THE CIVIL SERVICE BOARD
IN
LEBANON

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THE CIVIL SERVICE BOARD IN LEBANON

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CHAPTER I

INTRODUCTION

A. The Approach to be Followed.

This thesis is an attempt to describe the Civil Service Board in Lebanon which was established in the summer of 1959 as a result of a sweeping administrative reform. The thesis is divided into three parts and a short conclusion. The first part attempts to show how the 1959 Administrative Reform movement was organized and how it conducted its work. The stress in this first part is how the Legislative Decree establishing the CSB was passed, what stages it had to undergo and what final principles were finally adopted by the Central Committee for Administrative Reform. Since most of the documents and minutes of meetings on which I have relied might have already disappeared from the heaps of papers which were supposed to be the files of the Central Committee for Administrative Reform's work, I had to be specific in this part, and in several instances I have mentioned names of persons who participated in the preparation of the Legislative Decree creating the CSB. My aim for being specific was to provide a future reference for persons who would be interested in the creation and work of the CSB. It is believed that this part would be the only available reference in the future since most of the documents dealing with the creation of the CSB were not properly indexed or preserved.

The second part describes the organizations and functions of the CSB and the National Public Administration Institute.

In the third part of this thesis I tried to describe and evaluate the CSB and the NPAI in action. An attempt was made to reveal the accomplishments, the failures and the difficulties encountered by the CSB and the NPAI.

The conclusion provides the critical appraisal of all that has been done.
It is pertinent to mention some of the obstacles that might hinder the work of a social researcher in a newly developing country.

1. The first obstacle that faced me was the complete absence of reliable data and statistics. This problem renders research extremely difficult and in some cases impossible.

In addition to the absence of reliable statistics there is a general unwillingness among government officials to cooperate in providing information which is available. This is inherent in the bureaucratic nature especially in a newly developing country. They feel insecure by revealing what is actually taking place in their departments. The more they keep their operations secret the more secure they feel. They also do not feel that they are accountable towards the public for their actions. Thus it is difficult to secure their cooperation.

In this particular case I was fortunate to have the cooperation of the people in the Civil Service Board who showed real understanding to my mission and tried to help me as much as possible.

2. A third obstacle that stood in my way was the secret or confidential nature of the CSB work. The new role it assumed put it at the core of the political and sectarian stress a side of the Lebanese administrative life that the present regime would like to keep outside public criticism. This critical and sensitive position of the Civil Service Board added to it the fact that most of the issues involved in its operation are still alive: made it difficult for them to reveal everything about their operations. The CSB is still on probation and is considered to be the barometer of the success or failure of the recent Administrative Reform.
In this context I had to undertake my study. Thus I had to resort to all available documents; files and minutes of meeting in the CSB and the Research and Guidance Service. In addition I had to rely heavily on the laws and regulations under which the CSB is operating.

To supplement this formal aspect, I conducted a series of interviews, and actual observations with the personnel running the CSB. In this context I would like to mention the great help given to me by Mr. Fareed Al-Dahdah, President of the CSB, who instructed all the personnel in the CSB to cooperate with me and help in undertaking my mission.

I also thank Mr. Hassan Farhat and Mr. Charles Rizk who helped me in getting all information regarding the National Public Administration Institute. My deep gratitude goes to Mr. Elias Zacharia who acted as liaison and had the patience to answer most of my queries, and to refer me to the people there for assistance and guidance. My thanks go to all the people of the CSB who tried to help and allowed me to question them and watch them working.

In my conclusion and deductions I tried to be as objective as possible. Some of these deductions might seem to be personal and not supported by any written statement. It is true because not all that is written in the law is practiced nor all that is practiced is written. I had to rely heavily on my observations in order to blend the formal organization with the informal one. These conclusions and observations I hold no body responsible for except myself. In these general observations and personal remarks I feel lie the real contribution and essence of my thesis.

B. The Need For Civil Service Reform In Lebanon

(As any newly developing country Lebanon suffered from the lack of
trained and qualified personnel to undertake the newly added functions and responsibilities of the government. It also lacked the proper institution and sound organizations to help solving the problems of modern state.

It would be sufficient for our purpose here to quote some excerpts of government publications in order to gain an idea of the corruption that plagued the Lebanese Administration. (The Lebanese Administration suffered from:

"Lack in administrative machine and lack in the human elements. Most of the employees are not appointed through proper means, and they are not well trained. They are not sufficiently paid. That is why most of them do not know how to work, or they do not work faithfully....this is because: 1. Appointment to the job is affected by sectarian and party consideration. 2. In-service training is practically not existing. 3. The number of employees is more than what is needed which usually leads to the delay and complication of the transaction. 4. Low salaries which lead many employees to accept bribery".)

It is apparent that the Lebanese Administration suffers from the same bureaucratic defects that plagued other administrations. It is a ruling bureaucracy or as Finer described the British Civil Service:

"...a vast body of officials wielding great power, imbued with so definite and particular a tradition and view of their calling that it separates them from and makes their ways of thought and behavior strange and alien to the rest of society." 2

These defects increased in the absence of an outside control due to the instability of Lebanese Ministers in their offices. The bureaucratic aloofness from the rest of the community took the form.

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1. The Lebanese Council for Planning and Development, A Five Years Plans For Economic Development In Lebanon, (Beirut; 1950), pp. 339-341.

of arrogant superciliousness, the faulty handling of the general public proceeds unchecked to the callous subordination of its interest, to the needs of bureaucratic routine, delays tend to multiply with the growing centralization of power and with the refusal of officials to jeopardize their official existence for the sake of obliging the public.1

In Lebanon the Civil Service suffered from such defects as over-devotion to precedent, isolation from the rest of the society, inaccessibility and faulty handling of the general public interest, absence of initiative and imagination, ineffective organization and waste of man power, delay and refusal to take responsibility or to take decisions and a complete dependence on rules and regulations which tied their hands and turned them into a tired giant.

In describing the general administrative situation before the creation of the Civil Service Board, Mr. Fareed Al-Dahdah, the President of the CSB, wrote that there is:

unnecessary increase in the number of employees, low standard of performance, appointment without evaluating knowledge or qualifications, patronage, unnecessary spending of public money, routine and the absence of law...2

In short, we can say that the Administration in Lebanon suffered from three irregularities; political interference in appointment, absence of planning and proper organization and absence of qualified civil servants.

These conditions account for part of the motives behind the Administrative Reform that took place in Lebanon in 1959.

C. Characteristics of the Lebanese Civil Service

The Administrative and Political system is greatly affected by the

French system. (After the First World War, Lebanon was placed under the French Mandate from 1920-1943. The French cultural influence in Lebanon is not a new phenomenon.) French Missionary schools started coming in Lebanon in the late Eighteenth Century. Thus the Lebanese Constitution in 1926 represents the adoption of the basic rules of the French Third Republic except for the fact that the Executive power of the President of the Republic in Lebanon is much greater than his counterpart in France.¹

(In addition to the French influence, the Ottomans who ruled this country about 400 years before the French, left their impact on the Lebanese Administration. Their influence can be felt more in the mentality, values and ways of thinking of the Civil Servants than in the structure and organization of the administration. Most of the buildings used by the Lebanese Administration are of Ottoman origin. Thus the first characteristics of the Lebanese Administration are the French-Ottoman influences on its structure and behavior.)

Due to its location at the cross-roads that join the East and West, the Lebanese Culture became a mixture of two extremes. At the one end we find the traditionalists with their taboos and way of living, at the other extreme we find the progressive liberal elements that are greatly affected by modern ways of living. This transitional stage that Lebanon is passing, is distinguished by some social chaos. Values and standards vary from one extreme to the other. For this reason, any value system that fits one group could basically contradict and violate the values and standards of another group.

Another characteristic of the Lebanese Administration is the dominance of the legalistic mode of thought over it. This legal influence which was imported from France will become clearer when we come to discuss the work of the CSB. Although the French started to abandon their stress on law, we find in Lebanon that the civil servants stick literally to the word of the law without taking into consideration the general objectives that they should achieve. It is a negative administration rather than a positive one.

A further characteristics of the Lebanese Administration is the great sectarian influence over it. Since Lebanon is a country of religious minorities, the Lebanese authorities found it necessary to take sectarianism into consideration in recruiting to the Civil Service. Article 95 of the Lebanese Constitution states that:

To insure justice and cooperation, it is temporarily agreed that in appointing for public jobs and for political offices sects should be justly represented without endangering the general interest.¹

Another characteristic of the Lebanese Administration is the prevalence of a personal subjective type of relationship instead of an objective official relationship. Contrary to what Max Weber thought in his ideal type of bureaucracy, the Lebanese bureaucracy is built on family ties which in some cases approach tribal affiliations.

Since appointment in the past was not done in accordance with merits but on family or political interference, the allegiance of the civil servant is usually not to the organization in which he is working but to the family or political leader who helped him get that job. Jobs were a

reward for political or personal favors. This, in time, developed into what is called as "Red Tape". It is extremely difficult for the citizen to follow the official procedure for completing his transaction.

Contrary to what is prevalent in some other underdeveloped countries, the economic role of the Lebanese State is still limited. The private influence dominates the economic sphere. Although there is a general feeling that the government should assume more responsibilities in the field of social welfare, they are afraid of the abuses that might result if one group dominated the affairs of the state. Experience has also shown that government employees are less efficient and enthusiastic about their work than private employees. Functions which were performed by private enterprises and were recently taken by the state were poorly managed. In addition the tendency of government employees to behave as if they are governors of the people and not the servants of the people, led to distrust of public authorities.

In spite of that and due to the high level of education which the Lebanese people attained, and the influence of Western Culture, including the role of the American University of Beirut in disseminating Anglo-American ideas of the role of the modern state, the Lebanese people started asking more services from their government. The Department of Political Studies and Public Administration at A.U.B. helped in crystalizing their new demands and opened the eyes in Lebanon and in the Middle East on the role of public administration in achieving development and progress. Some of the B.A. and M.A. graduates of the American University of Beirut occupy prominent

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1. During 1955-1956 The Political Studies and Public Administration Department at A.U.B. conducted seven seminars of in-service training attended by a total of 198 Arab officials and has been the directing force behind two Arab Public Administration conferences.
positions in the Administration. In addition, this Department was responsible for holding conferences and training sessions for administrators in the area. It is believed that the influence of this Department in clearing the new role of modern states and the role of public administration is great.

Another factor which caused the increase in the function of the Lebanese Administration was the new functions given to it when it acquired its independence in 1943. All those functions that were previously performed by the French authorities became the responsibility of the Lebanese Administration.

D. Attempts to Reform The Administration Before 1958

Directly after 1943, the Lebanese authorities were not particularly interested in reforming the Administration since they were pre-occupied in other problems especially political problems. During the last ten years several attempts were made to reform the Administration. Usually the Ministry was given special legislative power to attain such reforms. Sometimes they called for the help of foreign experts.

In 1949, the Government called on the help of Mr. William Robson to study the social security projects. In his report, Mr. Robson recommended the use of qualifying tests as a basis for public jobs recruitment. He also recommended the establishment of private training institutes to train employees for the Government services. But all his recommendations were neglected.

Another attempt for reforming the administration took place in 1952 after the resignation of President Bishara Al-Khoury and the coming of Mr. Cameel Chamoun to power. The first cabinet was given legislative authority for six months starting October 15, 1952. It was given the power to study the electorate law, Municipality law, customs law, personnel law, inspection and decentralization.
No special organ was responsible for carrying this task. Two employees from each ministry from the first category were chosen to carry such a huge task. In performing their tasks these employees had to rely on the experience of Directors and Directors General and their recommendations were greatly influenced by the opinion of these persons.

In 1954, another attempt was made to reform the Administration. The Ministry of Mr. Sami Al-Sulh was given the power to reconsider the 1952 decree laws. No organ to study the administrative situation thoroughly was established at that time.

At the same time, The Council of Economic Planning and Development made a study about the needs of the country and recommended the following:

To call on the help of a public administration expert to study the present administrative system and to present his suggestions and recommendations for reforming it.

The creation of an independent civil service board to be responsible for all recruitment and personnel.

The establishment of a national public administration institute to train and prepare employees for the public service.¹

On the basis of this report, Mr. Sami Al-Sulh asked Mr. Robert Culbertson from the Ford Foundation to study the recommendations of the Council. Among his recommendations, Mr. Culbertson suggested the creation of a permanent civil service council. In May 1955 the Council of Ministers issued a decree establishing this council. It was headed by the Chairman of the Prime Minister's Secretariat and had as members all other Directors General. It had advisory power regarding recruitment and organization. To assist this permanent Civil Service Council in its work, the Government contracted the services of two Dutch experts, one for six months and the other for two years. These two experts

¹ Crow and Iskandar, op.cit. p.297.
worked closely with the CSC. Since it had no power to approve or to implement recommendations without the authority of the Council of Ministers many of the suggestions presented by these two experts were not carried out. One of their recommendations was the establishment of a national public administration institute for training and preparing of civil servants. This recommendation was not carried out at that time.

The 1958 troubles in Lebanon put an end to these efforts to reform the Administration by President Chamoun. People became more interested in political problems than in administrative ones. It was not until President Chehab came to power that another attempt was made to reform the Administration.

One can see that the 1958-59 Administrative Reform movement was not the first of its kind. Each new regime tried to reform the Administration.

One is led to suspect whether the real intentions of the reformers were purely to reform or they had something else in mind. It is believed that all the administrative reform movements in Lebanon by new regimes had as one of their aims to clean the Administration from "unwanted persons" under the disguise of reform.
PART ONE

THE ADMINISTRATIVE REFORM MOVEMENT

AND

THE CREATION OF THE CIVIL SERVICE BOARD
CHAPTER II

ECOLOGY OF THE 1959 ADMINISTRATIVE REFORM MOVEMENT IN LEBANON

Lebanon is a republic with a parliament elected for four years and a president of republic elected by the parliament for a period of six years.¹ The population of the country is composed of multi-religions groups; but can be divided basically into two groups, Christians and Moslems.

Geographically each group is concentrated in certain regions. Due to the nature of its composition an informal agreement was reached among the various sects on the way public offices were to be distributed among the different sects. An unofficial agreement in 1943 between Bechara Al-Khoury, President of Lebanon from 1943-1952 representing the Christians and Riad Al-Sulh his Prime Minister representing the Moslems was reached and later came to be known as the "National Fact". According to this unwritten agreement, it was agreed that the President of the Republic will be a Christian Maronite, the President of the House of Parliament a Moslem Shiite, and the Prime Minister a Moslem Sunni. The other public jobs to be divided in the ratio of six Christians to five Moslems.²

Moreover Article 95 of the 1926 Lebanese Constitution hinted that in making appointment to the public service, proper consideration should be given to religious distribution. This solution worked satisfactorily for a number.

1. Lebanese Constitution, arts. 17 and 47. op.cit.
2. Regarding the National Fact and the distribution of public offices see the following sources:
of years; although some religious groups felt they were under-represented. ¹

Political issues basically coincide with religious affiliations. Excluding few exceptions, political parties are formulated on a religious basis.² Some represent the Christians; others represent the Moslems and others the minority religious groups. Thus it becomes difficult for us to isolate political issues from religious affiliations. Politically the country is divided into two groups; those who call for and would like Lebanon to stay as an independent state; and those who call for some kind of Arab Unity or "cooperation".³

In the Spring of 1958 this division became eminent and was intensified by developments outside and inside the country.

