

<sup>2</sup>Lebanese Ministry of Justice, opcit., article 84, p. 57.

their immediate enforcement if he believes they are in the public interest.<sup>1</sup>

### The Execution of Work

It is obvious that the burdensome functions of a municipality cannot be executed by the mayor alone. In "small" municipalities the mayor is assisted by officials appointed by him and approved by the muhafez.<sup>2</sup> These officials usually are: the Town Clerk, the Cashier, the Engineer, the municipal Physician in charge of health services and the Veterinary. The mayor also employs workers and laborers on daily basis, at the current wage, for accomplishing the approved municipal projects.<sup>3</sup> Two members, who are selected by the municipal-council, assist the mayor when he undertakes municipal contractual-work.<sup>4</sup>

Every "small" municipality may have guards, messengers and sanitary inspectors. These officials are also appointed by the mayor and approved by the muhafez.<sup>5</sup> In addition to these officials and employees, the municipal council can appoint other persons for new posts by submitting its proposals

<sup>1</sup>Ibid., article 105, p. 62.

<sup>2</sup>Sometimes in very small municipalities not all the listed officials are employed; for example, the municipality of Baq'lin, Beit-eddin and Birta have no municipal Physicians, Engineers or Veterinaries.

<sup>3</sup>Lebanese Ministry of Justice, op.cit., articles 97 and 99, pp. 59-60.

<sup>4</sup>Ibid., article 100, p. 60.

<sup>5</sup>The approval, or disapproval of the muhafez should be given within one month. Ibid., article 108, p. 63.



to the Minister of Interior. In its proposal, the council mentions the suggested salary for each new post and the annual increment to be given to the person occupying it.<sup>1</sup>

In "large" municipalities the mayor executes his various functions through departments and with the aid of a Municipal Committee.<sup>2</sup> The departments are: the Department of Administrative Affairs, the Department of Finance, the Department of Engineering, the Sanitary and Veterinary Department and the Inspection and Audit Department.<sup>3</sup>

The Department of Administrative Affairs includes the municipal-secretariat, clerical offices, the administrative section of the settlement court,<sup>4</sup> the municipal police, the guards and the fire-brigade.<sup>5</sup> The head of the Department undertakes in addition to his official work the presentation of the agenda of the meetings of the municipal council and the municipal committee; the execution of all the projects and decisions of the municipal council, the committee and the mayor; and the allocation of duties to municipal officials. The department of Administrative Affairs, as its name infers, manages and directs the general affairs of the municipality.

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<sup>1</sup>Ibid., article 98, p. 60.

<sup>2</sup>Ibid., article 80, p. 54.

<sup>3</sup>Ibid., article 86, pp. 57-58.

<sup>4</sup>If the settlement court exists in that district. Ibid., article 86, section I, p. 57.

<sup>5</sup>See Appendix D for the number of employees of the Beirut-Municipal Department of Administrative Affairs.

By its control over the municipal police, it reserves the power of enforcement. In this connection the chief of the Beirut Municipal-police issued on March 12, 1954, an administrative order dividing the municipal police into three main sections. These are: the Executionary-Section, the Market-Supervision Section and the Port-Section. This last section is responsible for the prevention of street-begging, intoxication and opium-taking. It also supervises tram-ways and public places, and it is its duty to look after matters of health, sanitation et cetera.<sup>1</sup>

The Department of Finance comprises the Section of Accounts which organizes and administers the taxes, fees and expenditures of the municipality.<sup>2</sup> This section also acts as a treasury for the municipality, since it is a place for the deposit and disbursement of municipal revenues. Attached to the Department are the section of stores, the department of Revenues and Tax-Collection, the Executionary Section and Property Section. Thus the Finance Department collects the municipal rates and taxes, it keeps records for all the collected funds, it pools all the authorized municipal money and it administers all municipal expenditures.

The Engineering Department includes the Technical-

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<sup>1</sup>Al-Wujdan (Beirut), March 13, 1954, p. 3.

<sup>2</sup>See Appendix D for the number of employees of the Beirut Municipal Department of Finance.

Department, and the department of Planning and Building licences.<sup>1</sup> Attached to it are the municipal work shops, the municipal garage and water-sprinkling. This department looks after the cleanliness and beauty of the city. It undertakes all scavenging works, including the sprinkling of roads and streets with water. It engineers and plans all municipal projects relating to drainage, maintenance of streets, parks, gardens, et cetera. In this connection, the Municipality of Beirut sent its Engineer Mr. George Riashi to Baghdad to study the modern ways in metaling roads.<sup>2</sup>

The Sanitary and Veterinary Department executes municipal services relating to health. It supervises and controls unsanitary and dangerous places.<sup>3</sup> The Chief Municipal Health Engineer, for example, submitted to the municipal council of Beirut a report concerning the banana-fermentation work shops. The report points out the dangers of the explosions and fires that may result from the carbide which is used in the fermentation process.<sup>4</sup> The engineer, therefore, recommended the removal of these shops from the crowded areas where they presently stand. The council agreed to the recommendations

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<sup>1</sup>See Appendix D for the number of employees of the Beirut Municipal Department of Engineering.

<sup>2</sup>Al-Ittihad (Beirut), March 11, 1954, p. 2.

<sup>3</sup>See Appendix D for the number of employees of the Beirut Municipal Sanitary and Veterinary Department.

<sup>4</sup>The carbide is a coal-like substance, which when mixed with water gives off a gas that burns with a white flame.

and undertook steps for their execution.<sup>1</sup>

Finally the Inspection and Audit Department<sup>2</sup> inspects and audits the administration and finance of all the municipal departments.<sup>3</sup> It also controls the various expenditures undertaken by the municipality.

All the heads of municipal departments are appointed by the Minister of Interior on the recommendation of the mayor, and the muhafez. Every department head exercises full authority over all the officials of his department. He is therefore, responsible for the regular performance of work, and for the general administration of his department.<sup>4</sup>

All municipal departments, including the Audit Department, and all municipal accounts<sup>5</sup> are subject to a post-audit performed by the Bureau of Accounting, which is attached to the Ministry of Finance. In addition, a permanent auditor may be appointed by a decree from the Minister of Interior for the purpose of inspecting the accounts and administration of the various municipalities.<sup>6</sup>

<sup>1</sup>Al-Sahafat (Beirut), February 12, 1954, p. 2.

<sup>2</sup>It has attached to it the "Budget Section". Lebanese Ministry of Justice, op.cit., article 86, section 5, p. 57.

<sup>3</sup>See Appendix D for the number of employees of the Beirut Municipal Inspection and Audit Department.

<sup>4</sup>Ibid., articles 87 and 89, p. 58.

<sup>5</sup>The accounts of "small" municipalities as well.

<sup>6</sup>An "Inspectorate-Department" attached to the Ministry of Interior can also be formed by a decree for the purpose of carrying out financial and administrative inspection in "large" Municipalities. Ministry of Justice, op.cit., articles 125 and 126, p. 66.

Along with the municipal departments there is a Municipal Committee which also helps the mayor in the execution of his work. This Committee is composed of the members of the office of the municipal council ("Municipality Office") and two persons who are elected by the municipal-council, from among its membership.<sup>1</sup> The Committee meets once a week at the request of the mayor who usually is its president.<sup>2</sup>

The Municipal Committee discusses all matters connected with the administration of the municipality which are brought up by the mayor or referred to it in accordance with the municipal regulations. The Committee also gives its decisions on matters referred to it by the municipal council.<sup>3</sup> During the periods between the regular sessions of the municipal councils and at the request of the mayor,<sup>4</sup> the Municipal Committee may undertake the duties of the council in periods of emergencies.<sup>5</sup>

#### The Municipal Budget

The financial year for all the municipalities begins on the first of January of every year. Sometime before that<sup>6</sup>

<sup>1</sup>Ibid., article 90, p. 58.

<sup>2</sup>The mayor may be absent, then his deputy or one of the two Committee-members replace him in presiding over the meeting. Ibid., article 91, p. 58.

<sup>3</sup>Ibid., article 92, p. 59.

<sup>4</sup>The mayor must secure before hand a permission from the Minister of Interior.

<sup>5</sup>Lebanese Ministry of Justice, *op.cit.*, article 92, p. 59.

<sup>6</sup>The law does not set down a specific time for budget-preparation.

date, the mayor prepares the proposed fiscal plan of revenues and expenditures and submits it to the municipal council for approval. It is then referred to the Minister of Interior for final approval. The Minister of Interior is entitled to amend or disapprove any item, and he can also add new ones if it is in the interest of the public.<sup>1</sup> If the budget is not passed by the end of December by the Minister of Interior, the budget of the previous fiscal year is used as basis for spending until the new budget has been approved.<sup>2</sup>

The proposed expenditures cannot exceed the estimated total revenues.<sup>3</sup> The municipal budget itself is organized along these lines into parts of "chapters". All the estimated amounts of revenues and expenditures are mentioned. The total amount approved for expenditure during the current year is also shown.<sup>4</sup>

Whereas under "Estimated Revenues" are included, in detail, all fines, fees, rental charges, taxes, rates and all amounts due for collection; revenues expended from projects and schemes which the "Head of the State" deems as "beneficial for the public" are listed in a separate place.<sup>5</sup> "Expenditures" on the other hand are organized on departmental basis. They

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<sup>1</sup> Lebanese Ministry of Justice, op.cit., articles 109 and 110, p. 63.

<sup>2</sup> Ibid., article 119, p. 65.

<sup>3</sup> Ibid., article 116, p. 64.

<sup>4</sup> Ibid., article 111, section 1, p. 63.

<sup>5</sup> Ibid., article 111, section 2, pp. 63-64.

like "Revenues" are arranged in parts showing the whole<sup>1</sup> expected expenditure during the whole year.