Outside Lebanon the Arab World had witnessed on February, 1958, the Egyptian and Syrian Unity. Inside Lebanon some of the "Zaims",[⁴] had failed in the elections of 1957 and were convinced that the authorities had interfered in the process of the elections. All these developments led to bitter feelings between the Government and the oppositions, which in the Spring of 1958, took a violent character and an armed rebellion broke out. The Administration was accused of being inefficient, corrupt and acting as a stooge to the Government. Mr. Camiel Chamoun, the President of the Republic at that time, and Mr. Sami Al-Sulh, his Prime Minister, were asked to resign.

¹ See the following Lebanese newspapers:
   a. Al-Nahar, July 15, 1962
   b. Al-Jaridah, July 13, 1962
³ a. Kamal Hajj, op.cit., pp.113-114
   b. Anis Sayegh, op.cit., pp.158-159
⁴ A "Zain" is a kind of leader either of a political party or of a community, whose leadership is derived from family.
from their posts. The people in Lebanon were divided between those who supported the Government and those who opposed. Troubles went on with frequent armed fighting for the whole summer of 1958. Finally the term of Chamoun as a president expired; and on July 20th the House of Parliament was called to elect a new president. General Fuad Chehab who was at that time the General Commander of the Army and who had showed a large measure of neutrality between the two fighting camps, was accepted by the House of Parliament as the President of the Republic.¹

After his election, President Chehab found himself in a very critical situation. He had to watch carefully each step. The country was still unsettled. Both sides were still ready to fight. None of them admitted defeat. Each one of them was convinced that he was fighting for a true and just cause. Any measure favoring one group would set the other on fire. Most of the political "Zaïms" had already committed themselves to one group or the other. He, who is acceptable to one side tend to be rejected by the other.

President Chehab called upon Mr. Rachid Karaméh, one of the "Zaïms" who fought against Chamoun, to formulate a ministry of neutrals; but this ministry was not destined to live because the moment it was known it was rejected by the pro-Chamounite. Finally it was agreed that a ministry should be formulated to include both camps in equal proportion and this was later known as the "No winner and no looser" Ministry. Mr. Karaméh and Mr. Hussein Al-Ouæeni represented the Moslems and Mr. Pierre Gumèil and Mr. Raymond Eddeh represented the Christians.

Since the Administration was accused of corruption and inefficiency; and since it was accused of being pro-Chamounite; it was made to appear as the cause

of all that happened; so by reforming the Administration they thought they would bring confidence and satisfaction to the people. They would bring to the Administration people who are sympathetic with the new regime. Thus all the attentions were centered towards reforming the Administration. President Chehab gave this reform movement special care and priority as the pillar for future progress. Thus the political atmosphere was well prepared and ready for such a venture. One would expect that each side would try to fill the Administration with those who supported him. It also became clear that the new sectarian proportion for filling the public offices would become six Christians to six Moslems. It was apparent by now that if the Administration was to survive and if Lebanon was to remain independent, the Administration should be kept neutral and a merit system should be adopted and applied.

Having explored briefly the political set up when the Administrative Reform started in Lebanon, I shall now turn to the legal source of power and to the laws and by-laws that gave the Government such an extensive legislative power to carry out the intended reform.

In December 1958, the Government asked the House of Parliament to delegate to it the power of issuing Legislative Decrees to carry its intended mission. On December 12th it was granted that power for a period of six months. Its jurisdiction included practically all the civil service including the Judicial Branch and the General Security Forces. This Law was intended to give the Government a wide power to bring under its scrutiny all branches of the Government –except the Legislative Branch and the Army– to organize in any way it sees fit for the general good.

1. Law dated December 12, 1958, Lebanese Official Gazette No. 51.
Having got this delegated legislative power, the Government started to create the machinery which would carry the intended reform. Thus in the same month, it issued two Legislative Decrees, the first creating the Central Committee for Administrative Reform (CCAR) and specifying its duties\(^1\) the second one appointing the men to man this Committee.\(^2\)

A Central Committee for Administrative Reform was created and attached to the Office of the Prime Minister.\(^3\) This Committee was composed of persons responsible for carrying the work in all its stages; and of personalities who have high academic or practical qualifications to give advice in matters pertaining to the Administration. Those people were appointed by a decision taken in the Council of Ministers.

The employees who were appointed to this CCAR were:

Mr. Ahmad Al-Ahdab  
Mr. Andre Tweini  
Mr. Najeeb Sadaka  
Mr. Shafeek Hatem  
Mr. Fareed Al-Dahdah  
Mr. Jawad Ousayran  
Colonel Yousif Shumeit  

Head of the Court of Accounts  
Director General of the Ministry of Finance  
Lebanese Ambassador in Bern  
Head of the Legislative Committee  
Judge of an appeal court  
Head of a section in the Council of the State  
Deputy to the Army Commander for Military Operations

The following personalities were chosen to give advice and expert opinion:

Joseph Najjar, Fuad Najjar, Abdel Rahman Sahmarani, Yusif Salem, Dr. Antoine Mireb, Dr. Subhi Mahmassani, Professor Said Himadeh, Taufic Mortada, Najeeb Alamuddin, Petro Deeb, Malek Salam, Antoine Edeh, Dr. Zeki Shashashiri, Joseph Orgorlian, Professor Paul Klat and Suleiman El-Zein.\(^4\)

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1. Decree No. 193, December 6, 1958, Lebanese Official Gazette No. 50.  
2. Decree No. 206, December 6, 1958, Lebanese Official Gazette No. 50.  
3. Decree No. 193, op.cit., arts. 1,2.  

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The members of this group of employees and personalities were known for their impartiality to both sides and most of them enjoyed high academic and practical qualifications. The dominant professional group were the lawyers. Most of them were of legal background. The academic public administrators were not represented.

One can see that these personalities were selected for their integrity and impartiality more than for their expert knowledge.

The Central Committee for the Administrative Reform was to be responsible for "giving suggestions in all fields under the jurisdiction of the Government by the legislative power given to it by the House of Parliament" and it has the power to "reorganize all the Civil Service for raising its standards and for making it an efficient tool for accomplishing its duties in accordance with the public interest. This Committee is to receive instructions from the Council of Ministers".

In the realm of administrative reform, this Committee was given wide power in all fields. It was supposed to work a position classification and salary scale for all employees in the public service; to remove conflicts and overlappings among different units, to realize delegation of power, to introduce work simplification, to insure that geographical decentralization of authority is realized, to free the civil service from corruption and political interference, to create an independent body called "The Civil Service Board" for tackling problems relating to the civil servants and for seeing that the personnel laws are properly and fairly applied. Basically it was intended to insure the divorce of the Civil Service from political interference. In addition this

1. Decree No. 193, op.cit., art.1.
2. Ibid., art.3.
Decree provided the CCAR with needed authority to establish a proper and strict system of control and inspection. The immunities of the civil servants in the first and second categories of the Lebanese Administration were waived temporarily, to enable the new regime to escape limitation of the existing rules and regulations.

At this stage of development a general comment about the educated opinion regarding the intended Administrative Reform is relevant.

In the summer of 1959, the educated public opinion was divided. Some started to suspect the real intention behind such a reform. They thought that it was a legal and disguised way of getting rid of the "unwanted persons". Experience of previous administrative reforms intensified this feeling. Others viewed this reform with sincere hope and wished that it would be able to accomplish its task; but were at the same time aware of the limitations and obstacles which it was going to encounter during the process of work, especially when it was known that the CCAR was given three months only to accomplish such an extensive and complicated mission.¹

Others were in full support for this movement, for to them, if it did not accomplish its mission positively it would at least "free" the civil service from some "persona non-grata". Generally, the press was overwhelmingly for the movement, because President Chehab was sponsoring it.

¹ Crow and Iskandar, op.cit., p.305.
Due to the great influence that this CCAR had on the creation of the CSB, a word about the general principles and procedures followed by this CCAR in executing its duties will help us later to understand what forces affected the birth of the CSB.

This Committee had a chairman who called for its meetings. A quorum of ten members was needed before any of its meetings were considered legal. Decisions were taken by the majority of those present. Provisions were made where by a dissenting member could present his views in a written letter which would be attached to the report of the secretary of the Committee who was elected by the CCAR members. A secretariat was created under the supervision of the chairman of the CCAR which had the responsibility of preparing the agenda and supplying records and other written documents needed by the Committee.¹

The CCAR had the responsibility of supervising, controlling, guiding and advising all sub-committees which were created to help and assist in preparing, studying and suggesting the intended draft Decrees.

Suggestions received from any sub-committee were distributed to all the members to be studied at least two days before they were put for discussion. Members were supposed to present in writing their observations, criticisms and suggestions if any.

The CCAR was divided into seven Preparatory Committees. These Preparatory

¹ This section is entirely based on the internal rules of procedure prepared by the CCAR.
Committees were assisted by Work Committees and other special sub-committees that had the responsibility of the direct collection and studying of the information needed. Members of one Preparatory Committee were also members of the others.

The creation of the Decree establishing the CSB was the responsibility of the First Preparatory Committee. Each of the other committees was given a side of the Administration to work on. The Seventh Preparatory Committee was called the Coordination Committee. Its job was to coordinate the work of the other preparatory committees, and to make the members of each preparatory committee aware of the work of the other committees. It was headed by Mr. Nadhim Alkary, the Chairman of the CCAR and its members were the Chairmen of the other six Preparatory Committees.

These Preparatory Committees used to receive the suggestions of the Work Committees and other sub-committees, study these suggestions and give final recommendations to the CCAR. The CCAR would study these suggestions and after consultation with the Chairman of the Preparatory Committee would give the final recommendations in the form of a draft Decree.

The First Preparatory Committee which had the responsibility of preparing the Decree creating the CSB and the National Institute of Public Administration, was composed of Mr. Najeeb Sadaka as its Chairman, and the following members:

Antoine Eddeh who was the head of the "Fruit Office" in the Ministry of Agriculture, Jawad Ousayran and Shafic Hatem two Judges, Subhi Mahmassani, a lawyer and a Professor at the American University of Beirut, and Mr. Fuad Najjar, a B.S. in agriculture.

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1. Ibid.
2. Minutes of the meetings of the CCAR dated December 8, 1958.
3. Ibid.
None of these members had an academic education as public administrators. The AUB Department of Public Administration which is the only department in Lebanon and in the Middle East that has an M.A. program in the field of Public Administration was not represented in this particular committee and almost in all other Preparatory Committees. Mr. Sadaka who was the Director General of the Ministry of Finance was the only practical administrator. Mr. Subhi Mahmassani was given the responsibility for writing the law creating the CSB and Mr. Jawad Ousayran for writing the law of the National Public Administration Institute.¹

Suggestions reached by the First Preparatory Committee were raised to the CCAR, where after deliberate discussion and after taking into account suggestions and information from the Work Committees, from the Trade Unions, from professional societies and from the Lebanese and foreign experts, the CCAR presented its suggestions to the Council of Minister for final approval in the form of a draft Decree.

We shall now trace the course that was taken in preparing the draft Decree creating the CSB and the alternatives that were available to the men drafting it, and the general principles that guided them in their work. The methodology followed in preparing this Decree is essential for the understanding of the final decisions reached; and for its representativeness of how the decisions in the recent Administrative Reform movement were reached. Most observers would agree that the creation of an independent and powerful CSB was the basic decision taken by the CCAR.

We shall divide the stages that this Decree passed into three. The first stage would be in the First Preparatory Committee, the second stage

¹ Minutes of the meetings of the First Preparatory Committee, March 1959.
would be in the CCAR and the third stage in the Council of Ministers. We should not forget that the first stage and the second were not strictly separated; since the members of the First Preparatory Committee were also members of other Preparatory Committees and were also members of the CCAR.

At the beginning of 1959, the First Preparatory Committee started to work with important projects to accomplish, and a time limit of only three months. Later this period expanded for another three months. The work of this Committee constituted the foundation of the Administrative Reform movement, since it dealt with the general principles to be applied in all the Administration. It was responsible for drawing a personnel law, of creating the CSB and of insuring an efficient inspection. In short it was responsible for drawing the rules and regulations that would affect the whole human element in the Lebanese Administration.¹

The procedure followed in this Preparatory Committee was to ask those interested and those affected or qualified to give their opinion and present their suggestions regarding the creation of the CSB. Since the Decree creating the CSB was not directly related to one professional group, the suggestions came from few persons only. Some civil servants who were aware of the importance of the CSB presented their written suggestions.²

Mr. Nouriddin Al-Rifai who was the Head of the Security Forces suggested that these forces be excluded from the Central Inspection Service due to the nature of its work and the secrecy in carrying this work.³

¹ Minutes of the CCAR meetings, April 10, 1959.
² The following discussion is based entirely on the minutes of the first Preparatory Committee meetings and the suggestions that were presented to it by its members and other interested persons. For reference see the file in the Research and Guidance Service entitled "Minutes of the meetings of the First Preparatory Committee" and the "CCAR file".
³ Nouriddin Al-Rifai, Written suggestions presented to the First Preparatory Committee.
Mr. Serry Hussami presented a suggestion that semi-autonomous public agencies which are independently controlled in Europe by special bodies should be subjected in Lebanon -due to its small size- to the control and direction of the CSB in collaboration with the Court of Accounts which should have control over financial aspects.\(^1\)

Another suggestion came from Mr. Haleem Fayad who was at that time the Head of the Litani Project Secretariate and now the "Kaim Makam" (sub-Prefect) of Tyre District. His main points were the stressing of the sectarian element in the composition of the CSB. He suggested that the CSB be composed of seven members representing the various sects in Lebanon. This Board is to be attached to the Prime Minister's Office. It would be responsible for work simplification for establishing a position classification plan, and for recruitment, taking into consideration the various sectarian interests in such a way that each sect would receive a percentage of the public jobs proportional to its number in the Lebanese Society.\(^2\)

Regarding the National Public Administration Institute, Mr. Fayad suggested that in selecting students for the Institute we should also observe the sectarian ratio. He finally suggested the creation of a Public Administration Association for all those who have the experience and the qualifications, to work for raising the administrative consciousness among the employees.\(^3\)

The First Preparatory Committee was guided also by the pitfalls, drawbacks and difficulties that faced the 1955 Civil Service Council. A member of this Council surveying the difficulties and obstacles that made the Council fail

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1. Serry Hussami, Written suggestions presented to the First Preparatory Committee.
2. Haleem Fayad, Written suggestions presented to the First Preparatory Committee.
3. Ibid.
in its mission stated four main causes:

First of all the Council was not given sufficient appropriations to carry its work. Several times the Civil Service Council asked for increased appropriations but was turned down. Then the CSC was not supplied with a permanent executive staff to be responsible for preparing its work and to keep it in contact with the other ministries and administrative units and to carry out its decisions and recommendations.

Secondly this Civil Service Council was unable to ask the assistance of public administration experts, or even the help of temporary employees, not even government employees who have the required qualifications. This is because of the lack of funds.

Thirdly the ministries and the administrative units were not cooperative with this Civil Service Council. They did not ask for its advice, even when they were required by law to do so. In many cases the advice was not taken into consideration. They completely neglected its suggestions and advices regarding personnel matters.

Finally the Civil Service Council lacked the proper authority to excute its decision. It was acting in an advisory capacity.

The First Preparatory Committee acting within the general principles of the Legislative Decree No. 193 creating the CCAR, took the following objectives as guides in drawing the draft Decree creating the CSB. The first of these objectives was to free the Administration from outside political meddling. They were also aiming at drawing stable and consistent personnel rules taking into consideration as much as possible the merit system.

The third guiding principle was the improvement of employee performance, thus it deemed it necessary to create a National Public Administration Institute attached to the CSB to train present employees and prepare others to join the Administration.

Finally they aimed at establishing a permanent O & M Office for work

1. An anonymous report about the 1955 Civil Service Council presented to the First Preparatory Committee. It is suspected that this report was written by a former member of the Civil Service Council.
simplifications and procedure improvements.¹

The report of Mr. Sadaka preceded to mention some of the most important features of the proposed CSB:

......its authority should include matters relating to recruitment, promotion, transfer, punishment and dismissal from the service..... To be able to perform its duties effectively and objectively this CSB should have strong guarantees against pressure and political interference. It should be granted immunities that are usually given to courts.....

Moreover it proposed the establishing of four major units within this CSB:

......the Personnel Directorate, Central Inspection Directorate, Research and Guidance Directorate (C&G), and Preparation and Training Directorate. The highest authority within this CSB would be a Committee composed of the four heads of these Directorates under the chairmanship of the head of the CSB. Recruitment would be made after a competitive examination with due regard to confessionalism.....²

The First Preparatory Committee stressed the need of establishing a National Public Administration Institute for preparing and training the employees. This Institute was to be given wide academic, administrative and financial independence to execute its missions. This Institute is to be brought under the guidance and direction of the CSB.

In a report written by the Chairman of the First Preparatory Committee to the CCAR dated January 27, 1959, the First Preparatory Committee suggested that:

We should take confessionalism into consideration for a limited period only, meanwhile appropriations should be allocated towards raising the educational level of retarded sects. We should install

¹ A report by Mr. Sadaka to the CCAR about the work of the First Preparatory Committee.
² Ibid.
some kind of a balance among the different sects in the public jobs including the Army, the Security Forces. It would be possible to achieve this balance by means of competitive exams provided we give some extra grades to the retarded sects.1

Proposing the creation of such a powerful CSB with all these extensive powers including the Inspection and all personnel matters, the First Preparatory Committee thought that political interference and the meddling of Ministers in the Administration would be eliminated.

...This would lead to free election, for no voter would be influenced by the bribery of the job; then constructive political parties would be able to play a more positive role in the creation and building of the Lebanese public opinion; and in guiding it towards proper democracy, for in Britain the democratic system did not become a reality until the creation of the Civil Service Laws.2

Having thus approved the general principles to be followed in the creation of the CSB, the First Preparatory Committee proceeded to write the first draft of the Legislative Decree which was presented to the CCAR with this comment by Mr. Sadaka, Chairman of the First Preparatory Committee.

The most important measure suggested by this Committee was the creation of the CSB. The Committee would like to call the attention of the CCAR and the Council of Ministers that this suggestion is a double edged sword. If the members of this Board are properly selected, we would have reached our target, but if they are improperly selected, it may lead to a general debasement of the Administration; it might become even worse than its present situation.3

After the First Preparatory Committee has presented its recommendations to the CCAR this latter one started its work. On March 2, 1959, Mr. Nadhim Akkari, Chairman of the CCAR sent to the members of this Committee a copy of the draft

1. Report by Mr. Sadaka to the CCAR, January 27, 1959.
2. Ibid.
Decree pertaining to the creation of the CSE. He asked them to send their comments on this draft Decree in writing before March 9, so that he can give it to Mr. Sadaka, Chairman of the First Preparatory Committee to give his opinion regarding the comments. The CCAR met again on March 1 for discussion.¹

Mr. Nadhim Akkari, Mr. Ahmad Al-Ahdab, Mr. Andre Tweini, Mr. Najeeb Alamuddin, Professor Said Hamadeh and Mr. Fareed Al-Dahdah sent their comments regarding the project law creating the CSE. Mr. Yousif Najjar was late in sending his comments, but the CCAR meeting was able to discuss his comments in its March 12 meeting.²

On its first meeting of March 12, 1959, the CCAR started discussing the comments received and hearing the answers of Mr. Sadaka to these comments.³

Mr. Sadaka summarized the comments and divided them into three parts, the first part required the giving of some explanations regarding certain vague points, and did not need any further debate. The second part contained general observations about the draft Decree and the third part contained some specific comments regarding some articles of the draft Decree.

The first and third parts were not so important because they were inquiries and some minor alterations about details. What was of special concern were the general principles to be adopted, and the several alternatives that were available to the CCAR.

Analyzing the objections received we would be able to recognize two major

¹ Minutes of the CCAR meetings, March 1959.
² Ibid.
³ Ibid.
schools of thought among the members of the CCAR. The Legalistic school whose members were legally minded, and who were aware of the fact that by giving the CSB extensive powers it might abuse it and it might constitute a threat to individual liberty. Hence they tried to restrict its powers, and to limit its jurisdiction and to give it only advisory role. This trend was explicitly manifested by Mr. Fareed Al-Dahdah who was a judge and who later became the Head of the CSB.

The other trend or school of thought which might be called the Administrative approach, whose members were public administration practitioners and which manifested itself through Mr. Sadaka and Mr. Tweini, the Director General of the Ministry of Finance. They wanted the CSB to be the basic unit for reforming the Administration. They wanted it to have a line-command and to have jurisdiction over all the Public Service except the army, and the Judicial Branch.

Mr. Said Hamadeh, a Professor of Economics at the American University of Beirut, suggested that the CSB should enforce the rules and regulations regarding procedure improvement instead of only giving advice. Mr. Sadaka answered him that it would be impossible to give the CSB a direct executive power which would be binding on the ministries in such matters, because the CSB is not above the ministries in hierarchy. Moreover:

......when we enforce these new rules and regulations some extra funds would be needed, which cannot be secured unless the House of Parliament approves the necessary appropriations.¹

The second major comment came from Mr. Fareed Al-Dahdah who said that:

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¹ Ibid.
The articles relating to the Personnel Directorate made the CSB the final referee in all personnel matters, consequently there is a usurpation of the power of the Ministers. These powers are given in accordance with the Lebanese Constitution which states that the Ministers are responsible for the direction of their ministries and are supposed to see that the rules and regulations are being applied each in the matters relating to his ministry.¹

Hence Mr. Al-Dahdah suggested the abolishing of the Personnel Directorate from the CSB.

Mr. Sadaka answered that:

The project law in this sphere does not violate the Constitution. For the Constitution does not give the Ministers a free hand to act arbitrary in their ministries; moreover it does not forbid the enactment of Legislative Decrees limiting this freedom.

He added that:

In each state of the advanced states there are rules and regulations limiting the executive branch in its power regarding recruitment, promotion, discharge and other personnel matters. These measures were applied in Lebanon since it acquired its independence; and if there is any difference in the present law; it is a difference of degree; and not a difference in the essence.²

Mr. Sadaka continued to say that the:

Suggested law does not usurp the powers of the Ministers; for they are the ones who appoint, promote, transfer, determine the compensation and dismiss. But they do these after a special technical body—CSB had given its consent or opinion regarding the conformity of these measures to the existing laws and regulations.³

Then Mr. Sadaka went on to say that the intended results of the Administrative Reform were to be materialized:

......then the Personnel Directorate should be kept in the CSB and the authority given to the CSB in applying the personnel law should be sustained for the Lebanese Administrative and Political Status quo necessitate that administrative control should be given to a body whose members are well qualified and well secured.⁴

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1. Report of Mr. Sadaka in answering the comments of the members of the CCAR, March 11, 1959.
2. Ibid.
3. Ibid.
4. Ibid.
Mr. Fareed Al-Dahdah raised a corollary of his first point which says that:

.....the wide and inclusive powers given to the CSB negates the powers and jurisdictions given to the Director General does not accord with the basic principle of organizing and administering the ministries which necessitates that the superior should have a direct command over his subordinates and the subordinates should be responsible towards their superior.....

Mr. Sadaka replied that they had no intention of negating the powers given to Directors Generals; and this would become evident after the CGAR had considered the draft Decree regarding the organization of the public departments.

Mr. Al-Dahdah's third objection was the uselessness of attaching the National Public Administration Institute to the CSB "since this Institute is nothing but a means of acquiring education". He continued to say that it would be better then; to add the courses intended to be given in this Institute to the program of the Law Faculty or Political Science Faculty at the Lebanese University.

In answering this objection Mr. Sadaka explained that this Institute is not a means of acquiring education. Otherwise the First Preparatory Committee would not have thought of creating it ".....because it has no intention of increasing the number of universities and institutes in a small country like Lebanon....."

The Institute is a technical and behavioristic institute. Its aim is to prepare specialized employees in some fields or to train employees who are already in the service. Hence the Institute basically differs from the higher academic institutes that are existing or might exist. Moreover it should be attached to the CSB; for this Board alone knows the needs of the Administration and thus would adjust the programs and the ways and the methods of teaching in accordance with these needs.

1. Ibid.
2. Ibid.
3. Ibid.
Mr. Al-Dahdah's fourth objection was the exclusion of the Security Forces and the Ministry of Foreign Affairs from the jurisdiction of the CSB.

To this Mr. Sadaka answered that:

No harm can happen by subjecting the Security Forces and the Ministry of Foreign Affairs to the powers of the Personnel Directorate, the Research and Guidance Directorate or the Preparation and Training Directorate, for these three Directorates are in the service of the state as a whole and work for its benefits and do not interfere in its internal affairs. But regarding the Central Inspection Directorate, it might be possible to exclude the Security Forces and the political and consulate missions from its jurisdiction.

Mr. Al-Dahdah suggested furthermore the attachment of the CSB to the Office of the President of the Republic.

Mr. Andre Tweini and Mr. Najeeb Alamuddin who is the Chairman of the Board of Directors of the Middle East Airlines, suggested that semi-autonomous public agencies that have a business type status should be excluded from the authority of the CSB. Mr. Sadaka's answer to this comment was that semi-autonomous public agencies should be subjected to the authority of the CSB. In case the House of Parliament wants to exclude a certain semi-autonomous public agency from the jurisdiction of the CSB it can do so by a special provision in the law establishing that agency.

In discussing the qualifications that should be possessed by the President of the CSB, Mr. Andre Tweini suggested that the President should be of those holding high University Degrees. If this is not available he should be an employee of Category I of the Lebanese Cadre. In both cases he should be well experienced in administrative problems. Mr. Yousif Najjar objected to the need of administrative experience. In his opinion if there should be a preference, he would prefer the President and the members of the CSB to be

1. Ibid.
appointed from non-employees. He stressed the point that what they needed was honesty and integrity and not experience.

Mr. Sadaka compromised these two points of view by suggesting that the President and the members of the CSB can be appointed from both employees and non-employees.

Mr. Yousif Najjar proposed that the number of Directorates in the CSB be reduced from four to two; this he though might save funds and might meet the lack of administrative experts in Lebanon.

Regarding the National Public Administration Institute, Mr. Ahmad Al-Ahdab suggested that it should not be created. He would prefer keeping the Institute for Financial Studies which could be attached to the Lebanese University, thus saving the money to be paid for the supervision and other administrative employees, and servants and the rent to be paid. Moreover the CSB could still supervise the NPAI.

Mr. Sadaka answered him by saying that the Institute cannot be attached to two bodies, the Lebanese University and the CSB. It would be better to be attached to the CSB. As to the Institute of Financial Studies, Mr. Sadaka said that it was a mixture of the Law Faculty and the Political Science Faculty. Teaching in it, is theoretical. It could not replace the National Public Administration Institute.

The rest of the comments were concerned with some particular details and did not plunge into the general principles behind the creation of the CSB. The most important of these were the comments relating to the immunities and securities to be given to the president and the members of the CSB. In this matter two points of view were made clear; those who wanted to give the CSB a high degree of immunity and impartiality to be able to accomplish its task
in an atmosphere far from political interference; and those who thought that such an independence might endanger individual liberty and might put the employees and the Administration as a whole under the control and direction of an irresponsible body; who might at any time abuse its power. "There should be", Mr. Al-Dahdah thought, "a provision by which this body can be held responsible and accountable for its work".¹

After Mr. Sadaka finished answering the written comments of the CCAR members; the draft Decree was laid open to discussion. Decisions were to be taken by majority; so the general principles to be adopted were to be voted upon.

The major principles to be voted upon were the following: -Should the CSB be attached to the Office of the President or to the Office of the Prime Minister?

After a period of discussion and debate Mr. Sadaka put this suggestion to a vote; and the suggestion to attach it to the Prime Minister's Office was carried unanimously.²

The second point which was put to a vote was whether the CSB to be constituted of four Directorates or of two. Regarding this point they did not vote directly; but after a lengthy debate Mr. Ahmad Al-Ahdab put to a vote a suggestion aiming at removing the National Public Administration Institute from the CSB and attaching it to the Lebanese University. At this stage a long debate took place relating to the aims that the intended institute was expected to serve in the light of which he amended his suggestion.

¹. Minutes of the meetings of the CCAR, March 13, 1959.
His new suggestion became the opening of a branch in the School of Arts and Crafts to teach Public Administration. This latter suggestion was deemed necessary "owing to the practical nature of the school."

At this point Mr. Andre Tweini tried to explain Mr. Sadaka's point of view. He said that they intended the Institute to serve two purposes; to prepare employees for the high categories and to train the present employees. To this Mr. Sadaka added that the details of the subject and the difficulties to be encountered should be excluded from the discussion at that stage. The points to be discussed were whether to create the Institute and if yes should it be attached to the CSB or not. He himself would suggest the creation of the Institute and attaching it to the CSB. At that stage, Mr. Akkari put the suggestion to a vote. The majority voted for the creation of the Public Administration Institute and for placing it within the CSB.

Then they discussed the suggestion presented by Mr. Yousif Najjar aiming at the creation of only two Directorates. Mr. Akkari put to a vote the creation of one Directorate for both Personnel matters and for Inspection; or the creation of two Directorates. The majority favored the creation of two Directorates; one for Personnel and the other for Inspection.

After that the CCAR started discussing whether to unite the Directorate of Research and Guidance (O&M) and the Directorate of Preparation and Training in one Directorate. The majority favored the creation of two separate Directorates.

Another principle to be approved was whether to subject the Ministry of Foreign Affairs to the jurisdiction of the Inspection Directorate or not.

1. Ibid.
2. Ibid.
Regarding this point the majority approved the subjection of that Ministry to the authority of the Inspection.