Alongwith the budget, there is a "Summary-Statement" for revenues and expenditures. This statement contains four columns which show the total amounts of all the headings in the budget. The first column shows the actual revenues and expenditures of the preceding financial year. Whereas the second column shows the estimated revenues and expenditures for the current year, the third lists the estimated receipts and expenditures after adjustments. The fourth, in turn, shows the total revenues and expenditures proposed for the coming fiscal year.<sup>2</sup>

The 1954 Budget of Beirut for example, is divided into two main divisions, "Revenues" and "Expenditures". Each major division is subdivided into parts of "chapters".<sup>3</sup>

"Revenues" are divided into six parts. The first two parts list in detail direct and indirect fees and rates. Part three shows the income from municipal property, and part four mentions the "income for the payment of expenses". Part five is devoted to miscellaneous sources of income, and part six is kept for "reserve funds".<sup>4</sup>

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<sup>1</sup>Ibid., article 111, section 3, p. 64.

<sup>2</sup>Ibid., article 111, section 2, p. 64.

<sup>3</sup>See Appendix E.

<sup>4</sup>Ibid.



"Expenditures" are in turn subdivided into nine parts. The first part lists down the expenditures of the Municipal Council. The five parts that follow correspond to the five municipal departments,<sup>1</sup> and they show the proposed expenditure of each department. Two of the remaining parts show expenditures for the payment of loans and debts. The last part is devoted for "reserve funds".<sup>2</sup>

Finally, under each of the "Revenues" and "Expenditures" are attached "Summary Statements". These Statements show the total amounts of all the revenue and expenditure headings. They in a way are a budget-summary of the whole fiscal plan of the Municipality.<sup>3</sup>

Municipal expenditures are of two kinds, "compulsory" and "elective". "Compulsory" expenditures are current expenditures provided for by the law. These expenditures comprise: expenses for the maintenance or rent of the municipal building; the payment of municipal debts; expenses for municipal administration and payment of the salaries of officials; expenditure for the maintenance of roads, their repairs and lighting; expenses for schemes and projects connected with road-planning; subscription in the official

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<sup>1</sup>Department of Administration, Department of Finance, Department of Engineering, Department of Health, and Inspection and Audit Department.

<sup>2</sup>See Appendix E.

<sup>3</sup>Ibid.

gazette; and expenses which are necessary for the execution of the daily-municipal works. All other expenses, on the other hand, are considered "elective". The muhafez has the right to include in the municipal budget any "compulsory" expenditure<sup>1</sup> which might have been left out by the mayor and council.

In exceptional cases, a municipality may find it necessary to submit a supplementary budget. This budget also is submitted to the Minister of Interior for final approval.<sup>2</sup> When necessary, the municipal-council can during the year make transfers between the item-heads of expenditures provided that: (1) the transfer is not contrary to the regulations of the municipality; (2) the amount transferred does not exceed the approved expenditures; and (3) the transfer is approved by the Minister of Interior.<sup>3</sup>

The municipal budget is officially issued in the form of a resolution issued by the mayor and approved by the Minister of Interior. This resolution is then published in the official gazette and thereafter comes into effect.<sup>4</sup>

During the second month of every year, the accounts of the preceding year are presented to the municipal council with the necessary explanations and details for the purpose of

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p. 64. <sup>1</sup>Lebanese Ministry of Justice, op.cit., article 112,

<sup>2</sup>Ibid., article 120, p. 65.

<sup>3</sup>Ibid., article 121, p. 65.

<sup>4</sup>Ibid., article 122, p. 65.

estimating the work which had been undertaken by the mayor. The council, also, discusses and checks the accounts of the cashier. After checking them, the accounts are transferred to the Ministry of Interior for further examination.<sup>1</sup> In this manner, and through the post-audit which is carried out by the Bureau of Accounting, the Minister of Interior keeps control over the execution of the municipal-budget.<sup>2</sup> By controlling the budget, the Minister is therefore able to control the whole activities of the municipality.

### Municipal Problems

The inhabitants of towns and villages have complained about the poor conditions of their municipalities. Some of these municipalities are in a lamentable state of filth and negligence. They continuously complain, but it seems with no avail. Burj-Hammoud, for example, had complained in 1948, and it is still doing so today (1954).<sup>3</sup>

When told about the various complaints relating to the poor state of their municipalities, mayors and councilmembers usually reply that that is due mainly to their lack

<sup>1</sup>Ibid., articles 123 and 124, p. 65.

<sup>2</sup>In Beirut, Tripoli and Al-Mina, the Minister of Interior has even tighter control over the budget. The budgets of these municipalities are controlled by General Supervisors appointed by ministerial decrees for a period of four years. These supervisors undertake the supervision of the execution of the budgets. Ibid., article 131, p. 67.

<sup>3</sup>Al-'Amal (Beirut), July 7, 1951, p. 4; Sada Lubnan (Beirut), February 25, 1954, p. 2; Beirut (Beirut), June 9, 1948, p. 2; and Al-'Amal (Beirut), March 25, 1954, p. 3.

of funds.<sup>1</sup> This may be true in some cases, but in most other cases actual events disprove it. For in many instances the realized incomes of municipalities exceeded their realized expenditures, sometimes by more than one-half as happened in the municipalities of Tyre and Halba in 1949 and 1950. Whereas the realized income of Tyre was 84,000 and 93,000 Lebanese pounds in 1949 and 1950 respectively, its realized expenditure was only 36,000 and 48,000 Lebanese pounds in the same years. Halba, in turn, spent LL. 6,000 and LL. 9,000 in 1949 and 1950 respectively from its income of LL. 14,000 and LL. 19,000 of the same years. ~~Thus~~ that these two towns which are located in different places (Halba in the North and Tyre in the South) have spent in two consecutive years less than half their incomes. Burj-Hammoud itself which has always complained about its poor condition had its income exceed its expenditure in 1949 and 1950. Yet these are only a few examples of many<sup>2</sup> other municipalities that spend less than what they earn.

The complaint about the lack of funds is usually exaggerated in practise.<sup>3</sup> Municipalities in Lebanon are not suffering from the lack of funds. In many instances their incomes exceed their expenditures. Beirut is one of the exceptions. Beirut's income rarely is sufficient for its

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<sup>1</sup>In this connection see Al-Jihad (Beirut), March 30, 1954, p. 2; and Sada Lubnan (Beirut), February 25, 1954, p. 2.

<sup>2</sup>See Appendix F. Also Ministere De L'economie Libanaise, Bulletin Statistique Trimestrial: Premier Trimestre (Beyrouth; 1952), III, No. 1, 30.

<sup>3</sup>This mostly is done to account for poor municipal conditions.

realized expenditure, its income even fell short of its expenditure in 1949 and 1950.<sup>1</sup> This is not surprising, since its population is increasing rapidly. Whereas it had a population of 150,000<sup>2</sup> and a budget of LL. 925,000<sup>3</sup> in 1930, it has a population of about 330,000<sup>4</sup> and a budget of LL. 10,120,500 today (1954). Yet that does not necessarily mean that Beirut suffers from lack of funds, because it receives financial aid from the Government. It also received in 1954 a loan of twenty-four million Lebanese pounds from the "Banque de Syrie et du Liban" to be repaid in installments. The Government took upon itself the repayment of half the loan and the interest, while the Municipality undertook to repay the remaining half.<sup>5</sup> The Government on its part always offers such a help to municipalities.<sup>6</sup> In 1950 it exempted all the municipalities in

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<sup>1</sup>Beirut's income in 1949 was LL. 14,431,000 and its expenditure was LL. 15,063,000. Its income in 1950 was LL. 8,801,000 and its expenditures was LL. 8,966,000. Ministère De L'economie Libanaise, op.cit., p. 39.

<sup>2</sup>Ritsher, op.cit., p. 33.

<sup>3</sup>Ibid.

<sup>4</sup>This figure is that used by the Municipality of Beirut.

<sup>5</sup>See Al-'Amal (Beirut), April 24, 1954, p. 3.

<sup>6</sup>In 1946 Government distributed LL. 196,000 on a number of its municipalities. In 1947 it awarded the Municipality of Beirut five million Lebanese pounds. Again in 1950 the government distributed LL. 16,000 to a number of municipalities for construction works. In 1952 the government also gave a loan of half a million Lebanese pounds to the following municipalities: Ain-Zhalta LL. 20,000; Al-Muktara LL. 5,000; Majdal al-Ma'oush LL. 25,000; Bdadoun LL. 15,000; ~~Choueifat~~ LL. 40,000; Ainab LL. 10,000; Basous LL. 15,000; Deir al-Qamar LL. 40,000; Niha LL. 15,000; Aley LL. 50,000; Al-Qmatiah LL. 5,000; Shimlan LL. 10,000; Bhamdoun LL. 15,000; Shamiah LL. 10,000; Burja LL. 25,000; B'aaqlin LL. 40,000; Abey LL. 10,000; Souk al-Gharb LL. 20,000; Ramhala LL. 10,000; and Ain-Daraa LL. 5,000. Beirut (Beirut), October 10, 1946, p. 2; Beirut (Beirut), March 15, 1947, p. 2; Beirut (Beirut), September 12, 1947, p. 2; Al-'Amal (Beirut), August, 13, 1950, p. 4; and Beirut (Beirut), March 21, 1952, p. 2.

Lebanon from the repayment of their loans. It also undertook to pay the rents for the municipal school-buildings until 1956.<sup>1</sup>

A major problem which a municipality usually meets is the lack of cooperation on the part of its citizens and the Minister of Interior. This lack of cooperation appears to be the result of divergent personal interests based on sectarianism and politics; and the absence of public spirit. Many of the inhabitants of Roum (a summer resort in the qada of Jezzine), for example, have intentionally defied their mayor because they are maronites and he is Catholic. About half the inhabitants of Birta (a village in the qada of Sidon) also defied their mayor because he is from one party and they from another.<sup>2</sup>

Mayors often complain of the negligence and the non-cooperation of the Ministry of Interior. One of them pointed out that the qaimmaqam of his subdistrict needed reminders to have the municipal resolutions settled in accordance with regulations. Another mayor said that his municipality often asked the cooperation of the Minister of Interior in prominent

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<sup>1</sup>From a lecture on the municipalities in Lebanon delivered by Mr. Najib Sadakah, Director General of the Ministry of Education, to his Graduate-Seminar Class in public administration on March 24, 1954.