As whether to subject the Security Forces to the authority of the CSB or not the majority approved its subjection to the CSB; but Mr. Fareed Al-Dahdah, Mr. Ahmad Al-Ahdab, Mr. Paul Klat objected to the decision taken by the majority and asked the Secretary to record their objection.¹

Mr. Yousif Najjar now brought his point concerning the qualifications that should be present in the President of the CSB. He stressed the point that he should be chosen from outside the Civil Service and that he should be chosen on the basis of his honesty, integrity and impartiality, regardless of his administrative skill. To this Mr. Twcini objected by saying that "The State still thinks that there are honest and impartial employees in its cadre who beside their integrity are also administratively qualified".² The majority approved the suggestion calling for choosing the President and members of the CSB from both within and outside the Civil Service provided they have high qualifications.

Regarding the number of persons to be present on the governing Board of the CSB Mr. Yousif Najjar suggested that the Board should be composed of the President of the Board, the Head of the Inspection Service, the Head of the Personnel Service; and two other counsellors.

This suggestion failed to get the majority. Then Mr. Al-Zein suggested the addition to the Board of a government representative, but his suggestion met with opposition and failed to acquire the majority, so he asked that his suggestion be recorded. Finally the CCAR approved the creation of the Board from a President and the heads of the four Services in it.

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1. Ibid.
2. Ibid.
Regarding the semi-autonomous public agencies; the decision was taken that it should be subjected to the Inspection Service unless otherwise stated by its own constitution.

In its eighth meeting and ninth meeting on March 13th and 16th consecutively, the CCAR occupied itself mainly in discussing the project law prepared by Mr. Sadaka. In talking about the NPAI Mr. Sadaka said that since the Administration needs trained and qualified employees and since it also needed to train its employees; he thought that the NPAI should be present.

He outlined the general principles and left the details to be supplemented later. His main thesis was the creation of a training institute whose students become employees once they graduate. Proper precautions should be taken to secure a high academic standard. He then moved to say that the establishment of this National Public Administration Institute does not mean the stopping of sending employees outside for specialization.

The comments raised by the members of the CCAR regarding the project law relating to the Institute were regarding the details and not the principles. The most important of these comments that were presented by Mr. Najjar where he expressed his doubts in the possibility of establishing an institute that could prepare employees for the first and second categories. To this objection Mr. Sadaka answered that it would prepare employees for the third and the fourth categories.

With few minor alternations the project law was adopted by the CCAR by a majority vote. It is worth while to note that during the debate regarding the creation or the non-creation of the National Public Administration Institute; the American University of Beirut did not make any effort to inform the members of the CCAR that there existed a Department of Political Studies and Public Administration which is graduating students for all countries of the Middle East.
and some African nations to be employed in the upper cadre of their countries.

Having studied the draft Decree and approved it article by article, the CCAR presented its recommendation to the Council of Ministers to study it and to give final approval. With a few minor alterations and some corrections in the terminology used, the CCAR adopted and approved the same basic principles recommended by the First Preparatory Committee. The final draft Decree reveals a triumph to the Public Administration group and especially to Mr. Najeeb Sadaka and to Mr. Andre Tweini. At this stage some members of the CCAR were suspecting that Mr. Tweini was working on the basis that he would be the Chairman of the CSB. On the basis of this supposition they tried to explain his inclination of giving the CSB wide authority and his insistence that the Chairman and members of the Board can be chosen from among the employees of the first category "who have administrative experience and are honest and impartial at the same time".

By recommending this draft Decree, the CCAR considered itself as preparing a basic guarantee for the initiation, application and continuation of the Administration.
CHAPTER IV

THE ROLE OF THE COUNCIL OF MINISTERS AND THE FRENCH EXPERT

The draft Decree was now deposited in the Council of Ministers for considerations. As mentioned above, Lebanon at that time was governed by a Ministry of Four, two representing the Christians and the remaining two representing the Moslems. Contrary to the notion that a member of Parliament or a Minister should consider himself as representing the nation as a whole, these Ministers were known to represent only sects and consequently part of the country. So in most of their actions they had to take into consideration the interests of their sects.

When the draft Decree creating the CSB came to the attention of the Council of Ministers, they were faced with the problem of whom to appoint to be the Head of this CSB, a Christian or a Moslem? Due to the enormous powers that this CSB would have and to the influence it might have over the whole personnel of the Government, they thought that any one sect controlling this CSB would have great powers and consequently would offset the confessional balance—the six to six ratio.

Although this six to six ratio is being practically observed, the Government cannot officially and legally endorse it since they claim to be working according to the dictates of competitive examination. They had to find an outlet to this problem without antagonizing those who prepared the draft Decree. Moreover the educated public opinion would not accept such a justification for the refusal of the Government to take the CCAR recommendations into consideration. So the Government was faced with the problem of presenting to the people some other "rational" justification for its intended actions.
The Government argued that such a concentration of enormous powers in the hands of one person, regardless of his religion might be dangerous since he might abuse his powers. He might become more powerful than the Ministers themselves.

They even went on to say that the functions of the CSB are not homogeneous, the Inspection Directorate should be separated from the Personnel Directorate. This was their decision, for by separating the Inspection Directorate from the Personnel Directorate two agencies would be created. The power then would be divided, and the problem of whom to appoint as the head of the CSB would be solved, since it becomes easy to appoint a Moslem for one agency and a Christian for the other.

Since they wanted the endorsement of an expert for this intended division, they called a French expert in the field of Public Administration to study the draft Decree law as presented by the CCAR and to give his recommendations and comments. Mr. Pierre Escoub was the French Expert who studied the Draft Decree.

Mr. Escoube was the Counsellor of the Cour des Comptes in France, and a Professor of Administrative Science at the College of Europe (Bruges) and a former "Maître de conference a l'Ecole National d'Administration de Paris".

The main feature of Mr. Escoube's report was his justification for the division of the CSB into two parts, the Personnel Directorate and the Preparation and Training Directorate on one side, and the Inspection Directorate and the Research and Guidance Directorate on the other side.¹

¹. Mr. Escoube report which was presented to the Council of Ministers.
Mr. Escoube divided his report into two parts, the general observations and the specific comments regarding some articles. Our concern here is with his first part.

He started his report by saying that the creation of the CSB accords with the practice in the advanced countries that apply the merit system. The only precaution we should guard against is that we should give power to this CSB, but at the same time this power should not endanger the powers of the Ministers. There should be an equilibrium.

Regarding the Four Directorates recommended by the CCAR, Mr. Escoube suggested the placement of the Research and Guidance Directorate and the Inspection Directorate together.

...the practice in most countries is not to place the Research and Guidance Service under the Unit responsible for personnel. In Lebanon, on the other hand, being a small country, it could be placed with the Personnel Directorate. Whether it is better to place it with the Inspection Directorate or the Personnel Directorate is determined by experience....

He advised the Council of Ministers that O & M men should be well trained and specialized before they start their work. Mr. Escoube recommended the separation of the Central Inspection Directorate from the Personnel Directorate and the Preparation and Training Directorate; and the working of the two independent Directorates in cooperation and gave the following reasons as a justification:

1. Since the function of the CSB is to control the personnel, it would not be reasonable nor logical to put the general control section with the technical control section, i.e. Personnel Directorate and the Inspection Directorate, because there is a difference in the nature of the work and if combined the CSB would lose its homogeneity.

2. If we separate the controller from the technical inspectors and put them under two separate authorities, we would have two separate sources for information and this would give us a more objective idea about what takes place in the administration. The controllers would act as the "guard dogs" and the inspectors as the "chase dogs".
3. In every country I have studied its administrative organization, the central inspection agency is distinct from the central personnel agency.

4. If we combine all these Directorates together, the load would become too big and the efforts would be dispersed and the main duties of the CSB would not be accomplished. "Qui trop embrasse mal etreint". 1

Then he went on to say that since the job of the CSB in the western countries is to give advice, while here it has executive functions, he proposes the substitution of the word "Council of Civil Service" with the word "General Secretariate of the Civil Service" to accord with the nature of work to be done by this body.

Regarding the governing Board of the CSB, he recommended that it be constituted from the Head of the General Secretariate of the Civil Service, assisted by a committee composed of two or three members depending on the number of Directories to be placed within the CSB. The Head of the Personnel Directorate, the Head of the Preparation and Training Directorate and the Head of the Research and Guidance Directorate if it is included under the CSB.

Regarding the qualifications to be found in the person to be chosen as the Head of the CSB, he said that these were not clear and definite so he suggested that the Head of the CSB should be between 40 and 60 years old, should have 15 years of experience in administration, or 5 years in the first category. Also he should not have held an elective or political office for at least 5 years preceding his nomination to the job.

Mr. Escoube did not stress the University Degree as a requirement since, as he said, what counts is the experience, the authority, and the independence in character which cannot be guaranteed by a University Degree alone.

1. Ibid.
He wanted the CSB to be attached to the Office of the Prime Minister. He recommended the exclusion of the Ministry of Justice and the Ministry of National Defense from the authority of the CSB.

These were his major recommendations. His major point was the separation of the Central Inspection Directorate from the Personnel Directorate.

The Council of Ministers after receiving the recommendations of Mr. Escoube took his final decision which shall be discussed in the next part of this thesis. As to what extent the Council of Ministers was influenced by the report or to what extent the Council of Ministers influenced the writer of the report nobody knows. It was suspected that there was a mutual agreement between both sides as to the major points to be mentioned and that the Council of Ministers-or some of its members told Mr. Escoube to stress certain points rather than others. The result was that this political issue—confessionalism—to divide the CSB into two parts got the sanction of an administrative expert.
PART TWO

STRUCTURE AND FUNCTIONS

OF THE

CIVIL SERVICE BOARD
CHART I
Structure of the Civil Service Board 1959

Chairman of the Civil Service Board -- Board Chairman

Diwan (Secretariat)

Directorate of Preparation and Training -- Board Member

Directorate of Personnel Administration -- Board Member

Preparation and Training Service

Service of Administrative Affairs

Preparation Branch Training Branch

Studies Service Recruitment Service

Bureau of Recruitment Bureau of Personnel Files

Bureau of Administrative Affairs Bureau of Studies

Source: Decree No. 2459 dated November 9, 1959, Lebanese Official Gazette, No. 61.
CHAPTER V

STRUCTURE AND FUNCTIONS OF THE BOARD AND THE PERSONNEL DIRECTORATE

1959-1962

The Legislative Decree No. 111, of June 12, 1959, provided for the establishment of a Civil Service Board that has the following major responsibilities:

1. Agrees and works out with the Ministers and Public Agencies concerned the Civil Service examinations which will be given to all candidates seeking appointments in Grade III and Grade IV, the areas open for competitive Civil Service examinations.¹

1. The Lebanese Salary Scale was specified in accordance with a law passed in the Parliament dated May 7, 1957. It is composed of five categories. Each of the first three categories is divided into six steps. The fourth category is divided into two sections. The fifth category is divided into three sections.

1st Category: The starting salary of LL.1,000 and the top salary is LL.1,500. This category includes the Director General, President of the CSB, President of the Central Inspection, etc.

2nd Category: The starting salary is LL.650 and top salary is 1,000. It includes the Director, General Inspector, etc.

3rd Category: The starting salary is LL.450 and the top salary is LL.650. This category includes Chief of a Bureau, Inspector, or Head of Division.

4th Category: The first section includes six steps and starts with a salary of LL.300 and ends with a salary of LL.450. This is the category for Senior Clerk positions. The second section includes the positions of Junior Clerk, is divided into six steps, and starts with a salary of LL.175 and ends in LL.300.

5th Category: The first section starts with a salary of LL.150 and ends with LL.330 and includes positions such as, drivers, messengers or door keepers.

The second section starts with a salary of LL.145 and ends with a salary of LL.300. It includes positions such as guards.

The third section starts with LL.100 as a minimum and ends in LL.225 as a maximum. It includes positions such as Servants or Janitors.

In 1961, by Decree number 6167 dated February 21, the Government raised the salaries so that the minimum is LL.100 and the maximum LL.1,955.
2. Gives its opinion on the appointment of persons in Grades I and II who are from outside the Cadre.

3. Submits proposals to the Council of Ministers regarding the conditions under which sickness aids could be given.

4. Gives its opinion on matters of transferring employees from one position to another within the same or between Cadres.

5. Gives its opinion on matters of delegating employees to work in other ministries than their original ones.

6. Directs the operations of the National Public Administration Institute.

7. Attempts to raise the morale of the employees through in-service training.

Decision No. 241 taken in the Council of Ministers in its meetings of November 15, 1961 gave the CSB the sole responsibility of interpreting all rules and regulations pertaining to the public job.

The CSB was organized in accordance with the Decree No. 2459 dated November 9, 1959 as shown in Chart No. I.

We shall not go into the discussion of the functions of each unit. Because as soon as the CSB started functioning it discovered that rules governing its organization and determining its functions were inadequate and in many cases ambiguous or conflicting and overlapping with functions of other agencies.

This was especially true in connection with the Directorate of Research and Guidance which was a part of the CSB but was separated at the last moment and placed with the Directorate of Central Inspection under the Central Inspection Agency.

In giving justification for amending its organization the CSB stated in
a letter addressed to the Council of Ministers the reasons which led the Civil Service Board to reorganize itself. This letter stressed that after a one year operation the CSB has found that it is necessary to clarify its jurisdiction and its relation with the Administration and the semi-autonomous public agencies.\(^1\)

It further stated that the CSB has analyzed the functions and tasks of each position in an attempt to reorganize itself in the light of the experience it had acquired since it started its operation.\(^2\) It was by that time that the Directorate of Preparation and Training had already started its accelerated training sessions which were designed to put all civil servants in contact with the work of the Administrative Reform movement.

Based on this experience and after careful studies of its function, the CSB with the cooperation of the French expert Mr. Rattier put the new Decree which governs the Civil Service Board at present.

In the coming sections I shall discuss the new organization of the Civil Service Board, the functions of each unit, the chief personnel running the CSB and its role in applying the Personnel Law. I shall also mention the various decisions and decrees that affected the functions or the procedures followed by CSB.

The reorganization of the CSB was done in accordance with the Decree No. 8337 dated December 30, 1961. As the organization chart No. 2 indicates the CSB is composed of the following units:

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2. Ibid.
CHART 2
Structure of the Civil Service Board 1962

Administrative Terminology Committee

Civil Service Board

Employee Cooperative

Coordination Bureau

Preparation and Training Directorate

Advisory Curriculum Committee

Personnel Directorate

Secretariat of NPAI Service

Preparation and Training Service

Examination and Personnel File Service

Supervision and Studies Service

General Administrative Service

Bureau of Specialization

Administrative Bureau for the NPAI

Personnel File Bureau

Examination Bureau

Secretariat for the President of the CSB

General Supplies Bureau

General Administration Bureau

SOURCE: Decree No. 8337, December 30, 1961, Lebanese Official Gazette, No. 56
1. The Board
2. Personnel Directorate
3. Preparation and Training Directorate
4. General Administrative Service
5. Bureau of Coordination
6. Employee Cooperative

It is composed of three members: The first member is the President of the Board and the President of the CSB as a whole, and two members, the Head of the Personnel Directorate and the Head of the Preparation and Training Directorate. This Board is the highest administrative authority regarding the application of the Personnel Law as will be discussed later on. The President of the Board calls for its meetings at least twice a week. It also meets once a week in the capacity of the Board of Directors of the National Public Administration Institute. In this case the President of the Board or the Director of the NPAI can call for its meetings. The Head of the Research and Guidance Service in the Central Inspection Agency has the right to attend its meetings if asked by the President of the Board.¹

In its meetings, the Board has to discuss the agenda as approved by the President. But if the majority decides, it can discuss any subject proposed by its members even though it might not be listed on the agenda. This is mainly to restrict the authority of the President from excluding any subject from discussion by not listing it on the agenda.

Decisions of the Board are taken by majority vote. In its decisions the Board has to list the reasons for taking such a decision.

¹ Decree No. 8337, arts.2-11, December 30, 1961, Lebanese Official Gazette No.56.
The fact that decisions are reached by majority vote weakens the position of the President and creates a situation where he finds himself obliged to compromise with the other two members of the Board. This is acceptable if the three members of the Board are of the same rank. But since the President of the Board is supposed to control, direct, and supervise the work of the two Directorates in the CSB, and since decisions have to be taken by majority vote, any suggestion the two members do not approve is doomed to failure. Thus the position of the President of the Board is likely to be weakened. Moreover it creates a situation whereby a person becomes the supervisor and controller of his own work. The Head of the Personnel Directorate and the Head of the Preparation and Training Directorate are logically left without supervision or control.

In addition the Board is the sole body entrusted by law to be responsible for administering the Personnel Law. Thus all the Administration, semi-autonomous public agencies and municipalities under the supervision of the CSB have to ask the Board for its consent, opinion, or advice regarding permanent, temporary, wage, and contractual employees. The Board is at the same time the sole organ that has the responsibility of interpreting the rules and regulations pertaining to the job, or to the employees or to all those who work in the Administration.

However, the President of the Board has certain functions peculiar to him. He is supposed to see that decisions reached are properly executed on time. If asked by the Council of Ministers the President of the Board or his representative has the right to attend meetings of parliamentary committees while discussing the budget that pertains to the employees, the general administrative expenses of the Administration, the semi-autonomous public agencies, the amendment or change of the rules and regulations pertaining to the organization and procedures of the Administration and while determining the number of employees needed by each ministry.
The President has also the right to attend the meetings of the Council of Ministers when discussing the above mentioned points. He also can himself or his delegate attend the meetings of semi-autonomous public agencies and municipalities under his control when discussing these points.\footnote{Ibid., art.7}

The President has the responsibility of presenting to the Council of Ministers an annual report about the functions and achievements of the CSB. This report should be \textit{published} before the end of March of each year in the Lebanese Official Gazette.

The President of the Board is appointed by a Decree taken in the Council of Ministers on the recommendations of the Prime Ministers.

He should possess the following qualifications:

\footnote{Legislative Decree No. 11h, art.6, June 12, 1959, \textit{Lebanese Official Gazette} No. 29.}

\textit{\ldots\ldots} he should not be less than 40 years of age, a man who has been in the public service not less than 15 years, 5 of which in Category I, or 10 years in a big private organization with a Licence in Law or its equivalent. He should not have occupied any political position for the last five years before his appointment. While in position as President of the CSB he cannot occupy any other position except as a professor in a high institute. Once appointed the President has the authority of a Minister regarding administrative and financial matters within the CSB. But he cannot enjoy the other constitutional rights of a Minister.\textit{\ldots\ldots}

All provisions were taken by the law to make the position of the President as stable as possible. It was intended to be protected from political pressure by members of parliament and Ministers. Thus he cannot be removed except by a decree taken in the Council of Ministers if he has asked for that in writing. He can also be dismissed on the recommendation of the Prime Minister and the
approval of a special committee composed of the President of the Court of Appeal and the President of the Council of State and the President of the Court of Accounts and the President of the Central Inspection and a Director General who has got the longest years of experience in public service.

This is intended to give the President of the CSB adequate protection against arbitrary dismissal and political interference. The two members of the Board are appointed by a decree taken in the Council of Ministers on the suggestion of the President of the CSB. They should be of category I. They have also to comply with the regulation that they cannot have another position. They should have not occupied a political position for the last 5 years prior to their appointments.

The first President of the Civil Service Board is Mr. Fareed Al-Dahdah, a Judge who is known for his honesty and neutrality among the contending factions in Lebanon. He is also known for his allegiance to President Chehab. He is a Maronite. His training and education is basically in law. The two members are Mr. Hassan Farhat, a Moslem Shi'i, who is at the same time the Director of the Preparation and Training Directorate. Although he ran for election in 1957, he was appointed to this post because he is also believed to be an honest man and at the same time a supporter of Chehab's regime. The Director of the Personnel Directorate and the third member of the Board is Mr. Antoine Fattal, a Christian Roman Catholic and a Doctor in Law. He is also known for his honesty and straightforwardness.

**Personnel Directorate:** The Personnel Directorate is headed by a Director who is a member of the CSB assisted by two members, the Head of the Supervision and Studies Service and the Head of the Examinations and Personnel File Service. The three of them form a Board for the Personnel Directorate. The Personnel
Directorate works under the supervision of the CSB and is composed of two Services. The Supervision and Studies Service and the Examinations and Personnel File Service.¹

Supervision and Studies Service: This Service is responsible for supervising and studying all matters related to the Personnel Law and for all employees in the Administration, semi-autonomous public agencies and municipalities under the control of the CSB.

Regarding the supervision part, it has the responsibility for:

- Giving its opinion regarding the legality of appointments.
- Studying all personnel matters.
- Observing the conduct of the employee inside and outside his job.
- Studying the suggestions aiming at confirmation of appointment, increments and promotion.
- Studying the reports of the Central Inspection pertaining to the employees and to all persons whose transaction are being studied by the CSB.
- Termination either for lack of qualifications or unsuitability or for physical unfitness.²

Regarding the study part, this Service is responsible for studying draft rules pertaining to all kinds of employees in the public service and the way to apply these rules and regulations. It has also the responsibility of studying the reports of the Central Inspection regarding the job and estimating the number of employees needed by each department. It is also responsible for determining the qualifications for recruitment to categories IV and V as well as preparing other project regulations regarding the proposed Employee Cooperative.

It has to determine the conditions under which benefits and pensions are

¹ Decree No. 8337, art.13 , December 30, 1961. Lebanese Official Gazette No.56
² Ibid., art.,1h.
distributed to the employees.

To help the Supervision and Studies Service in executing its extensive supervision and studies, it was provided with 15 Supervisors. These Supervisors are appointed by a Decree after they pass the competitive exam prepared and administered by the CSB.

In addition to the general qualifications these Supervisors should have a Licence in Law or its equivalent in Economics or Financial Studies or Public Administration. They should have previous experience in the Administration. These Supervisors belong either to category II or category III of the Lebanese position classification scheme.¹

In order to make sure that these Supervisors are doing their job honestly and to insure for them an atmosphere where they can voice their opinion freely and independently and on time they are required to present their reports within a time limit specified by the President of the CSB with the agreement of the two members of the Board. Transaction are studied confidentially and the supervisor is free to list his opinion and comments and make sure of the authenticity of the supporting documents, or legality of the action. He has to see whether its execution is in the interest of the unit asking it. These comments are presented plus the original transaction as prepared and presented by the unit or department to the CSB.

Supervision functions are distributed equally and properly over these supervisors by the President of the CSB on the recommendations of the Director of the Personnel Directorate. No supervisor is allowed to stay in one ministry for more than one year.

¹. Ibid., arts. 52-56.
It is also pertinent here to mention that the Head of the Supervision Study Service, Mr. Yousif Qamar, is also a lawyer. Most of these supervisors are holders of Law Degrees.

Examination and Personnel Files Service: It is headed by Mr. Kamal Bohsali, a doctor in law. It is composed of two Bureaus: The Examinations Bureau and The Personnel File Bureau.

The Examinations Bureau: It is headed and run by one man who is responsible for the carrying of all the functions of this Bureau. He can call the help of the Administrative Bureau in the Preparation and the Training Service. This Bureau is responsible for preparing the general examination system for the "merit system". It is also responsible for specifying the qualifications of each vacancy, preparing the test, administering the test, and seeing that the qualifications asked are present in the candidate for the position. This Bureau is responsible for appointing the examinations committees and the proctoring committees. It is responsible for insuring the right application of the rules and regulations regarding competitive examinations.

The preparation of the lists of those who passed or failed are also the responsibility of this Bureau.

As can be seen, one man cannot do all of these functions. As we shall see later here the CSB had displayed clearly its failure.

Personnel File Bureau: The Lebanese Administration suffered from the lack of complete and up-to-date information about the employees in its service. Thus one of the main functions entrusted to the CSB and the Personnel File Bureau is specifically the responsibility of preparing up-to-date files about each employee to include all information regarding his qualifications, experience, promotions, category, and all other pertinent documents and information that might help for
a better evaluation of the employee. This Bureau is headed by one man only, Mr. Elias Zacharia, who enjoys a wide general education. Employees in the Administration or in the semi-autonomous public agencies or municipalities who are responsible for the personnel files in their particular departments are supervised and controlled by the Personnel File Bureau in the CSB which can suggest to the supervisor of that employee the punishment he deserves in case he did not perform his assigned duties properly.

In short this Bureau acts as the statistics unit in the CSB pertaining to all the employees.

Preparation and Training Directorate: This Directorate will be discussed under the heading of the National Public Administration Institute.

General Administrative Service: This Service combines the functions of the Diwan (secretariate) and the General Administrative Service at the same time.¹

It is composed of:

1. General Administrative Bureau
2. General Supplies Bureau
3. Secretariate of the President of the CSB

General Administrative Bureau: This Bureau acts as the central file and mail room for all incoming and outgoing mail of the CSB. It is the link that keeps the CSB connected with the Administration and visa-versa. It is also the central typing pool for all the CSB. It has the responsibility of preparing statistics about the work of the CSB and to keep the files of the CSB employees; and the transactions taken.

¹. Ibid., arts. 37-46.
It is also responsible for running the library of the CSB which contains books in three languages, Arabic, French and English. This library contains a number of books that deal with Public Administration in all its fields. It is open for students of the NPAI and for employees. Books cannot be taken outside the library but are intended for internal use only. Most of the books are in the French language and deal basically about Public Administration from a legal point of view. Arabic and English books are few. The General Administrative Bureau is responsible for the procurement, indexing, circulation and referencing and other activities connected with running a library.

Another major function of this Bureau is the preparation and execution of the CSB budget. Thus it is responsible for supervising the spending of the money appropriated to the CSB by parliament.

General Supplies Bureau: Previously the Lebanese Administration used to suffer from the absence of a central unit that takes care of the needs of the Administration regarding stationary, furniture, clothes and other supplies that are common among all government units. Every department was responsible for buying its needs. The new reorganization was intended to centralize these activities in one unit for the purpose of achieving uniformity among all units and at the same time realizing savings in money. Thus the General Supplies Bureau is responsible for securing and standardizing all stationary, furniture and clothes for the CSB and the whole Administration.

Secretariate of the President of the CSB: This is responsible for giving appointments to people wishing to see the President and other miscellaneous secretarial activities.

Bureau of Coordination: To assist the President of the CSB in his various functions and to insure the legality of the transaction and decisions before they

1. Ibid., art. 48.
are finally approved by the President, the Bureau of Coordination was created and attached directly to the President of the CSB. It prepares the agenda for the meetings of the Board, and writes the minutes of its meetings. It also writes the annual report of the President of the CSB.

All transactions that should be seen by the Board in its meetings are commented upon by this Bureau. Its main function here is to see that rules and regulations are uniformly obeyed and that the Board is not taking two different decisions. This Bureau is headed by an employee of category III and is usually assisted by a number of supervisors.

**Employee Cooperative:** Article 51 of Decree No. 8337, December 30, 1961 provided for the establishment of an Employee Cooperative.

The CSB was given the responsibility for laying the rules and regulations regarding this Cooperative. The project Decree prepared by the CSB and some other experts which by the end of 1962 was not yet approved by parliament, provided for the establishment of a Cooperative to take care of the financial needs of employees in need of help.\(^1\) Its members can be from all the Administration, semi-autonomous public agencies and the Judicial Branch except the Army and the Internal Security Forces. Membership for permanent employees is obligatory, but for public agencies employees it is voluntary. The Cooperative is under the trusteeship of the CSB but enjoy almost complete independence regarding administrative and financial matters. It is subject to the control of the Court of Accounts for post-auditing only.

Employees and the Government are supposed to share in its budget. As the project law indicates this Cooperative is meant to replace the Social Security

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1. This Cooperative is supposed to apply arts. 29, 30 and 31 of Legislative Decree No. 112, June 12, 1959.
for Government employees. This project law is being debated now in parliament.

Administrative Terminology Committee: The President of the CSB can appoint a committee from persons both from inside and from outside the Administration to help formulating a uniform administrative terminology for the entire Civil Service. ¹

The above pages of our discussion dealt with the Civil Service Board from a structural approach. In the following pages I shall attempt to discuss the CSB from a functional approach.

As a central personnel agency, the CSB has its duties and responsibilities regarding the administration of the personnel law.

Recruitment: Recruitment to the Lebanese Civil Service can take place either through appointment or through the requirement of passing a competitive examination. One third of the vacancies in category I can be filled through appointment from the outside by the Council of Ministers after taking the opinion of the CSB. ² The other two third should be filled by promotion or transfer.

Categories III and IV are the areas for competitive exams and before being admitted to any position of these, a candidate must, besides meeting other general qualifications pass a written and in some cases an oral examination. The CSB in collaboration with the Research and Guidance Directorate has to give its approval for any vacancy before it is filled. If money is appropriated for

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¹ Legislative Decree No. 8337, art.4, op.cit.
² Legislative Decree No. 112, art.12, June 12, 1959, Lebanese Official Gazette No. 29.
that vacancy after the approval of the CSB, the CSB announces the vacancy in the official broadcasting station and in at least three Lebanese daily newspapers.

Applications are then received; and checked to eliminate those that do not meet the general qualifications. A date is set for the examination.

Examinations are prepared by the CSB in collaboration with the unit concerned. The CSB appoints the examination and proctoring committees. It has also to insure that rules and regulations are being observed in giving these examinations. These examinations are corrected by special committees appointed by the CSB both from within the CSB and from outside; both civil servants and other persons who have the qualifications. Lists of those who pass the examination are prepared and names are arranged in accordance with the grade attained. These lists are binding on the appointing authorities for one year; after which another examination can be conducted. This process is mainly applied to permanent employees.

Regarding temporary, or contractual employees the examination requirement can be waived but before being appointed to the job the Civil Service Board has to give its approval.

Probation: After being finally selected to the job an employee of category III or category IV remains on probation for a period of one year.¹ Final approval of appointment is the prerogative of the CSB.²

1. Ibid., art.10, para.1.
2. Decree No. 7366, art.7, para.6, August 18, 1961, Lebanese Official Gazette No. 37.
Acting Employees: A common feature of the Lebanese Administration is the increased number of vacancies that are filled by acting employees. These employees do not usually fulfill the qualifications of that position. In case a position becomes vacant an employee from a lower position is assigned as acting and usually remains in that capacity indefinitely. This situation of filling vacancies with unqualified acting employees has increased recently and the CSB in its annual report of 1960, described it as being very deteriorating to the general interest.\(^1\) In case of any vacancy to be filled by an acting employee, the CSB has to give its approval or the vacancy cannot be filled.