<sup>2</sup>There are two parties in this small village, based on clanship.



matters, but with no avail. The mayor of Bhamdoon Mr. Khalil Khairallah complains of the injustice done to him by the muhafez of his district. The muhafez suspended the mayor for reasons which Mr. Khairallah alleges to be illegal. The case is awaiting a decision from the Administrative Court. The reasons behind this case seem to be personal.<sup>1</sup> Likewise, the mayor of Qarnayel (a summer resort in the qada of Ba'abda), Mr. Amin Ali Al-Awar was suspended for a cause which he alleges to be illegal. This case also awaits the decision of the Court.<sup>2</sup> The factors involved in this case are also political.<sup>3</sup> The mayor of Nabatiah complains of the negligence and irresponsibility shown by the electric company in his town. The town stayed without electricity for a period of thirty days, and it threatens to go on strike.<sup>4</sup>

The absence of cooperation between the municipalities and the Ministry of Interior gives rise to a complex situation as is shown by the following incidents. The Ministry of Interior refused the request of the inhabitants of Al-Hirri village (a village in the qada of Batroun) for the establishment of a municipality. The refusal is alleged to be caused by pressures on the Ministry by the "Chekka Cement Company", which works on the lands of that village.<sup>5</sup> The roads

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<sup>1</sup>Al-Tayyar (Beirut), April 11, 1954, p. 2.

<sup>2</sup>Al-Hayat (Beirut), March 12, 1954, p. 4.

<sup>3</sup>Al-Anba' (Beirut), February 13, 1954, p. 5.

<sup>4</sup>Al-Hayat (Beirut), March 12, 1954, p. 5.

<sup>5</sup>Al-Nahar (Beirut), March 17, 1954, p. 2.



of Beirut have reached a miserable state due to the constant diggings undertaken by the Department of telephones and the companies of water and electricity. The Ministry of Interior<sup>1</sup> did nothing, so far, to stop such un-cooperative work.

Centralization itself may be a cause for many problems. Since the Minister of Interior has the final say in all the important decisions of any municipality, especially the passing of its budget, then municipal affairs depend in the last resort on his discretion. The Minister of Interior is usually a political appointee, his decisions are most of the times stamped with politics. He may not be well aware of the problems of each municipality, and he may be more inclined to make decisions which are politically expedient. A municipal decision which is in the interest of the town or village concerned, may be annulled by the Minister of Interior because it conflicts with the interests of that section of the town or village which backs the Minister politically.

The mayor himself as a political appointee may also favor those who brought him to power. There are villages wherein certain quarters are given special attention by the mayors, merely because these parts belong to those who supported the mayor during the municipal elections.

Municipal problems vary with the nature of a

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<sup>1</sup>Ibid.

municipality, for a municipality may have a problem unique only to itself. In this respect, the problem of the municipality of Beirut in getting rid of its rubbish serves to illustrate this point. Mr. George Shidiaq is trying to find a solution in the light of the experience he had in this field in the United States of America. The solution is difficult, because the ways used in America cannot be applied in Beirut. For the burying of rubbish requires large areas of waste-land, this is not possible in Beirut which has limited lands. Burning the rubbish is also not possible, because most of it is damp, for among it is found rotten vegetables and the like. Another possibility is to transport it by boat and throw it far away in the sea, but this does not solve the problem since the water-currents bring it back to shore; for the sea currents were studied, and they were found to be always directed<sup>1</sup> towards the coast.

Although municipalities are faced with problems, yet they also work towards reforms. Many municipal councils are working earnestly for the advancement of their municipalities. The mayors of the qada of Jezzine held a special meeting under the presidency of the qaimmaqam. A resolution was taken requesting the Government to spend the amount of money it allotted for their subdistrict, in the construction of an electric-plant. The Government consented, and referred to

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<sup>1</sup>Al-Hurriah (Beirut), February 8, 1954, p. 9.

the Chamber of Deputies a proposed law to that effect. According to this law LL. 300,000 are to be used for the construction of electric-power from the water-falls of Jezzine, and for the setting of wires connecting the source to Jezzine and the Rihan Mountain.<sup>1</sup> This project when executed will supply electricity to all the towns and villages of the qada of Jezzine.

The municipality of Beirut is also planning for reforms. An interview with the muhafez of Beirut, Mr. George 'Asi,<sup>2</sup> revealed that he has intentions for carrying out wide reforms. When asked about the way in which the Municipality wishes to spend its budget of LL. 10,120,500, the Muhafez answered: "The main job of the municipality of Beirut is the realization of reform". From this sum LL. 1,519,500 is allotted for the municipal police; LL. 571,000 for the fire brigade; LL. 525,000 for road construction, metaling, side-walks and drainage; LL. 323,000 for social-welfare services;<sup>3</sup> and LL. 130,000 for public street lighting.<sup>4</sup>

The head of the Beirut Municipal Sanitary and Veterinary

<sup>1</sup>Al-Nahar (Beirut), February 19, 1954, p. 3.

<sup>2</sup>The interview took place on June 28, 1954.

<sup>3</sup>The sum of LL. 323,000 allotted for social-welfare services will be spent thus:- LL. 195,000 for the medical treatment of idiots and aged-persons; LL. 60,000 for welfare societies and institutions; LL. 45,000 for the Hospital of Hereditary illnesses; LL. 10,000 for sport-clubs; LL. 5,000 for aiding the poor and needy; LL. 5,000 for the burial costs of the poor; LL. 2,000 for the medical treatment of municipal-officials; and LL. 1,000 as cost for one-hundred cubic centimeters of drinking-water.

<sup>4</sup>1954 Municipal Budget of Beirut.

Department, Mr. Nicola Khouri, is giving attention to the Slaughter House, which is in need of enlargement. Mr. Khouri is also planning to build a modern municipal bath near the Municipal Garage in the slaughter-house area. Among the municipal's constructive works there is a project for the setting up of disinfecting houses for second-hand articles and materials that are sold. This project costs LL. 15,000, not counting the expenses of the building itself. A municipal laboratory for emergency cases is also among the plans of reform. The Municipality is planning to purchase two ambulances, and three new vans for the transport of meat.<sup>1</sup>

After the passage of the New Building Law, the Municipality of Beirut will be able to collect the rates and fines on the several buildings that were constructed in violation to the old law. This law did not allow the collection of rates and fines, but provided for the destruction of the buildings. Thus an extra annual estimated income of about LL. 2,000,000 will be available for the use of the Municipality.<sup>2</sup>

The Government on its part must encourage municipal reforms. It is the duty of every government to cooperate with and to encourage its municipalities. For every government is responsible for the welfare of its citizens. These citizens are the inhabitants of towns and villages. Most

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<sup>1</sup>Al-Hurriah (Beirut), February 8, 1954, p. 9.

<sup>2</sup>Ibid.

of these villages and all the towns have municipalities, so that looking after them is looking after the citizens. That is a sacred right which every government must preserve.

Before ending this chapter, certain observations should be made. The Government wants its citizens to cooperate with ~~it~~<sup>in</sup> local administration, so it provides for elective municipal-councils.<sup>1</sup> But these councils do not have sufficient powers to execute the affairs of their municipalities as they see fit, for the Muhafez and the Minister of Interior control all their resolutions. Both of these officials can annul any municipal-decision including that relating to the municipal budget itself. The result of such a condition is obvious. The council-members have either to submit to the will of the Minister of Interior, as often happens, or else resign, If on the other hand the Minister finds out that the council-members have a policy which is not in confirmity with his, he usually dissolves the whole council as having a policy "contrary to public interest".

The municipal council, on many occasions, falls a prey to personal interests and sectarianism. The election-lists containing the names of the nominees for the municipal-council are usually based on personal interests and not on political party-affiliations. Thus a municipal election-list

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<sup>1</sup>Although in some cases it reserves for itself the right to appoint council-members. Supra, p. 73.

contains the names of nominees who work on a "give and take" basis, and not men who join in common political aims. The result of that is frequently a weak council. Thus, councilmembers may be divided among themselves and the municipal council in many cases fails to pass a resolution concerning the execution of a municipal project. The mayor therefore finds himself unable to proceed with contemplated reforms.<sup>1</sup> This is why on some occasions a municipality spends much less than what its budget provides for.<sup>2</sup> Sometimes the dissension in the municipal-council is caused by sectarianism, as for example the Catholics opposing the Maronites. Again in that case the result is a road-block to the advance of municipal affairs, and reforms are therefore delayed. Yet that must not mean that all municipal-councils are weak and dissentient and that reforms are always hampered. As was pointed out before,<sup>3</sup> reforms are being carried out by many municipalities and the future will probably find stronger elective municipal-councils in Lebanon.

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<sup>1</sup>This was specifically pointed out by the mayor of Aley, Sheikh Jamil Talhouq.

<sup>2</sup>Ibid.

<sup>3</sup>Supra, pp. 107-109.

## CHAPTER VI

### THE MUKHTAR

The administration of towns and villages were discussed in the previous chapter. It was pointed out that all towns and most villages have municipal-councils which run their municipal affairs. It was then shown that these municipal-councils carry out their functions through mayors who are their presidents and chief executives. There are certain exceptions to this form of municipal organization. In Beirut the Muhafez undertakes the executive duties of the mayor, and in each of Tripoli and Al-Mina an appointed Director undertakes them.