Transfer: In transfer cases the CSB has the responsibility of seeing that the transaction meets all the legal requirements and evaluating whether the transfer of an employee is in the interest of the Administration. The approval of the CSB is necessary before any transfer becomes effective.

Salary Increase and Promotion: Articles 32, 33 and 34 of the Personnel Law specified the conditions under which an employee can have a salary increase or a promotion.\(^2\) The Civil Service has to give its approval before any of these transactions become legally effective.

Placing Outside the Cadre: Article 50 of the Personnel Law specified how an employee can be placed outside the cadre.\(^3\) Since those responsible for placing an employee outside the cadre misused this right, the CSB took a decision that it will not approve any placement outside the cadre unless it is in the interest of the Administration.

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2. Legislative Decree No. 112, arts. 32, 33, 34, June 12, 1959, Lebanese Official Gazette No. 29.
3. Ibid., art. 50.
Transportation and Overtime Allowance: The CSB has the power to approve or reject the basis on which a department gives its employees transportation or overtime allowances. It is responsible for seeing that rules and regulations regarding these allowances are being observed.

Behavior of the Employees: Article 71 of the Personnel Law gave the CSB the power to evaluate the moral and behavioristic qualifications of the employee and to dismiss him from Service or to put him on retirement if he proves to be unqualified. Its decisions regarding this matter are final.1

Annual and Sick Leaves: The CSB is the agency responsible for interpreting and applying all rules and regulations pertaining to Annual and Sick Leaves.2

Interpretation of Personnel Law: The CSB is entrusted with the responsibility of applying the Personnel Law. This entails the power to interpret and explain all provisions of that law in cases of ambiguity or conflict between two administrative units or the CSB and the Administration. In addition, the parliament gave the CSB the power to be the sole organ eligible for explaining and interpreting all administrative rules and regulations relating to the public job.3

Punishment: If an employee violates either intentionally or through negligence his duties and responsibilities as specified by the existing rules and regulations, he becomes liable for punishment.

Punishment is of two steps depending on the seriousness of the violation

2. See Legislative Decree No. 112, arts. 35, 39, 84, June 12, 1959, Lebanese Official Gazette No. 29.
committed. The first step consists of sending to the employee a letter of reproach or deducting up to 15 days of his salary or delay of his increment for a maximum period of six months. The second step for more serious violations consists of postponing the increments for 30 months or separation from service for a period of six months without pay, or demotion for one step, or dismissal from service.¹

Higher offenses are tried by special disciplinary councils. There are three special disciplinary councils. The first is for employees in category I and category II and the General Inspectors. It is composed of the Board of the CSB, and a judge from category II delegated by the Ministry of Justice and from an employee of the same rank as the employee being punished. The Government is represented either by the President of the Central Inspection if the employee is of category I, or by a general inspector appointed by the President of the Central Inspection.² The second disciplinary council is for the employees of the Foreign Service and is created by a special Decree.³ The third disciplinary council is for the rest of the employees and is formulated by a decision taken by the President of the CSB for a period of one year and is composed of a judge of category II delegated by the Ministry of Justice and three employees of category II and one employee of the same rank as the employee being punished. The Government is represented by the President of the Central Inspection or any other inspector appointed by the President of the Central Inspection.⁴

1. Legislative Decree No. 112, arts.54,55, op.cit.
2. Ibid., art.57, para.1 and 2.
3. Ibid., art.57, para.3.
4. Ibid., art.57, para.4.
Other Administrative Studies: Realizing that the Administration is not a static thing and that it changes with the changing circumstances, the CSB was given the power of constant supervision and surveillance of all rules and regulations affecting the service and the semi-autonomous public agencies. It was given the power to prepare studies and project laws that might lead to the improvement of the Administration.

In addition it was given the responsibility of undertaking certain specific studies that the Administrative Reform movement was unable to complete due to shortage of time. Some of the studies prepared by the CSB will be mentioned in the third part of this thesis. Some of the studies entrusted to CSB were the preparation of the rules and regulations governing the Employee Cooperative, personnel files, and laying the qualifications for appointment in category IV.

Semi-Autonomous Public Agencies: Unless specified otherwise in the law establishing the individual public agency, the CSB has the right to give its opinion regarding the personnel law governing each agency. Its approval is necessary before it becomes legal. These public agencies can train their employees in the National Public Administration Institute.

Municipalities: Municipalities in Lebanon are of two kinds. Large municipalities and small ones. Large municipalities were subjected to the

1. Decree No. 2159, art. 10, para. 1, October 9, 1959, Lebanese Official Gazette No. 61.
2. Legislative Decree No. 111, art. 12, para. 2, June 12, 1959, Lebanese Official Gazette No. 29.
3. Legislative Decree No. 112, arts. 4 and 6, June 12, 1959, Lebanese Official Gazette No. 29.
4. Legislative Decree No. 150, arts. 14 and 16, June 12, 1959, Lebanese Official Gazette No. 29.
authority of the CSB regarding their personnel matters. The CSB has the power to supervise the other municipalities if the Council of Ministers decided so by a special decree regarding each municipality separately.¹

The CSB main function regarding municipalities is the preparation of a personnel law for these municipalities and the training of their employees when needed.

¹. Decree No. 7366, art.5, August 18, 1961, Lebanese Official Gazette No. 37
CHAPTER VI

THE NATIONAL PUBLIC ADMINISTRATION INSTITUTE

This is nothing but the Preparation and Training Directorate in the CSB. Its general aim is the training and development of the human element in the Lebanese Administration, semi-autonomous public agencies and municipalities under the control of the CSB. It is also responsible for the preparation of new employees for the III and IV categories both from within the Administration and from outside it. Furthermore it had the responsibility of assessing the needs of the Administration for new employees. In this case it had to take the opinion of the concerned department, and the opinion of the Research and Guidance Service.

It was also given the right to prepare the Preparation and Training program and curriculum, and the rules that govern bursary employees who are sent outside for more specialization. The Board of the CSB is responsible for the general administration of the NPAI and acts as its Board of Directors.

The President of the CSB is responsible for appointing the teaching staff of the NPAI. The President of the CSB has also the right to hire foreign experts for teaching in the Institute.

The Director of the Preparation and Training Directorate, who is a member of the Board is at the same time the General Director of the National Public

2. Legislative Decree No. 11h, art.13, June 12, 1959, Lebanese Official Gazette No.29.
3. Ibid., art.1h.
4. Ibid., art.20.
consultation with professors of the Institute, he grades the students for their performance. He is also an active member in the Curriculum Committee.¹

Secretariat of the NPAI: This is headed by an employee from category II. It is consisted of two Bureaus, the Administrative Bureau to the Institute and the Specialization Bureau.²

The Administrative Bureau: This is responsible for the day to day running of the Institute. It prepares the examinations, conducts them and receives results. It prepares lists of participants in accordance with their sections. It executes decisions taken by the General Director of the Institute and the Director of the Studies regarding the operation of the Institute.

Specialization Bureau: This is responsible for preparing transactions of bursary students who are sent for further specialization either in Lebanon or outside Lebanon.

Advisory Curriculum Committee:³ To assist the General Director of the Institute in the preparation of the programs of the studies, lectures and examinations, an advisory curriculum committee was created. It is composed of the General Director of the Institute as its President, and the following members: the Director of the Research and Guidance Service, the Director of the Research and Training Service, two University Professors and two representatives from the semi-autonomous public agencies or independent agencies that send employees for training to the Institute. This Committee is appointed by a Decree in the Council of Ministers on the recommendations of the President of the GSB.

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2. Decree No. 8336, arts. 31,32,33,34, 35. op.cit.
3. Ibid., art.36.
B. The Functions and Programs of the National Public Administration Institute.

The program of the National Public Administration Institute is divided into two sections, the Preparation Section and the Training Section.

The Preparation Section: The Preparation Section is divided into two branches, the Higher Branch and the Intermediate Branch.

The Preparation Section was meant to prepare employees for the third category. After the Institute starts its preparation function no body can be appointed to category III or IV unless he is a graduate of the Institute. This section accepts both employees who are currently working with the Administration and students who are not employees.

Once an employee is accepted to the Preparation Section he keeps on receiving the minimum salary of the category which he is preparing himself for. Once a student is accepted to the Preparation Section he starts receiving the minimum salary of the category to which he is expected to join once he graduates.

Both employees and students when they join the Preparation Section of the NPAI are subject to the Personnel Law regarding punishment, responsibilities and duties.¹

The Preparation Section -if the Board of Directors of the Institute approve- has the right to accept foreign students if they are sent by their governments and if they meet entrance requirements provided that the number of foreign students does not exceed half the number of Lebanese students.²

¹ Decree No. 4800, arts.3,4,5, op.cit.
² Ibid., art.10.
The Higher Branch of the Preparation Section: This Branch prepares prospective employees for category III. It is divided into three fields of specializations. The first is the Public Administration and Foreign Affairs field. The second is the Economic and Financial Affairs field. The third is the Social and Cultural Affairs field.

Before any preparation can take place, the CSB with the help of the ministries concerned and the approval of the Council of Ministers has to prepare a list of positions that are presently vacant or that are expected to be vacant for a period of ten years.

The Council of Ministers on the recommendation of the CSB would issue a Decree specifying vacancies for each particular field. This Decree should be issued before the entrance examination to that particular preparation session by three months.\(^1\) Students or employees accepted to the Higher Branch of the Preparation Section have to sign a contract indicating that they have to work within the Civil Service for at least ten years.\(^2\)

Students who have a University degree and who meet the general requirements of age and citizenship have the right to sit for the entrance examination. Also employees of category IV and who have a University degree or who have been in the service for at least ten years have the right to take the entrance examination.\(^3\) This examination is given once a year if the need for employees justifies that.

The entrance examinations are composed of semi-final selection examination

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1. Ibid., art.12.
2. Ibid., art.25, para.1.
3. Ibid., art.9.
and final selection examination.

The first question is composed of a subject related to the general development of Political, Economic and social thought from the 18th century onward. Another question is concerned about modern economic policies. A third question is about one of the following subjects: either Administrative Law, International Institutes and Organizations or Political Organization for Modern Governments and finally a Summary of an Arabic Subject in English or in French.¹

If a candidate succeeds in the semi-final examinations he then proceeds to the final examinations which consist of ten minutes comments on a subject drawn by lottery after a preparation of 30 minutes. It also includes another oral question for a period of 15 minutes in accordance with the field the candidate has chosen.

If he is a Public Administration and Foreign Affairs major he is given a question about International Law or about the Constitutional or Administrative Law. If his major is Economics or Financial Affairs he is given a question about Financial Law. If he is majoring in Social and Cultural Affairs he is given a question about Demography.

Those who pass the final examination have the right to sit for a voluntary examination in Mathematics or Statistics, and another translation in a second foreign language. If they are considered for final acceptance they can sit for another voluntary examination in physical education. Those who sit for these voluntary examinations receive extra grades.²

1. Ibid., art.16.
2. Ibid., arts. 17,18,20.
The CSB prepares the final list of those who are accepted to join the preparation session, taking into consideration their rank in the entrance examination and the sectarian distribution.¹

A participant who was accepted to study in this branch has to spend two years in the Institute before he graduates. The first year consists of:

1. The first general studies for eight months.
2. Internship in a government administration.
3. One month administrative leave.

The second year consists of:

1. The second general studies of six months. Here participants are distributed to three divisions in accordance with their major.
2. Two months internship in a private enterprise.
3. The final study stage is for four months.²

The first general studies period is common to all participants and is in a sense an introduction to the study of Public Administration, after which participants are sent to work in a government unit for three months to gain practical knowledge of the real problem they will be facing. The participant is supposed to present a written report about a problem he had faced during his internship period.

The second general studies period is to study and evaluate their experience during the preceding three months. This includes lectures, seminars and discussion sessions about problems, each in his particular field of specialization. It also includes the study of foreign languages and physical education. This period

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1. Ibid., art.23.
2. Ibid., art.26.
lasts for six months after which the participant is sent for another two months of internship in a private enterprise for the purpose of acquiring knowledge regarding the history of the enterprise, how it is administered and the administrative problems it is facing.

In the last stage students follow the group discussion method in problems they might face in their future jobs. This is characterized by the practical nature of the problems being discussed.

Students at the end of each stage are given examinations for the purpose of ranking them in order of their achievements.

If a participant secures a very low average he is either appointed in the category IV instead of category III, or he might be required to repeat part of the program or the whole program.

Before the end of the preparation session by three months the Council of Ministers should specify the vacancies that can be filled by participants in accordance with major. Participants have the right to choose the position in accordance with their rank in the Institute.

Participants who have graduated in the field of Public Administration and Foreign Affairs can be appointed in the office of the President of the Republic, Prime Minister's Office, CSB, Central Inspection and all other Departments.

Those who graduate in the field of Economic and Financial Affairs can be appointed to the Council of Accountants, Financial Inspection Service, the Ministry of Finance and other ministries.

1. Ibid., arts.27-34.
2. Ibid., art.41.
Those who graduate in the field of Social and Cultural Affairs can be appointed in the Labor and Social Affairs Ministry, or in the Ministry of Education and Fine Arts, Ministry of Public Health, etc.¹

The Intermediate Branch in the Preparation Section: This Branch prepares applicants who would join the upper steps of category IV.

After the CSB had determined the vacancies needed as in the Higher Branch, entrance examinations are prepared for those who meet the following qualifications:

For employees who are in the lower section of category IV who have Baccalaureate Part I and who have been in service for a period of five years or for those employees in category IV who have been in service for ten years.

For new employees they should meet general employment requirements and should have a Baccalaureate Part II.

As it is the case in the Higher Branch the applicants have to sit for a semi-final examination, then for a final examination and for a series of voluntary examinations. Final lists of those accepted to join the Institute are prepared by the CSB taking into consideration the number of vacancies available, the applicant's rank in the entrance examination and the sectarian distribution.

The period of preparation for this Branch lasts for one year and is divided into three stages:

1. The first stage lasts for six months. It is dedicated for general instructions and an introduction to the field of Public Administration

1. Ibid., art.43.
on a lower level. It also includes the study of French or English as a foreign language.

2. The second stage lasts for three months. It is characterized by the practical nature of the problems discussed. It includes Public Accounting and other clerical activities, mail distribution and public relations, etc.

3. The third stage lasts for two months. It includes the application of what the participants have learned. Here participants are distributed to the units in which they will be working after they graduate.¹

Participants are given a series of tests and are ranked accordingly. They are appointed by a Decree in the Council of Ministers and have the right to choose the positions they like in accordance with their rank.

Training Section: This Section was created to train employees who are working in the Administration, semi-autonomous public agencies and municipalities under the control of the CSB.²

As in the Preparation Section, the Training Section is divided into three fields of specialization; Public Administration and Foreign Affairs, Economic and Financial Matters, and Social and Cultural.

The Training Section is divided into four Branches: The Higher Administrative Studies Branch, the Higher Training Branch, the Intermediate Training Branch, and the Elementary Administrative Training Branch.

Employees are not supposed to attend more than one training session in a year.

¹ Ibid., art.59-62
² Decree No. 7058, art.1, July 5, 1961, Lebanese Official Gazette No. 30.
The Higher Administrative Studies Branch. Recruitment to this branch is done on a voluntary basis from employees that belong to category II. However, if the number of those volunteering is less than 15 persons, the CSB has the right to choose a number of employees from that category to make it fifteen. Employees of the category I can partially or wholly join this Branch if they wish so.

Training in this Branch is for a period of three months. Each training tour should include a minimum of 15 trainees and a maximum of 30 trainees.

Training was supposed to be outside the regular working time; but it was later left to the CSB to determine if the trainee should be excused from part of his working hours.

Training in this Branch includes both general education and technical studies and discussion seminars about major problems in the field of Public Administration.

At the end of the training period trainees are evaluated and ranked. Trainees who rank in the upper 25% can have their promotions forwarded a period of six months. If the CSB approves trainees in the upper 50% can have an equivalent of one month pay of their salaries as a reward from the NPAI budget.

Higher Training Branch. This Branch is open for employees in the upper steps of category III. These employees have to sit for a qualifying examination.

1. Decree No. 1800, arts. 76-87, op. cit.
2. Decree No. 7058, art. 2, op. cit.
Training in this Branch is for a period of six months and should include a minimum of 30 trainees and a maximum of 50.

Training in this Branch is divided into four stages:

1. The first stage lasts for a period of three months and includes general introduction and orientation to the scientific approach of Public Administration. In addition, the trainee should take French or English as a foreign language.

2. The second stage lasts for 15 days. The trainee is sent for internship in a private enterprise.

3. The third stage lasts for two months. It stresses the practical methods of work simplifications and procedure improvement.

4. The fourth stage is for a period of 15 days. In this stage employees who belong to the Central Administration are sent to the fields and those in the field are brought to the Central Administration.

Benefits to those who rank in the upper 25% and the upper 50% are similar to those in the previous Branch.

The Intermediate Training Branch: Trainees to this Branch are selected after a qualifying examination from the lower steps of category III or from employees from category IV who have a University degree.

Training in this Branch lasts for four months. Training here is a combination of both theoretical and practical.

Graduates of this Branch have similar benefits as the previous one.

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1. Ibid., arts. 100-108.
The Elementary Administrative Training Branch:¹ This is open to employees of category IV and have no academic degree. They are selected on the basis of a qualifying examination. The training here is also a combination of both theoretical and practical approaches but on a lower level than the previous one. It lasts for a period of four months. Remuneration to this group is similar to the one before it.

Accelerated Training: Due to the lack of time and because of inadequate preparation on the part of the NPAI, and because the recent Administration Reform movement necessitated an immediate training on the part of the NPAI to explain the contents of the rules and regulations; the CSB was authorized to start immediate training on an accelerated basis disregarding the limitations of the regular training procedure.²

1. Ibid., arts.109-119.
PART THREE

EVALUATION OF THE CIVIL SERVICE BOARD

IN

ACTION
CHAPTER VII

THE WORK OF THE PERSONNEL DIRECTORATE,

Accomplishments, Failures, and Problems Faced.

After describing how the Administrative Reform movement resulted in the establishment of the CSB, and the functions and responsibilities given to this body, it is my intention in this chapter to give a summary of the actual work that the CSB was able to achieve, how it went on executing its functions, and the problems and difficulties that it faced. The last section of this part is intended to be an analytical appraisal of the pitfalls that the CSB made in executing its functions.

In describing the achievements of the CSB I shall concentrate on the main areas where the CSB was supposed to work. Its routine clerical activities will not be the object of my concern.

As would be expected from a new organization staffed by people who had not occupied any administrative position before, the first period of operation was a period of trials and errors. It had to work in an atmosphere full of suspicion and doubts. Line administrators were resentful of the extensive power given to the CSB. Politicians were also afraid that if the CSB takes its role seriously it would endanger their political status. Employees were afraid that they might be dismissed either for incompetence or for political affiliation. The country was still unsettled and the two fighting camps were still watching each other more carefully than before. In this atmosphere of inexperience on the part of the staff of the CSB, and of fear, suspicion and political instability on the part of the Administration and the country as a whole, the Civil Service Board had to launch its activities. It had first of all to gain recognition from those it had to control, supervise and direct. It had to dissipate the fear.
and suspicion of those in the Administration and others who view the jurisdiction of the CSB as constituting a serious danger to their power and as an encroachment on their legal rights. Furthermore, it had to win the support of the politicians.

Another major problem faced by the CSB was the ambiguity of the Decree defining its power and its jurisdiction. As indicated in the first part of this thesis the CSB was created originally to include in addition to the Personnel Directorate and the Preparation and Training Directorate, the Research and Guidance Directorate and the Central Inspection Directorate. For reasons mentioned earlier the CSB was divided into two agencies. This division was done after the Central Committee for Administrative Reform had already prepared the draft Decree dealing with the Personnel Law. Several articles in this Law used to refer to the Research and Guidance Directorate as if it is still a part in the CSB 1.

This ambiguity, however, was later straightened out by a series of amendments aiming at defining the jurisdiction of each unit 2.

At this first stage the CSB had a resourceful capital to draw upon. First of all it had the full-fledged support of President Chehab who considered the Administrative Reform movement and particularly the creation of the CSB as one of the great achievements of his regime. This support would naturally offset the political pressure that the CSB might get from politicians and pressure group leaders. It further had the support of the press which created

1. See the following sources:
a) Legislative Decree No. 112, art. 74, June 12, 1959, Lebanese Official Gazette, No. 29

2. Decree No. 2460, art. 21, October 9, 1960, Lebanese Official Gazette, No. 47

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a favorable opinion towards the CSB, and helped to formulate high expectations among the public for its achievements. And finally it had the honesty, sincerity and straightforwardness of the Board members as a good asset to start with.

Perhaps one of the major reasons for establishing the CSB was the laying of a sound and impartial recruitment system that would be able to prohibit unqualified persons from getting into the service and at the same time, a system that would attract qualified persons for applying to the service.

It is very important at this stage to study the achievements of the CSB in this field, how it went along doing its job, and what problems it faced.

Administrative units concerned would tell the CSB that they wanted to fill a number of vacancies which they had. The CSB would check to see whether money was appropriated, and whether these vacancies were needed. Since the CSB is inadequately staffed, they would usually take the word of the unit concerned that the job is needed and would be satisfied if money was available for the post.

After receiving requests from departments who want to fill their vacancies, the CSB would announce these vacancies in three newspapers and on the radio, and ask people interested to see the qualifications needed at a bulletin board near the door of the CSB building. There, on a small bulletin board, vacancies would be listed and qualifications needed specified and the date of application, and the date of examination determined.

Qualifications required for a position are either specified by Decrees or are set at the moment by a responsible employee from the CSB in consultation with the department asking for the position. Questions are prepared by the CSB in consultation with the department concerned and sometimes with non-employees.
The examinations are given and papers are corrected by a committee appointed by the CSB.

On this basis the CSB in 1960 conducted six competitive examinations, for which 2060 candidates applied and out of which 1780 took the examination. Table 1 shows the date, number of applicants, number of participants, number of those who passed the examination, general average, and percentage of those who passed.

Table 2 shows the qualifications needed, and the subject of the examinations.

In 1961, the CSB conducted 17 competitive examinations, to which 3189 applied, 2091 participated and only 288 passed, as can be seen in table 3.

Table 4 shows the examinations, the required qualifications and subjects given.
<table>
<thead>
<tr>
<th>Year</th>
<th>Examinations Given</th>
<th>Date</th>
<th>No. of Examinations</th>
<th>No. of Those Who Passed</th>
<th>No. of Those Who Got Above Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>1946</td>
<td>620</td>
<td>1st</td>
<td>3</td>
<td>8</td>
<td>6.4</td>
</tr>
<tr>
<td>1947</td>
<td>630</td>
<td>2nd</td>
<td>3</td>
<td>8</td>
<td>6.5</td>
</tr>
<tr>
<td>1948</td>
<td>640</td>
<td>3rd</td>
<td>3</td>
<td>9</td>
<td>7.6</td>
</tr>
<tr>
<td>1949</td>
<td>650</td>
<td>4th</td>
<td>4</td>
<td>9</td>
<td>8.3</td>
</tr>
</tbody>
</table>

**TABLE I**

**DISTRIBUTION OF EXAMINATIONS GIVEN 1946**
| Table 2 |

<table>
<thead>
<tr>
<th>EXAMINATIONS, CREDITATION AND SUBJECTS OF EXAM</th>
<th>QUALIFICATIONS REQUIRED</th>
<th>SUBJECTS OF THE EXAMINATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Arabic Typing</td>
<td>Arabic Composition, Arabic Translation, Translation to General Education, Science &amp; Mathematics, Computer Composition, English, French, Geography</td>
<td></td>
</tr>
<tr>
<td>2. Assistant Custom Supervisor</td>
<td>Certificate, 4th Secondary or Preve</td>
<td></td>
</tr>
<tr>
<td>3. Public School Teacher</td>
<td>Certificate, Bachelor degree</td>
<td></td>
</tr>
<tr>
<td>4. Custom Supervisor</td>
<td>Bachelor degree in Law or the University degree in Statistics plus a Diploma</td>
<td></td>
</tr>
<tr>
<td>5. Statistician-Bureau Head</td>
<td>University degree in Statistics plus a Diploma</td>
<td></td>
</tr>
<tr>
<td>6. Statistician-Ser vice Head</td>
<td>Bachelor degree in Law or the University degree in Statistics plus a Diploma</td>
<td></td>
</tr>
<tr>
<td>II Part plus 10 years service and passing of baccalaureate examination in Mathematics or in Economics</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Education, English, French, Geography, Sociology, Science &amp; Mathematics, Computer Composition, English, French, Geography</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Education, English, French, Geography, Sociology, Science &amp; Mathematics, Computer Composition, English, French, Geography</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Examination</td>
<td>Candidates</td>
<td>No. of Passes</td>
</tr>
<tr>
<td>-------------</td>
<td>------------</td>
<td>---------------</td>
</tr>
<tr>
<td>1961.68</td>
<td>12</td>
<td>8</td>
</tr>
<tr>
<td>1961.69</td>
<td>11</td>
<td>8</td>
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<td>1961.70</td>
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<td>7</td>
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<td>1961.71</td>
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<td>1961.72</td>
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<td>1961.73</td>
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<td>1961.77</td>
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<td>2</td>
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<tr>
<td>1961.78</td>
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<td>1</td>
</tr>
<tr>
<td>1961.79</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Year</td>
<td>Initials</td>
<td>Rank</td>
</tr>
<tr>
<td>------</td>
<td>----------</td>
<td>------</td>
</tr>
<tr>
<td>1969</td>
<td>285</td>
<td>25</td>
</tr>
<tr>
<td>1970</td>
<td>286</td>
<td>1</td>
</tr>
<tr>
<td>1971</td>
<td>287</td>
<td>1</td>
</tr>
</tbody>
</table>

**Source:** Annual Report of the CSB to the Council of Ministers, March 28, 1962, Japanese Official Gazette, pp. 518-519
Health Degree
1. He should have a Public
2. He should also have Ph.D.
3. He should be 35 years old.

Inspector of the Central

The same as No. 17.

Assistant Inspector of the Central

The same as No. 16.

Assistant Inspector of the Central

The same as No. 15.

Assistant Inspector of the Central

The same as No. 14.

Assistant Inspector of the Central

The same as No. 13.

Assistant Inspector of the Central

The same as No. 12.

Assistant Inspector of the Central

The same as No. 11.

Assistant Inspector of the Central

The same as No. 10.

Assistant Inspector of the Central

The same as No. 9.

Assistant Inspector of the Central

The same as No. 8.

Assistant Inspector of the Central

The same as No. 7.

Assistant Inspector of the Central

The same as No. 6.

Assistant Inspector of the Central

The same as No. 5.

Assistant Inspector of the Central

The same as No. 4.

Assistant Inspector of the Central

The same as No. 3.

Assistant Inspector of the Central

The same as No. 2.

Assistant Inspector of the Central

The same as No. 1.
The above tables clearly indicate the huge task the CSB had to do in two years when it was inadequately staffed by competent people who can administer such a variety of examinations.

Table 1 and table 3 might indicate the low qualifications of those who applied to the public service. One is led to inquire about the reasons of such a high rate of failure. It is believed that these examination papers are usually corrected by an independent group of persons both from within the Administration and from without. Each paper is graded with fairness. A possible reason for this failure might be the low qualifications and academic standard of those who apply for public jobs. Another possible reason might be the rather awkward qualifications asked by the CSB. A further answer might be the poor preparation of the questions of the examination. Another inference from these two tables is the fact that few persons applied for jobs that really need technical skills. Only three persons applied for a statistician position. This might be due to either the unavailability of persons with technical skills in Lebanon or the rather awkward qualifications asked from the applicants. For it is most unlikely to find a person who has a University Degree in Statistics and at the same time a Law Degree.

The CSB did not try to undertake a general survey of the civil service positions in an attempt to draw a uniform position classification system for all the Administration.

The absence of a uniform position classification system rendered the functions of the CSB in the field of recruitment largely subjective. Two positions having similar titles in two different ministries have different functions and require different qualifications. This is true since through the history of the Lebanese Civil Service no scientific well planned comprehensive study to group
similar positions under similar titles, or to draw a correct position
description was undertaken. Each ministry was responsible for its own
recruitment. Selection was done on a patronage basis.

A person might have been hired under the title of a chief clerk while
what he would be actually doing would be simple clerical duties.

Another problem in CSB recruitment is the fact that it did not carry
a comprehensive survey to determine the needs of the ministries for the
positions they have, or have requested. As was mentioned in the first part
of this thesis, the Lebanese Administration suffers from excess of personnel.
The failure of the CSB to undertake a man-power survey made its function
in checking positions needed unreliable.

A third problem of the CSB recruitment policy is that in its stress to
eliminate unqualified applicants from entering the civil service it neglected
the other aspect which is more important namely of attracting qualified persons
to compete for public offices. Recruitment in this positive sense was absent.
The CSB did not make an effort to compete with private business where most
qualified persons go. A simple announcement in a newspaper is not sufficient
to encourage and attract good applicants. People outside the Beirut area
would find it extremely difficult to know what vacancies are available and
what qualifications are required. Unless a person is particularly interested
or has been unemployed for a long time he would not take the risk and the
trouble of leaving his village and coming to Beirut. Supposing a person
is interested and is ready to take the risk; it is most unlikely that he
knows the location of the CSB. Since it has been newly established, the
CSB is still unknown to the average educated person.
They normally find it much easier to pay a visit to their representative or to the influential person in the district to intervene on their behalf and find them a job. In this field the CSB has drastically failed to establish a direct contact with its clients namely those who have qualifications that enable them to be good civil servants. The consequence of this failure is that a large number of those who apply for civil service posts are without the qualifications required.

A fourth problem, perhaps the most serious, is the irrelevance of qualifications required, examinations given and types of functions to be performed. This is basically a failure on the part of the CSB to determine the functions and duties involved in each position to be filled. This led to a failure in assessing qualifications required and consequently in preparing the examinations. To illustrate this point I shall give this example: If we look at table 2 under examination number six we find that the CSB wanted to recruit a person who can occupy a position of statistician. Any applicant to this position was supposed to have a License in Statistics in addition to a License in Law, or a University Degree in Public Administration or Economics or Baccalureate Part II plus 10 years of experience. One can understand the need for a degree in Statistics for this position, but the requirement that he should also have a Degree in Law is irrelevant. For although this statistician might be in charge of a Service, he does not need a Law Degree in order to be able to control and direct his Service in accordance with existing rules and regulations. In this particular situation the material to be tested was General Education and Statistics. One wonders how could a Law Degree be of any use in this case.