The village and the quarter<sup>1</sup> (in a town) are the smallest administrative divisions in Lebanon. These are administered, for the Minister of Interior by elected officials called "mukhtars". The Arabic word "mukhtar" means "the select". From the time of the French Mandate until 1947, the village (and the quarter) administration in Lebanon was regulated by the law of January 13, 1928.<sup>2</sup> This law was suspended periodically, so that it seldom received its full application.

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<sup>1</sup>The boundaries of a quarter are arbitrary drawn up by a resolution taken by the Minister of Interior. They today are still almost as they were defined in the records of the 1922 census. Lebanese Ministry of Justice, Compilation of Laws: The 1928 Law of Mukhtars (Beirut: New Republic Press, 1948), Vol. 9, article 5.

<sup>2</sup>Ibid., articles 1-38. Also Ritsher, op.cit., p. 28.



Although the law of 1928 provided for the election of mukhtars by direct male suffrage in the village or quarter, in fact mukhtars were appointed by the Minister of Interior on the recommendation of the muhafez. On November 27, 1947, a new law was enacted dealing extensively with the mukhtars.<sup>1</sup> This law is still in operation, and it governs the administration of the villages and the quarters in Lebanon today (1954).

Every village inhabited by more than fifty persons is administered by a Mukhtar aided by a "Council of Elders". A village having less than fifty inhabitants is administered by the mukhtar and the Council of Elders of the nearest village.<sup>2</sup> Towns, on the other hand, are divided into quarters,<sup>3</sup> and every quarter has a mukhtar who administers it.<sup>4</sup> Exceptions to this rule are found in Beirut, Tripoli, and Burj-Hammoud.<sup>5</sup>

The Council of Elders consists of a mukhtar and two members in villages having from fifty to five-hundred inhabitants; a mukhtar and four members in villages having from

<sup>1</sup>Lebanese Ministry of Justice, Compilation of Laws: The 1947 Law of Mukhtars (Beirut: New Republic Press, 1948), Vol. 9.

<sup>2</sup>The 1947 Law of Mukhtars, op.cit., article 1.

<sup>3</sup>Quarters are set up by a resolution taken by the Minister of Interior. They cannot be altered or changed except by him. Ibid., article 3.

<sup>4</sup>The mukhtar may have a "Council of Elders" to help him in the administration of his quarter. This is not finally settled, for the law is occasionally amended in this respect. As a result, the mukhtars of Beirut and Tripoli have no councils of Elders. Amending Laws of: May 7, 1949; May 11, 1949; and December 20, 1949. (See appendix to the 1947 Law of Mukhtars, op.cit.).

<sup>5</sup>See Appendix G.

501 to one-thousand inhabitants; and a mukhtar and six members<sup>1</sup> in villages having from 1,001 to three-thousand inhabitants. Villages which have more than three-thousand are divided into quarters, and each quarter has a mukhtar who administers<sup>2</sup> it.

#### Functions of the Mukhtar and Council

The mukhtar is the smallest executive authority. Nevertheless his functions, duties and responsibilities are varied and many. He presides over the Council of Elders where one exists;<sup>3</sup> and has responsibilities with regard to public security, personal status, finance, land registration, agriculture, public health, justice and education.<sup>4</sup>

The mukhtar is assisted in his administrative work by the Council of Elders. A council-member must countersign with the mukhtar all certificates relating to the sale or transfer of property, certificates concerning the identity of buyers and sellers showing that the sale took place without any compulsion or duress, and certificates connected with occupiers of land who do not possess registered titles.<sup>5</sup>

The mukhtar is responsible for the publication of the laws and regulations which concern his village or quarter. He

<sup>1</sup>The 1947 Law of Mukhtars, op.cit., article 2.

<sup>2</sup>These villages are treated like the towns. Ibid., article 3.

<sup>3</sup>Supra, p. 113, footnote 4.

<sup>4</sup>The 1947 Law of Mukhtars, op.cit., articles 24-32.

<sup>5</sup>Ibid., articles 22 and 23.

posts in his village or quarter all rules instructions and regulations which are issued by the government.<sup>1</sup> If a breach of the peace occurs the mukhtar reports it to the qaimmaqam. He thus, reports all criminal cases and all other events which disturb the security and order of his village or quarter. He informs the government about unauthorised public and secret meetings. It is his duty to facilitate the work of government officials when they perform their duties in his village or quarter.<sup>2</sup> For example, he accompanies the police when they go to arrest a suspect in his house. The mukhtar issues certificates of good conduct to persons requiring them. He also gives other certificates needed for identity-purposes. Most of his work in this connection is concerned with the issuance of certificates needed for passports.<sup>3</sup>

In financial matters, the mukhtar has heavy duties.<sup>4</sup> He publicizes notices and regulations connected with taxes. The mukhtar assists the tax-collectors and excise officers in the performance of their duties by giving them information about the financial status of the inhabitants of his village or quarter. He also helps the government officials with the seizure of property for the non-payment of taxes. In this connection

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<sup>1</sup>Ibid., article 25, section 1.

<sup>2</sup>Ibid., article 25, sections 5-7.

<sup>3</sup>Ibid., article 25, sections 2-3.

<sup>4</sup>Ibid., article 27.

he takes upon himself the legal requirements for affecting the seizure, for example, he warns the owners, notifies them of the legal procedures, prepares the required official papers and reports the disposition of the case to the qaimmaqam. It is also the duty of the mukhtar to report to the department concerned, on intestate lands. This function is seldom performed owing to the fact that the owner, in most instances, provides for successors before his death. The mukhtar is responsible for the assistance of tax-assessment committees. He provides information regarding the economic situation of the village, for example, the nature of the harvest, the kinds and nature of plantations, et cetera. Finally he issues all certificates regarding the financial standing and business morality of guarantors.

In land registration matters the duties of the mukhtar are purely routine dealing with the keeping of records.<sup>1</sup> He therefore keeps old survey records, records of land-titles and records connected to water-rights. This function is largely clerical and it usually does not take much of the mukhtar's time.

The mukhtar's duties in the fields of public health and education are of little practical importance. This is because these functions are generally undertaken by the municipalities

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<sup>1</sup>Ibid., article 29.

and the government. Yet these functions may be of some importance in small villages having no municipal-councils, where the mukhtar and the council of elders exercise the municipal functions. In public health matters the mukhtar reports on the occurrence of infectious diseases, and sees to the undertaking of protective measures, like vaccination and inoculation.<sup>1</sup> His duties in the educational field are to press parents to send their children to school,<sup>2</sup> yet in practice he seldom does that.

In the field of agriculture the mukhtar reports on pests and diseases of plants. He also executes the instructions received for the protection of plants and crops.<sup>3</sup> This function is again of little significance since it is carried out mainly by the municipal-councils in cooperation with the Ministry of Agriculture.<sup>4</sup>

Affairs of personal status occupy most of the time of the mukhtar. One of the mukhtars when asked about his duties, produced the law of Registration of Personal Status<sup>5</sup> saying:

<sup>1</sup>Ibid., article 31.

<sup>2</sup>Ibid., article 32, section 1.

<sup>3</sup>Ibid., article 30, sections 1-3.

<sup>4</sup>In this respect, it should be pointed out that it is the duty of the mukhtar to collect the wages which are paid to the watchmen who are employed by the village for guarding its planted lands. Ibid., article 30, section 4.

<sup>5</sup>The Law of Registration of Personal Status dated December 7, 1951.

"In this you find what we do". Thus, the mukhtar keeps a register of births and deaths, and he gives certificates required as a basis for amending the official age of a person or his name. The mukhtar also undertakes the authentication of certificates related to personal-status and authenticates the certificates of birth. He also authenticates certificates of marriage and divorce, and testifies to the truth of signatures and thumb-prints showing the identity-card number of the owner. Finally, he prepares death certificates showing the place and cause of death.<sup>1</sup>

Despite these responsibilities, the mukhtar receives no salary. His office is honorary.<sup>2</sup> The law permits him to collect seventy-five Lebanese piasters for certificates issued by him which are connected with completion of travel formalities, matters of inheritance, mortgage of property, authentication of signatures, and legal seizures.<sup>3</sup> In practice, mukhtars are paid for all certificates and authentications done by them.<sup>4</sup>

#### Term of Office, Resignation and Vacancies

The mukhtar and his council are elected for a period of four years.<sup>5</sup> When a mukhtar desires to resign, he submits his

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<sup>1</sup>Ibid., article 26.

<sup>2</sup>Ibid., article 17.

<sup>3</sup>Decree No. K/12921 dated August 30, 1948 (see appendix to the 1947 Law of Mukhtars).

<sup>4</sup>The 1947 Law of Mukhtars, *op.cit.*, article 17.

<sup>5</sup>The mukhtar is the president of the "Council of Elders".  
*Ibid.*, article 24.

<sup>6</sup>*Ibid.*, the Law of December 30, 1950, which amends article 15 of the previous law of November 27, 1947.

resignation in writing to the muhafez of his district. This resignation becomes effective when accepted, or after two months from its submission if the muhafez does not answer.<sup>1</sup>

A mukhtar cannot be absent from his village or quarter for more than ten days, except for emergencies and in such cases he must get the approval of the muhafez or qaimmaqam. During his absence his functions are carried out by a member of the council also designated by the muhafez or the qaimmaqam.<sup>2</sup> If the post of a mukhtar is vacant during the last six months of his term of office, the muhafez appoints the eldest member of the council as a substitute.

If a vacancy occurs in the council within six months of a new election, then the Minister of Interior appoints to the council that person who had won the largest number of votes and was not elected. Vacancies which take place during a period, exceeding six months before the end of the term of office, are filled through new elections.<sup>3</sup>

#### The Elections of the Mukhtar and the Council

The date for the elections of the mukhtar and the

<sup>1</sup>If the muhafez does not answer the letter of resignation within a period of one month, then the mukhtar sends another letter (this time registered) to him. The resignation is then effected after a month from the date of submission of the second letter. The 1947 Law of Mukhtars, op.cit., article 19.

<sup>2</sup>Ibid., article 20.

<sup>3</sup>Law of December 30, 1950, which amends article 15 of the 1947 Law of Mukhtars.



Council of Elders is determined by the Minister of Interior who has the notice posted in the village or quarter fifteen days prior to the election-date.<sup>1</sup> The mukhtar and the council are elected on one list by ballot.<sup>2</sup> The list contains the names of the nominees, and the elector specifies the mukhtar of his choice. Elections begin at eight-o'clock in the morning and end at four in the afternoon of the same day. The regulations governing the elections are the same as those governing the election of the municipal councils.<sup>3</sup> The results of the elections can be disputed before the Administrative Court within ten days following the balloting.<sup>4</sup>

Not all of those elected hold office. The law states that a person cannot be the mukhtar of more than one place at the same time, nor can close relatives<sup>5</sup> be mukhtars or councilmembers for the same village or quarter. If that happens, one

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<sup>1</sup>The elections do not necessarily take place at one time, for a village or quarter may elect its mukhtar and council on a date different from that of another. This depends on a resolution taken by the Minister of Interior. If he finds it in the interest of public security to have the elections at different dates, he passes a resolution to that effect (*ibid.*, articles 6 and 7). Although the Law of November 27, 1947 provided for the elections of the Mukhtars and Councils, they were not elected until 1950.

<sup>2</sup>This list bears the names of the nominees, and the elector designates on it the mukhtar of his choice. These lists are arranged on the same basis as those of the municipal-election lists, and usually they are not on partisan basis.

<sup>3</sup>The 1947 Law of Mukhtars, *op.cit.*, articles 8-10. *Supra*, pp. 73-77 for the regulations governing municipal-elections.

<sup>4</sup>*Ibid.*, article 13.

<sup>5</sup>"Close relatives" are: a father, son, father-in-law, son-in-law, brothers, and brothers-in-law. *Ibid.*, article 11.

relative must resign his post for the other or the muhafez or the qaimmaqam will require the younger family-member to resign.<sup>1</sup> A mukhtar is not entitled to hold a public post in addition to his mukhtarship, if he happens to hold such a position then he must resign from it within a period of one week.<sup>2</sup>

### Problems and Difficulties

The problems met by the mukhtar and his council vary with the nature of the village or quarter they administer. In small villages which do not have municipal-councils, the mukhtar and the Council of Elders undertake most of the municipal work. The mukhtars, especially in small villages, occupy a prominent position. This is a result of tradition; for the mukhtar who was the "selected" person was supposed to preserve the village customs. This causes him many inconveniences. Thus the mukhtar has to keep his door open to all, for hospitality is one of the well-rooted traditions especially in villages. A mukhtar of one of the villages once said sarcastically: "My house is a hotel and a café free of charge". He has to receive all government officials in his office or home and supply them with the information and help they need.

Mukhtars complain about the delay caused by the government departments in clearing official matters relating to the

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<sup>1</sup>Ibid.

<sup>2</sup>Or else he would be considered as having resigned the older-post. Ibid., article 12.

mukhtar's duties. They also complain about the difficulties they find in the authentication of certificates, particularly those of inheritance, since the truth is often difficult to determine owing to the deceptions perpetrated by the interested parties. Sometimes the mukhtars themselves fall a prey to dishonesty, and issue certificates to those who do not deserve them.

In conclusion one may say that the duties of a mukhtar are mostly of a clerical nature. Although he is elected by the people, yet he is responsible to the Minister of Interior. Thus, on one hand, he has to keep on good relations with the inhabitants of his village or quarter to gain their support in order to be elected; on the other hand he has to satisfy the Government to whom he bears responsibility. Since he represents Government and is the "selected" person in his village or quarter, the mukhtar enjoys considerable prestige. Yet this prestige is not accompanied by any salary, on the contrary his job is honorary despite his various and many duties. As the smallest executive authority in the village or quarter, he has responsibilities in connection with public security, personal status, finance, public health, land registration, agriculture and education. Practically however, most of his work consists of the issue and authentication of certificates relating to personal status. Thus his work is mechanical and routine, except in small villages which do not have municipal councils.<sup>1</sup>

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<sup>1</sup>For the mukhtar and the Council of Elders undertake most of the municipal work of such villages, since they replace their municipal-councils.

## CHAPTER VII

### TOWARDS A BETTER FUTURE

The previous chapters have discussed local administration in Lebanon. They have shown that local government is centralized under the Ministry of Interior. The muhafazas and qadas, which are the administrative divisions and sub-divisions of the Country are governed by muhafezes and qaimmaqams, who are the appointed agents of the Minister of Interior. Municipalities are also controlled to a considerable extent by the Minister and the Muhafez, both of whom have the power to approve or annul the decisions of the municipal-councils. Quarters and villages in turn are administered by mukhtars and councils of elders who are responsible also to the Minister.

Administration in Lebanon faces many difficulties. The "government" is looked upon as a charitable institution. Many of its employees are inefficient and irresponsible. To make matters worse, these employees enjoy immunities given to them by law.<sup>1</sup> A government official may stay in office and enjoy the full rights bestowed on him by his post until either he resigns or dies, or is put on pension. In all other cases,

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<sup>1</sup>Legislative Decree No. 13, dated January 7, 1953. Lebanese Ministry of Justice, op.cit., I, 227-228.

an employee of the Lebanese government cannot be dismissed or discharged from service unless his post is cancelled and he refuses another post which is offered to him, or is sentenced to dismissal by the "Disciplinary Council", which is specially set up for the purpose.<sup>1</sup>

In some instances the law does not provide a sufficient guarantee for its enforcement. It, for example, provides for a meeting of all the muhafaza department-heads under the presidency of the muhafez to discuss their department affairs.<sup>2</sup> It also provides for another meeting by the muhafez with all the qaimmaqams of his district to discuss the affairs of the qadas.<sup>3</sup> Again the law provides for quarterly conferences between the qaimmaqams and the mukhtars of their sub-districts to discuss the affairs of their villages.<sup>4</sup> In all these cases it does not provide for punishing those who do not hold these meetings, or provide other means for insuring them. Today (1954) there are several municipal-council and mukhtarship vacancies awaiting occupation. The Ministry of Interior declines to arrange for elections to fill these posts on the ground that that will take much valuable time and it will also need a force of policemen

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<sup>1</sup>This Council carefully deliberates before judgment, and it seldom passes a sentence of dismissal.

<sup>2</sup>Lebanese Ministry of Interior, op.cit., article 46, p. 13. Also supra, p. 53.

<sup>3</sup>Ibid., article 24, p. 7. Also supra, p. 54.

<sup>4</sup>Ibid., article 29, pp. 8-9. Also supra, p. 61.

and officials which cannot be supplied at the time being.<sup>1</sup> Yet  
 the law provides that all such posts should be filled within a  
 period of sixty days from the time of their vacancies.<sup>3</sup>

In the light of what has been said, let us examine and discuss the nature and effect of centralized local-administration in Lebanon. The Minister of Interior holds in his grip all local administration. He controls all the local-governments of the Country. For it is he who appoints and within certain limits, dismisses the governors of these administrative districts and sub-districts. The Muhafez and the Qaimmaqam are appointed by him and are responsible only to him. Whereas the Muhafez is accountable to him directly, the Qaimmaqam is accountable to him through the Muhafez. The Muhafez receives orders directly from the Minister, and the Qaimmaqam in turn receives orders directly from the Muhafez. Both execute the policy laid down for them by the Minister, and they are bound to submit every important decision to him for final approval.

The Municipalities, which are in principle local self-governing bodies, are in practice controlled to a very great extent by the Minister of Interior. Although the Municipal-Councils are usually elected, yet the Minister can by means of

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<sup>1</sup>Al-Nahar (Beirut), May 16, 1954, pp. 2 and 3.

<sup>2</sup>Lebanese Ministry of Justice, op.cit., article 33, p. 42.

<sup>3</sup>At the time of writing, more than four months had already past and the posts are vacant.

a decree appoint such councils. Although the law provides that a municipal council must be established in every town and village whose population is above five hundred and whose annual income is at least two-thousand Lebanese pounds, yet it gives the Minister of Interior the right to establish municipal councils disregarding such a provision. Practically any municipal decision can be vetoed by the Minister. The Municipal-budget itself must be approved by the Minister before it becomes executory. He is entitled to amend or disapprove any item in the budget, and he can also add new ones if he finds that "necessary". The Minister of Interior also has the power to abolish any municipal-council if he finds that "in the interest of the public".

The control of the Minister of Interior reaches down to the smallest village and quarter. The Mukhtar and the Council of Elders are responsible, not to the people who elect them, but to the Minister of Interior. The Minister keeps his control over them through the Qaimmaqam of their sub-district. Control is insured from the top of the hierarchical chain down to its base.

The Minister of Interior in Lebanon, as in other places, is a political appointee usually not well trained in administrative matters. His control and interference in nearly every local government affair creat<sup>e</sup>s many weaknesses and problems. Appointments are not made primarily on the basis of



merit. In practice, the Minister of Interior appoints Muhafezes and Qaimmaqams who are politically favored by him. They are usually not well qualified for the post. Even if they were, they are bound to do not what is better for their localities but what pleases their master. Personal relations including formal and informal influences enter the scene, and good administration is usually sacrificed on the alter of politics. This is mainly why insecurity, disorder and administrative weaknesses prevail. Yet the nature and causes of such problems are also affected by other factors consisting of feudalism, sectarianism and a general irresponsibility on the part of both the people and the government.

A minority of wealthy people own and exploit most of the lands in Lebanon. Statistical figures for example show that in five villages in the Qassimiah area: five persons own fifty per-cent of the lands, three-thousand persons own the remaining lands and 2650 persons own nothing.<sup>1</sup> The result of such a feudal system is discouraging. The feudal lords are very

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<sup>1</sup>v. Aramoni, "Al-Mashakel Fi Reef al-'Alam al-Arabi", Focus, II (May-June, 1954), 10.

influential, especially in their own districts. They hold prominent positions in the Government and many of them are members of the Chamber of Deputies. They are politically backed by the farmers and peasants who work on their lands. On many occasions they defy the government in power when their interests conflict with its policy. The muhafezes and the qaimmaqams are disturbed by their intervention. Thus administration becomes corrupted and insecurity results. A feudal lord, for example, will sometimes do all within his power to free from blame or punishment a law-violator or criminal because that person happens to be one of "his men".

Sectarianism and clanship in turn weaken good administration. The feudal lords on their part find it in their interest to see that the farmers and peasants are divided, because this enables them to shape their policies more easily. Thus they are able to play one party against another. They defend the stronger side and gain its support. This support they then use for their personal benefits, especially during elections. These divisions which are based on sectarianism and clanship, and which are tacitly encouraged by the feudal lords cause irresponsibility and a lack of public-spirit among the citizens. This is why in many cases the muhafez, the qaimmaqam, the mayor and the mukhtar find lack of cooperation on the part of the people. What makes things still worse is that the Lebanese citizen depends mainly on his government. He wants it to offer him everything and he blames it for most of his

evils.

The Government is sometimes to be blamed. In some distant villages, the villager does not even feel its presence except when the tax-collector knocks at his door to collect due taxes and the policeman when he goes to arrest somebody. Government officials are sometimes arrogant and conceited, they look down at poor people who come to carry out their official business. This creates a bad feeling between the government and its citizens, and therefore adds to the problems of administration.

Over-centralization created in Lebanon many problems, will decentralization solve them? "Beirut monopolizes all the affairs of the State in such a way that the muhafazas are practically left with nothing".<sup>1</sup> People must come to Beirut for the sake of completing some very minor official affairs. Matters which, otherwise, could be settled by the muhafaza-departments are referred to Beirut. This has resulted in the piling of work in the government departments of the capital to such a degree that the departments themselves become nearly paralyzed with the over-loading of official business, unnecessary correspondence and interviews. The Government has tried to solve these problems by giving the localities limited authority, but this does not remedy the matter. Decentralization

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<sup>1</sup>Al-Hayat (Beirut), March 12, 1954, p. 1.

must be on a larger scale.

The Muhafez and the Qaimmaqam must be well trained in administrative affairs, and must be freed from political interference. Both of those officials must be appointed from among men who had long experience and training in local government administration. It is advisable to have these administrators selected from inside the Service by means of promotion. Contrary to the practice followed today (1954) whereby the muhafezes are mostly recruited on political basis especially from among persons having background in law, the muhafez must be appointed from among well trained experienced qaimmaqams.<sup>1</sup> Thus when the post of a muhafez becomes vacant it should be filled by a qaimmaqam through promotion. This type of recruitment will, to a certain extent, insure well qualified muhafezes; but it will not guarantee good local administration. To have sound administration the Muhafez must be given more discretionary powers and must be made less dependent on the Minister of Interior and more dependent on his council. This is why decentralization must be on a wider scale.

The Muhafez must therefore have more practical powers over the administration of work in his district.

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<sup>1</sup>Supra, p. 67.

Thus, he must:<sup>1</sup> (1) be able with the consent of the Muhafaza-Council to undertake any policy or step which will be needed for the good administration of his muhafaza, for example, measures relating to the keeping of order and security in his district; (2) coordinate the functions of the various departments scattered all over his muhafaza, and the corresponding Ministry of each muhafaza-department must take his advice on all matters relating to the district; (3) within legal limits be able to appoint and dismiss his district-officials,

It is advisable that the muhafez should be assisted by a staff well versed in administration. Such a staff would be able to advise the muhafez and would plan, organize, coordinate and direct the affairs of his district for him. It would relieve him from burdensome functions and it would help him in the proper execution of his work. All administrative departments of the district should then be placed directly under the supervision of the muhafez and his immediate assistants. The district departments must send periodical reports on their activities to the Muhafez, and they must follow his recommendations. In addition, all the Muhafaza-officials should be

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<sup>1</sup>Some of these recommendations are provided for by the law, but they are not followed in practice. Supra, pp. 47-49.

responsible to him and should receive orders only from and through him. The departments therefore must be able to perform their functions without reference to their corresponding Ministries, except in very major issues of policy and that should be done through the Muhafez. The district's department of education, for example, should undertake all the educational affairs of its muhafaza; so that any person wishing to clear an educational matter could do it by means of the district's department without going to the Ministry of Education in Beirut to do it there. The same could apply for the other district's departments.

As for the Council it must: (1) be able to issue regulations on all matters relating to the Muhafaza, that will include regulations concerning health, agriculture, education, finance, public works and security; (2) be able to execute its regulations through the muhafez who will also be its president; (3) be elected. All the members of the Council must be elected, and not partly elected and partly appointed as is the case today (1954).<sup>2</sup> Such a step is democratic in nature, and it will lessen the control of central authority since it will avoid appointed officials whose policy will most probably be the interests of central authority rather than local benefit.

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<sup>1</sup>At the present time (1954), the Muhafaza-Council is mainly an advisory body. Its advice is binding only in matters relating to the construction and maintenance of roads. Supra, pp. 50-51.

<sup>2</sup>Supra, p. 50.

Yet that must not mean that the Council can follow its whims and wishes freely; for the Minister of Interior must have the power to dissolve it, and this must be restricted only to cases wherein the council-members exceed their authority or act contrary to public interest.

The Qada, in turn, must also be given more authority. The Qaimmaqam must therefore be provided with more discretionary powers. Although responsible to the Muhafez for the administration of his Qada, yet he should be able to use his discretion especially in matters relating to the public peace of his qada since public-security is one of the qaimmaqam's major duties.<sup>1</sup> The Qaimmaqam's advice must also be taken on all personnel matters relating to the officials of his qada, as for example, in cases of appointments and dismissals. He must have authority over the officials of his qada, and they should be responsible to the muhafez through him. In this respect decentralization and integration should go side by side. While still discussing the qaimmaqam's powers, it should be mentioned that the Government is preparing a decree which will increase the number of

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<sup>1</sup>The qaimmaqams do not have powers to do as they find fit, especially in matters of security. They sometimes use their discretion and violate the orders they receive from their muhafezes, but this they do at their own peril. Supra, pp. 63-65.



of the qaimmaqams giving them large authority over their qadas.<sup>1</sup>  
 The Government decided to increase the number of qadas from  
 twenty/<sup>four</sup>to thirty-two, and to take some powers from the muhafez  
 and give them to the qaimmaqams. A qaimmaqam will then admin-  
 ister a small local area made up of fifteen to twenty villages.  
 He will be the governor in his qada and all the various govern-  
 ment departments will be represented therein, for example,  
 agriculture, engineering, health, education, posts and  
 telegraphs, et cetera. The Qaimmaqam will then approve  
 municipal decisions instead of the Muhafez, and the agricultural  
 engineer, for example, will decide agricultural matters relating  
 to his subdistrict, as will the public-works engineer.<sup>2</sup>

Municipal bodies must be given more authority. A  
 municipal council must be free to pass and execute its decisions  
 with minimum interference on the part of the Muhafez and the  
 Minister of Interior. All the decisions of a municipal-council  
 must be submitted to the muhafez for "approval" within a period  
 of one month from the date of their receipt. The "approval" of  
 the muhafez in this respect must be only for checking legality  
 and confirmity with public-policy; for the muhafez must not

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<sup>1</sup>In this respect it is interesting to point out that the  
 qaimmaqam of Jezzine Mr. Muhammad al-Yafi submitted to the  
 Ministry of Interior a project aiming at the setting up of  
 independent local authorities whose duties will be the execu-  
 tion of projects relating to construction works, social-services,  
 education, health et cetera. Sada Lubnan (Beirut), July 2,  
 1954, p. 2.

<sup>2</sup>Beirut (Beirut), January 2, 1954, p. 2. Also Beirut-  
al-Massa (Beirut), March 19, 1954, p. 2.

have the power to alter or cancel any municipal-decision. If the muhafez finds that a municipal-decision is contrary to the law or against public-policy, he then must send it back to the council concerned accompanied by a written explanation of his disapproval and demanding reconsideration. The council will then reconsider its decision and then send back its new decision to the muhafez for final approval. In case of conflict between the municipal-council and the muhafez with regard to a municipal decision, then the Ministry of Interior will adjudicate the case. Thus by such means municipal councils will have more authority. Finally all municipal councils must be elected; but the Minister of Interior must have the power to dissolve them if the muhafez advises him to do so, but this must only be done if the councils exceed their jurisdiction or misuse it.

Local government administration in Lebanon stands today (1954) at an important crossroads. It either stays centralized under the Ministry of Interior, or heads towards actual decentralization. Local government reforms were among the aims of the Coup d'etat Government.<sup>1</sup> In pursuance of this goal it issued on January 12, 1953, Decree No. 18 which regulates present local government.<sup>2</sup> The aim of the Decree, as stated

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<sup>1</sup>On September 18, 1952 President Beshara Khalil al-Khourri resigned as a result of the political pressure applied by the opposition, and Camille Nimr Chamoun (present-president) was elected by an absolute majority of the Chamber of Deputies as the new President of the Republic. Thus a coup d'etat government was then formed under the premiership of Khalid Chihab.

<sup>2</sup>Supra, p. 35.

by those who enacted it, is decentralization; but instead it provides for centralization. It is true, as was pointed out before, that the Decree provides for partly-elected local councils whose duties are to help the muhafez in the administration of his district, but the powers of such councils are mainly advisory. Whatever the case is, the main point in this respect is that the Government itself is well aware of the need for more decentralization and more local-authority. The intention is there, yet that is not enough for it should be manifested by realized action. Decentralization and self-government are being advocated, but their satisfactory realization cannot be obtained by the ~~stroke~~ of a pen, nor even by the enactment of a law or the issue of a decree!

G.M. Harris points out that "On general principles ~~it is~~ unsound to impose upon a country a foreign system of local government, however successful it may have proved in the country of origin".<sup>1</sup> Although this statement does not hold true in every case, yet "on general principles" it stands correct. As for Lebanon it always had a centralized system of local-government. From the time of the Ottomans up till the present, centralization characterized and characterizes today the form of local government administration in Lebanon. A country with such a background cannot, in a fortnight, apply and get the

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<sup>1</sup>G. Montagu Harris, Comparative Local Government (London: Hutchinson's University Library, 1948), p. 177.

full benefits of decentralization and local self-government. These two conceptions are foreign to this Country. To be applied and give satisfactory results they must have the Country prepared for their reception. Their application, should be gradual in order to get good effects. Thus a transitory period is required in order to prepare the people<sup>1</sup> for a better future based on sound local self-government. "Even though the constitution or the legislation of a country provides the most complete system of local self-government imaginable, its purpose is not attained if the people themselves will not avail themselves of it."<sup>2</sup> The people must therefore be persuaded to take an active interest in local self-government, and for such an end a special form of education is needed.

Children must be made "citizen-minded" and adults should be acquainted with the whole organization of local government, particularly with the activities of their own local authority.<sup>3</sup> Schools, universities, societies and clubs must cooperate with the central authorities and local governments in educating citizens towards that end. Local authorities should publish periodic reports explaining their work.

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<sup>1</sup>In the meantime decentralization must be on a larger scale, and local authorities must be given wider powers. Supra, pp. 130-135.

<sup>2</sup>Harris, op.cit., p. 155.

<sup>3</sup>Ibid., p. 156.

These reports should be brief, easy to read, attractive and enlightening. Coloured pictures and photographs accompanied by graphs should also be utilized by local authorities. Local authorities must arrange for frequent contacts with the public. Interviews with local-officials should be encouraged. Municipal council-meetings must be open to the public. Press-reporters must be allowed free contacts with officials occupying high posts. The activities of the administration must duly be reported to the press, so that it publishes them at the proper time for the enlightenment of the citizens. Meetings and assemblies between the local authority and the layman must be encouraged. Frequent lectures on local government administration should be delivered in public halls and access to them should be easy. Talks and short lectures on local government should also be broadcasted once a week at least. In short any effective measure which can be employed for educating the citizen in local-government must be used. In this respect a casual remark must be made about the admirable practice followed in the U.S.A. with regard to "Initiative, Referendum and Recall", whereby the citizen is given direct control of public affairs.<sup>1</sup> Such means are required for democratic control, but they must be used after preparing the citizen for them following the "education-stage". "Above all, everything depends upon Education. If this fails, nothing else will succeed".<sup>2</sup>

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<sup>1</sup>For further information see Harris, op.cit., pp. 157-158; W. Anderson and E. Weidner, American City Government (New York: Henry Holt and Company, 1952), pp. 321-325.

<sup>2</sup>Herman Finer, The Theory and Practice of Modern Government (New York: Dial Press Inc., 1934), p. 895.

Thus the Lebanese citizen must be prepared for local self-government before its full establishment.

Educating the public alone is not enough, local-government officials must also be well trained in administrative matters. They, in turn, must be prepared for local self-government administration. "We shall be obliged to learn that local government is not merely a casual, unskilled job. The day of the amateur is everywhere over. Local government is a highly skilled full-time occupation"<sup>1</sup>. Herman Finer stresses: "All this implies that instruction is required in Economics and Public Administration, and for this the schools and the adult institutes are the proper centres. The alternative is plain-either be enlightened and govern yourself or submit to the dictation of the expert"<sup>2</sup>. Thus the Lebanese, government and citizens, must prepare themselves for a better future - a future that will dawn on local self-governing authorities exercising democratic control. The way that lies ahead is not easy to travel bare-footed, it is covered with thorns.

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<sup>1</sup>Herman Finer, English Local Government (London: Methuen and Company Ltd., 1950), p. 533.

<sup>2</sup>Ibid.

A P P E N D I X E S



## APPENDIX A

SALARY SCALE SHEET NUMBER FOUR<sup>a</sup>

Rank	Grade	Monthly - Salary (in Lebanese pounds)
Muhafez	1	920
Muhafez	2	880
Muhafez	3	840
Muhafez	4	800
Muhafez	5	760
Muhafez	6	720
Muhafez	7	685
Muhafez	8	650
Muhafez	9	615
Qaimmaqam	1	720
Qaimmaqam	2	685
Qaimmaqam	3	650
Qaimmaqam	4	615
Qaimmaqam	5	580
Qaimmaqam	6	545
Qaimmaqam	7	510
Qaimmaqam	8	485
Qaimmaqam	9	460

<sup>a</sup>Lebanese Ministry of Justice, op.cit., I, 317.

APPENDIX B

A TABLE SHOWING THE VARIOUS QADAS,  
THEIR CAPITALS AND THE NUMBER  
OF THEIR VILLAGES<sup>a</sup>

Qada	Qada - Capital	Number of Villages
Sidon	Sidon	96
Nabatiah	Nabatiah	56
Tyre	Tyre	61
Marjayoun	Marjayoun	30
Jezzine	Jezzine	98
Bint-Jubeil	Bint-Jubeil	70
Hasb'ayya	Hasb'ayya	25
Ba'abda	Ba'abda	65
Matn	Judaydat al-Matn	125
Kisirwan	Juniah	90
Jubeil	Jubeil	108
Shouf	Beil al-Din	117
Aley	Aley	86
Tripoli	Tripoli	54
Akkar	Halba	187
Zgharta	Zgharta	49
Bishirri	Bishirri	29
Batroun	Batroun	65
Koura	Amyoun	46
Zahla	Zahla	42
Ba'albeck	Ba'albeck	73
Rashayya	Rashayya	28
South Beqa	Jub-Jenin and Sighbeen <sup>b</sup>	37
Hirmel	Hirmel	29

<sup>a</sup>Lebanese Ministry of Justice, op.cit., I, 322-345.  
Cf. Shahla et.al, op.cit., p. 163.

<sup>b</sup>Jub-Jenin is the qada-capital of South Beqa from the first of October to the end of May, while Sighbeen is its qada-capital from the first of June to the end of September. The reason for having two capitals in one qada is due to the fact that this sub-district is very large. As a result of this duality, the qaimmaqam removes his office from one qada-capital to the other twice a year in order to be able to execute his functions (from a lecture on the Qadas in Lebanon. The lecture was delivered by Mr. N. Sadakah, Director General of the Lebanese Ministry of Education, to the Public Administration Graduate - Seminar Class on March, 17, 1954).

APPENDIX C

A LIST OF INCORPORATED MUNICIPALITIES  
SHOWING THE NUMBER OF  
COUNCIL - MEMBERS<sup>a</sup>

The Muhafaza of Beirut	
Municipality	No. of Council-Members
Beirut	24

The Muhafaza of North Lebanon	
Municipality	No. of Council-Members
Tripoli	18
Mina	12
Al-Qalmoon	7
Miziarah	7
Hadath al-Jubbat	7
Miniarah	7
Al-Qubiat	9
Hassrmoon	9
Chikka	9
Al-Miniah	9
Bishmizzine	8
Bittram	7
Kufr Sughab	7
Baqrqasha	8
Douma	9
Hamat	7
Al-Batroun	9
Zgharta	12
Seer	7

The Muhafaza of South Lebanon	
Municipality	No. of Council-Members
Sidon	13
Tyre	11
Nabatiah	9
Tibneez	8
Hasbia	9
Joya	8
Ain Ibel	9
Bkaseen	7
Jezzine	9
Roum	7
Qaytouli	7

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<sup>a</sup>See the official list for the municipal elections of December 1952. Also Beirut (Beirut), December 9, 1952, pp.2-4.

The Muhafaza of South Lebanon (Cont.)	
Municipality	No. of Council-Members
Kfarhouni	9
Bint-Jubeil	9
Barti	7
Marja'ayoun	9
Jba'a	7
Al-Khiam	10
Aita al-Fukhar	9

The Muhafaza of Biga <sup>a</sup>	
Municipality	No. of Council-Members
Zahla	14
Ba'albeck	11
Dir al-Ahmar	7
Ras Ba'albeck	9
Al-Hirmel	9
Bidnayel	7
Sighbine	9
Chemestar	9
Maqnah	7
Al-Farzal	7
Qub Elias	9
Jdita	9
Rashayya	9

The Muhafaza of Mount Lebanon	
Municipality	No. of Council-Members
Aley	9
Al-Choueifat	9
Al-Damour	9
Dir al-Qamar	9
Ba'aqlin	9
Al-Burjayn	7
Beit-al-Din	7
Al-Mukhtarah	7
Al-Hadath	9
Al-Shiyah	9
Harat Hurayk	9
Burj al-Barajni	11
Wadi Shahrour al-'Ulia	8
Wadi Shahrour al-Sufla	7
Rayfoun	7
Al-Kfour	7
Jul al-Dib	10
Shaniah	7
Joun	7
Bhamdoun Station	7
Bhamdoun	9

The Muhafaza of Mount Lebanon (Cont.)

Municipality	No. of Council-Members
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Sofar	7
Anttilias	7
Bzibdin	7
Juniah	11
Majdel B'ana	7
Biskinta	9
'Araya	7
Bisaba	7
Al-'Aayroun	7
Al-Murouj	7
Basous	7
Shuhaym	9
Mayrouba	7
Ghasta	7
Delbata	7
Judaydat Ghazir	7
Ras al-Matn	9
'Aenab	7
'Ain Darah	7
B'alshemiah	7
B'aabdat	7
Rimhala	7
Bdadoun	7
Kayfoun	7
Chimlan	7
Ras al-Harf	7
Al-Qlay'at	7
'Ashqout	7
Majda al-Ma'oush	7
Kufr Tbrkh	7
Al-Barouk Walfradees	9
Ma'asir al-Shouf	7
Bshamoun	7
Al-Ghinat Jourat al-Turmos	7
'Amatour	7
Beyssour	7
Beit Miri	9
Abey	7
Furn al-Shubbak	8
Souk al-Gharb	7
Arssoun	7
Al-Shibbaniah	7
Btekhniah	7
Barja	9
Daroun Harissa	7
Bakfiah	9
Al-Khinshara	7
Hammana	9
Brummana	7
Qurtba	9
Rishmia	7
Shartoun	7

The Muhafaza of Mount Lebanon (Cont.)	
Municipality	No. of Council-Members
Beit Shabab	9
Al-'Aqurat	7
Al-Judaydat	9
Ba'abda	8
Btatir	9
Qarnat Shahwan	7
Btighrin	7
Al-Zalqa	8
Burj-Hammoud	11
'Ain Zhalta - Al-Shafa	7
Al-'Abadiyah	9
Shweit	7
Dahr al-Suwwan	7
Roumiah	7
Falougha	7
Qarnayel	7
Bawarej	7
Al-Marj	7
Mashghara	9
Sin al-Feel	9

APPENDIX D

A TABLE SHOWING THE NUMBER  
OF EMPLOYEES IN THE  
MUNICIPAL - DEPARTMENTS  
OF BEIRUT<sup>a</sup>

Department	Number of Employees		
	Permanent	Temporary	Total
Administrative Affairs	655 <sup>b</sup>	8	663
Finance	144 <sup>c</sup>	-	144
Engineering	116 <sup>d</sup>	34	150
Sanitary and Veterinary	50	14	64
Inspection and Audit	8	2	10

<sup>a</sup>The 1954 Municipal Budget of Beirut.

<sup>b</sup>Including five-hundred municipal policemen and 110 fire-brigaders.

<sup>c</sup>Including forty-one tax-collectors.

<sup>d</sup>Including 10 municipal garage-workers and six forest-guards.



APPENDIX E

BEIRUT'S MUNICIPAL BUDGET OF 1954<sup>a</sup>  
Income of the Municipality

Part I- Direct Fees and Rates:	LL	
	1953 Income (up to Oct.53)	1954 Estimation (Income for 1954)
1-Additional Fees on Buildings	65,779	900,000
2-Additional Fees on Lands	-	-
3-Additional Fees on Income Taxes	-	250,000
4-Additional Fees on Radio and Receiving Sets	-	25,000
5-Municipal Share from Lease-Registration	100	2,500
6-Fees on Leased - Houses	386,812	800,000
7-Fees on Business - Places	577,185	850,000
8-Fees on Assembly Places, and Entertainment Places	264,560	250,000
9-Fees on Advertisement boards and Propagation	83,277	100,000
10-Fees on the Occupation of Open Spaces & Shop-Windows	95,047	160,000
11-Fees on Distributing - Machines of burning-substances	8,036	8,500
12-Fees on land and sea transport	3,489	150,000
13-Fees on Animals Used for Transport or Racing and on Dogs	1,097	1,000
14-Fees on Telephones	22,299	40,000
15-Fees on Prostitution Houses	21,883	25,000
16-Fees on Employment Offices	25	1,000
17-"Honorary Fees" (a tax on property-owners whose property benefited from some work done by the Municipality)	71,045	90,000
18-Benefits from Side - Walk Constructions	63,310	75,000
19-Benefits from Drainage Constructions	100,418	75,000
20-Fees on Power-Supplies	1,266	2,500
21-Fees on Companies of Insurance Against Fire	-	25,000
	1,766,428	3,830,500

<sup>a</sup>The 1954 Municipal Budget of Beirut.

## APPENDIX E (Cont.)

Part II-Indirect Fees and the Like:	LL	
	1953 Income (up to 1.7)	1954 Estimation (Income for 1954)
1- Port - Fees	834,466	1,150,000
2- Municipal Share of Benzine- fees	3,375,845	3,375,000
3- Consumption - fees on conflegationary-substances	195,186	75,000
4- Fees on the Storage burning- substances	2,412	2,500
5- Fees on weights and measures	-	-
6- Fees on liquors	2,560	300,000
7- Fees on Auction - Sales	19,090	20,000
8- Fees on the selling of animals	3,461	4,000
9- Fees on Lottery	-	-
10- Fees on building and repair licenses	587,293	550,000
11- Additional fees on licenses for the building & repair of schools & the museum	68,575	65,000
12- Fees on slaughter and on the transportation of meats	384,433	325,000
13- Fees on vendors, boot- polishers, and porters	5,880	10,000
14- Fees on the examination of animals and pigs	1,271	1,500
15- Fees on the physical examination of employers	25,950	25,000
16- Fees on the physical examination of prostitutes	39,943	45,000
17- Fees on "categorised" places	2,670	2,500
18- Temporary fees on wheat and flour	86,559	25,000
	5,535,576	5,975,500
<hr/>		
<b>Part III- Income from Municipal Property</b>		
1- Income from the sale of remaining road-materials	19,595	25,000
2- Income from the lease of municipal property	29,136	60,000
3- Income from the sale of debris and other useless material	-	5,000
	48,731	90,000

## APPENDIX E (Cont.)

	1953 Income (up to Oct. 1953)	LL 1954 Estimation (Income for 1954)
<u>Part IV- Income for the Payment of Expenses:-</u>		
1- The cost of copy-books (for health matters) and printing costs	1,167	1,400
2- The cost of map-copies	81	100
3- Guarding against fire (for the municipal fire-brigade)	4,472	6,000
4- General welfare works	26,627	25,000
5- Other incomes from some Departments to cover expenses	28,941	22,000
6- Income from Oil-Companies (Petroleum)	-	40,000
	61,288	94,500
<u>Part V- Miscellaneous:-</u>		
1- Fines	109,591	100,000
2- Interest from the money deposited in banks	8,261	10,000
3- Income from the Park - Company Shares	-	20,000
	117,852	130,000
<u>Part VI- Reserve funds</u>	for mention	for mention
<u>Summary Statement</u>		
1- Direct Fees and Rates	1,766,428	3,830,500
2- Indirect Fees and the Like	5,535,576	5,975,500
3- Income from Municipal Property	48,731	90,000
4- Income for the Payment of Expenses	61,288	94,500
5- Miscellaneous	117,852	130,000
6- Reserve funds (for mention only)	-	-
General Total	7,529,875	10,120,500

## APPENDIX E (Cont.)

Proposed Expenditure Summary Statement

	<u>L.L.</u> <u>Proposed Expenditure for 1954</u>
1- Municipal Council	86,700
2- Department of Administration	2,454,100
3- Department of Finance	743,900
4- Department of Engineering	4,567,100
5- Sanitary and Veterinary Department	989,100
6- Inspection and Audit Department	61,100
7- Loans and special appropriations	954,000
8- Debts to be paid	75,000
9- Reserve funds	<u>539,500</u>
General Total	10,470,500

APPENDIX F

REALIZED INCOMES AND EXPENDITURES OF MUNICIPALITIES FOR 1949  
AND 1950<sup>a</sup>

Municipality	Realized Income (in L.L.)		Realized Expenditure (in L.L.)	
	1949	1950	1949	1950
Tripoli		1,864,000		1,676,000
Sidon	195,000	802,000	167,000	795,000
Zahla	197,000	224,000	170,000	202,000
Amyoun	10,000	11,000	10,000	10,000
Habba	14,000	19,000	6,000	9,000
Batroun	15,000	11,000	15,000	9,000
Zgharta	324,000	195,000	324,000	183,000
Burj Hammoud	435,000	364,000	320,000	172,000
Aley	263,000	205,000	250,000	200,000
Jezzine	19,000	14,000	19,000	13,000
Ba'albeck	95,000	93,000	95,000	81,000
Jouniah	54,000	16,000	53,000	16,000
Tyre	84,000	93,000	36,000	48,000
Marjayoun	50,000	44,000	44,000	29,000
Rashayya	25,000	19,000	17,000	10,000

<sup>a</sup>Ministere De L'economie Libanaise, op.cit., III, No. 1,

APPENDIX G

A LIST SHOWING THE NUMBER OF MUKHTARS  
IN BEIRUT, TRIPOLI AND  
BURJ HAMMOUD<sup>a</sup>

Quarter	BEIRUT	Number of Mukhtars
Ashrafiah.	. . . . .	6
Rumail.	. . . . .	6
Musaitaba.	. . . . .	7
Mazr'a.	. . . . .	7
Ras Beirut	. . . . .	3
Mudawar	. . . . .	6
Port	. . . . .	2
Saifi	. . . . .	2
Ziqaq Al-Balat	. . . . .	4
Dar Al-Muraisa	. . . . .	2
Mina El-Hussn	. . . . .	3
Bashoura	. . . . .	5
Total	. . . . .	53

Quarter	TRIPOLI	Number of Mukhtars
Haddadeen.	. . . . .	4
Nouri	. . . . .	2
Tabbana	. . . . .	4
Suwaika	. . . . .	2
Hadded.	. . . . .	2
Muhatarah.	. . . . .	1
Tall	. . . . .	1
Rummana	. . . . .	1
Zahariah	. . . . .	2
Qubbah.	. . . . .	2
Askala.	. . . . .	5
Total	. . . . .	26

<sup>a</sup>Amending Laws of: May 7, 1949; May 11, 1949; and December 20, 1949. See appendix to the 1947 Law of Mukhtars, op.cit.

## APPENDIX G (Cont.)

## BURJ HAMMOUD

Burj Hammoud is not divided into quarters. It has eight mukhtars.



# CARTE DU LIBAN\*



\*Ritsher, op. cit.

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