As can be seen from the previous tables for almost every position in Grade III or above, applicants should have a Law Degree or its equivalent.
This stress on Law as a prerequisite for getting a civil service position is a French legacy which has largely been abandoned in France itself. Graduates of the American University of Beirut with a B.A. or a B.S. are placed at a disadvantage since a B.A. is considered to be equivalent to two years of college work; while the Licence in Law is equivalent to four years of college work.\(^{1}\) The equivalence does not provide consistency for degrees such as M.A., Ph.D., etc.

Another problem connected with the previous one is the failure of the CSB to establish a standard for tests to be given to the prospective civil servants. Every time a vacancy is to be filled the CSB has to decide what subjects to include in the test, what weight to attach to each subject and what qualifications it requires. Questions given are tested neither for their validity nor for their reliability. These questions vary from time to time for the same position in accordance with the person in charge of the preparation of the tests. A further limiting factor that helped to restrain the CSB from applying the merit system in recruitment is the fact that it had to consider sectarian interest and to maintain a balanced distribution in its appointment to the Administration.\(^{2}\) This means in practice that if three positions are to be filled by a Moslem, a Christian and a Druze and if all who passed the examination belong to one sect, they cannot be appointed to the positions. To overcome this limitation the CSB interpreted the merit system to mean appointment of those who rank higher in the competitive test in their sects. Thus it becomes possible to appoint a person who ranked 30th in the competitive examination and refuse to appoint a person who ranked 2nd or 3rd. An since the CSB in listing the names of those who passed does not indicate their religion, it is possible

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1. Decree No. 7567, February 8, 1952.
2. See Legislative Decree 112, art.96, June 12, 1959, Lebanese Official Gazette No. 29. See also the 1926 Lebanese Constitution, art.95.
to appoint anybody who has passed on the assumption that sectarian balance necessitates it.

Two other problems faced the CSB. The first of these problems is that of the hired workers and the second one is that of the acting workers.

Hired and temporary workers are those workers hired by the various ministries on a temporary basis to perform certain functions. The difference between a hired worker and a contractual one is the existence of a contract between the government and the employee in the case of the contractuals.

Although hired employees should have the approval of the CSB before they can be hired; they do not have to pass a competitive examination. ¹

To avoid the limitations of the merit system, ministries resorted to the practice of hiring workers instead of permanent employees. Since the CSB lacked the experience and since there was no position classification for civil service positions, it tended to approve most of the requests for the hiring of workers. Usually these hired workers were appointed more on a political basis than for their qualifications. Ministries resorted also to a similar practice regarding acting employees. For the purpose of avoiding limitations set by the personnel law on the way of recruiting new permanent employees, they tried to appoint permanent employees who were of a lower category to posts—which they would not be entitled to if the personnel law were to be applied— in an acting capacity. In time the vacancies filled through these two methods increased considerably.² These two groups of employees, since

¹. Legislative Decree No. 122, art. 90-95, June 12, 1956, Lebanese Official Gazette No. 29.

². An analysis of the 1963 Lebanese Budget shows that 17683 employees were on permanent basis and about 1640 non-permanent. In the Ministry of Guidance Information and Tourism alone there are 225 non-permanent employees.
they usually come to occupy their positions through political interference, formulated a pressure group and started asking to be appointed on a permanent basis. The CSB was determined to apply the rules and regulations. They were determined to stand against political interference. Those who favored the appointment of these employees on a permanent basis argued that since these employees have been doing their job satisfactorily for quite a long time, what is the use of subjecting them to the competitive examination procedure. They admitted that these employees do not have the qualifications specified by the rules and regulations and that they would probably fail the examination.

Due to strong political pressure, the CSB was forced to reach a compromise by giving the hired or acting employees of each ministry separately the chance to sit for a "competitive examination" which would be limited to them only.

The solution sounded reasonable for both sides. The CSB would save face by giving a "competitive examination." The hired and acting employees would be more sure of success since the requirement of formal qualifications specified by the law would be waived. Furthermore, this examination would be limited to them, thus evading the danger of competition by others who might be better qualified. They even thought that the examination would be tailored to fit their abilities.

Upon taking this test only 11 employees out of 250 passed it. This problem is still unsolved, and the CSB is placed in a dilemma. All symptoms indicate that the CSB will waive the examination requirement.

A further way - which was greatly practiced by the various ministries - to evade the limitations of the merit system, was the resort to contractual employees.

1. AL NAHAR, June 12, 1962
2. AL NAHAR, April 2, 1963
Since contractual employees do not have to sit for a competitive examination and need not have the same qualifications specified by law, various ministries resorted to this practice. Thus a person might be hired on contractual basis as an "expert" although he might not have the qualifications which would entitle him to be hired as an "ordinary" permanent employee. The increased number of the so called "experts", both locals and foreigners, has led some newspapers to call Lebanon the "state of experts." 1

In addition to its activities in the field of recruitment, the Civil Service Board undertook several other activities. In 1960 the number of decisions taken by the CSB regarding all aspects of personnel administration reached 2328 distributed over all ministries. 2 In 1961, the number of decisions taken was 2245. 3

In its relation with the semi-autonomous public agencies, the Civil Service Board tried to apply the rules and regulations governing this relationship. It was supposed to see that every one of these agencies should have a personnel law which should have the approval of the CSB. Some of these agencies accepted the supervision of the CSB regarding personnel matters. Others did not accept the supervision of the CSB and did not take its advice. Others did not even ask for the advice of the CSB. 4

In the area of general supplies, the CSB was able to achieve substantial savings. Although it failed to provide actual control and supervision over the various supply stores that used to be under the supervision of each

1. AL NAHAR, Jan. 1, 1963
4. Ibid pp. 533-534
ministry and became later under its supervision, and although it was unable to check the need for the requisitions of various ministries and failed to unify the quality of the general supplies for all ministries, it realized a saving in 1960 of about 414,151 Lebanese Pounds distributed as follows:

<table>
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<th>Item</th>
<th>Amount</th>
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</thead>
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<tr>
<td>Furniture</td>
<td>202,627</td>
</tr>
<tr>
<td>Technical tools</td>
<td>42,359</td>
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<tr>
<td>Publications</td>
<td>27,546</td>
</tr>
<tr>
<td>Clothes</td>
<td>141,620</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>414,151</strong></td>
</tr>
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</table>

In accordance with Decree Number 7366 dated August 18, 1961, the jurisdiction of the CSB in personnel matters was extended over the municipalities. On this basis, the CSB with the agreement of the municipality prepared the personnel law of Beirut Municipality, and the Fire Brigade. It is still studying the personnel law of several other municipalities in an attempt to unify the personnel law among these municipalities and to see that it does not basically violate the personnel law that governs the central civil servants.

As mentioned earlier in this thesis, the Central Committee for Administrative Reform was unable to complete all project Decrees entrusted to it due to the shortage in time. The CSB was thus entrusted with the responsibility of completing these draft Decrees and submitting them to the Council of Ministers for final approval and promulgation. A great portion of the CSB's time was spent on the preparation of these draft Decrees. Thus they were able to prepare the rules and regulations governing the employees who would be sent to specialize outside. They were also able to prepare the rules

1. *Op cit* p. 286
2. Decree No. 8868, February 27, 1962.
and regulations establishing the Employee Cooperative. In the field of Organization and Methods, and with the help of the Research and Guidance Service, the CSB prepared the sample to be used for personnel files. Although these forms have been typed and are ready for use, until now few ministries started using them. The CSB is now faced with the problem of training employees on the way this file is to be used, and the source for getting the information needed.

1. This is still being discussed by the Lebanese Parliament for final approval.

The NPAI was created for the purpose of developing and training human potentialities which are the pillars for any national development. In an administration which is characterized by corruption, inefficiency, lack of initiative, irresponsiveness and absence of identifications with the broad organizational goals on the part of the civil servants, the need for training is great.

It was expected that before the NPAI starts its functions it would undertake a general manpower survey to determine personnel needs and resources. This survey would look for future as well as present needs and allow for review and reappraisal. Comparison of the difference between actual circumstances and the standards of performance that public goals require should have been the basis for the findings of the survey. This survey should have been the basis for determining training needs and costs required. The CSB did not attempt to carry out such a systematic survey but relied completely on common knowledge and general observations, and on the experience of training institutes in other countries.

Having decided on the program and procedure to be followed in its training without undertaking such a survey, the NPAI started looking for the necessary staff. It called for the help of some foreign experts - basically French- and some university professors and other senior administrators in
the Lebanese Civil Service to prepare some lectures pertaining to the field of Public Administration 1.

The Anglo-American approach to the study of Public Administration was hardly represented, while the French Legal approach was overwhelmingly predominant.

A third difficulty which was faced by the NPAI was the absence of the physical facilities without which training is seriously hampered. Books, films or any other training materials were not available. Room where trainees could have their training sessions were also unavailable. Trainees had to travel a distance of 10 kilometers to an under-construction building where they received their training 2.

The absence of physical facilities plus the psychological condition of the trainees rendered the first training sessions very unsuccessful. Trainees were supposed to work during the day - sometimes they were excused from two hours work - before coming to classes. They resented sitting on wooden benches and answering questions. They were not even given the chance to accept or refuse participation in these accelerated training sessions. All of these factors, added to the fact that the training staff was not fully competent, helped to create a feeling of resentment among the trainees, and, consequently, led to a lack of cooperation in the training sessions 3.

1. Interview with Mr. Hassan Farhat, Director General of the NPAI, March 18, 1962
2. Ibid
3. The above discussion was based on an interview with Mr. Hassan Farhat, Director General of the NPAI, March 18, 1962.
In 1961, the CSB moved to a new building and the NPAI was given the ground floor which was well furnished and equipped to hold training sessions. A new library was also attached to the CSB to help trainees in their study.

As was explained in Part II of this thesis, the functions of the NPAI were divided into two fields, Preparation and Training.

The field of Preparation in the NPAI. - This field has not opened yet. The delay in the Preparation function is due to several reasons.

In the first place the CSB has not carried out a comprehensive manpower survey to determine the Administration's need for human resources. As we have explained in Part II, once students are accepted to the Preparation section of the NPAI they start enjoying the status of employees. This means that upon graduation they should be employed by the CSB in the various ministries. In the absence of an estimate of the Administration's need, the appointment to the Civil Service becomes doubtful, a factor that encouraged the NPAI to postpone its Preparation function.

A second factor that led to the procrastination in the Preparation activities is the absence of a competent staff to be engaged on a full time basis by the NPAI. If funds were available, this factor could be overcome since a number of competent public administrators both local and foreign are available to be hired.

A third factor is the absence of teaching material and facilities. As mentioned earlier, the Preparation functions involve, besides the theoretical studies, internships in both government organizations and private agencies.

L. Ibid.
This would naturally involve a lot of preparation and planning. In this field the NPAI had done nothing to secure the cooperation of the organizations concerned.

A fourth possible factor might be the resistance of politicians to the work of the Preparation section of the NPAI. As indicated before, when the Preparation section of the NPAI starts its work, appointment to the III and IV Categories of the Lebanese Civil Service will be limited to graduates from the Institute. This would probably lead to a restriction on the power of the politicians in the field of appointment, which they will naturally resist.

The Normal Training Program. In Part II, the Normal Training Program was discussed in detail. Up to October 1962, the NPAI did not start its Normal Training Program. In October of that year training was started on the Intermediate and Elementary levels only. The Higher Administrative Studies branch and the Higher Training branch have not started functioning yet.

Selection of participants for Elementary and Intermediate training was not done in accordance with the specification of Decree number 4800. No entrance examination was given to participants who wanted to join the training sessions. Participants were probably induced by their supervisors to participate in these sessions. After receiving the applications, the CSB selected a number of these candidates without subjecting them to the specified entrance examination. A probable reason for the waiving of the entrance examination might be the unwillingness of the employees to take it. It is believed that participants did not voluntarily and willingly apply for the
training sessions. The CSB thought that for the purpose of encouraging participants to apply, it might be better to waive the entrance requirement.

Participants in these sessions were not excused except from two hours work each day.

**Elementary Training Branch.** In this branch participants were given training in the fields of Personnel Administration, Statistics, Accounting, Sociology and Administration in general. After several introductory sessions the participants of this group were divided into two groups for the purpose of facilitating group discussion and the application of the seminar method. One group consisted of 22 participants and the other one of 14 participants.

Participants in the Elementary Training session belonged to Category IV. They were selected from various ministries and departments and were performing basically different and unrelated functions. This absence of homogeneity rendered training extremely difficult. Professors were faced with the difficulty of giving training material that would be useful and meaningful to all participants and were forced to stress the general aspects that were common among the various participants. As a consequence participants were deprived of the benifit of a practical approach.

Participants in this group were generally of an inferior academic caliber. They lacked the proper motivation. They were not properly interested in the studies being given. They even lacked the time to undertake any systematic research. Methods of teaching that rely on the active participation of students who would be entrusted with the responsibility of exploring a certain problem and would be expected to discuss it in a scientific spirit in a group.
discussion — as the seminar method which some professors tried to apply—did not prove to be successful.

They were not interested in carrying research or consulting other references besides those given in the class. They had limited access to books which were supposed not to be taken outside the CSB library.

The Intermediate Training Group. Participants in this group were given a general theoretical approach to the study of Public Administration. Later they were divided into two groups in accordance with the type of activities they were doing. The first group was the Economics and Financial Studies Group. The second group was the Public Administration Group. Training is still going on and it is premature to give any judgement at this stage.

It seems that those responsible for the running of the NPAI do realize the importance of the practical approach in these training sessions. They also do realize the shortcomings of the legal approach to the study of Public Administration. But due to the political and cultural situation most of the staff of the NPAI is of a legal academic background.

The Accelerated Training Program. To explain the change brought by the recent Administrative Reform movement, the NPAI organized a series of accelerated training sessions which started in late 1960.

1. Interview with a professor in the NPAI, March 22, 1963

2. In this respect it is important to mention that two foreign experts Mr. Grenier, a Canadian, and Mr. Jumber, an American, are working with the CSB as advisors and are helping in the training given to the NPAI.
Employees who participated in these sessions were not chosen in accordance with their positions or educational qualifications. They were not subjected to any entrance examinations requirement. They belonged to different ministries. Participants in these sessions were given general lectures in the field of Public Administration.

Those who belonged to the Financial sessions got their training in Finance and Accounting. The NPAI prepared a series of lectures dealing with the "Administrative Reform" and analyzing the various stages of the Administrative Reform in Lebanon, and the Legislative Decrees.

The NPAI also organized a series of lectures about the "Scientific Organization of Administrative Work" which included practical information about various administrative problems that all the employees need in executing their functions.

Since no definite program was ready and because the participants of these training sessions were performing different functions the training given was basically general and theoretical. The NPAI attempted to follow the method of lectures which would be followed by discussion sessions. It also tried to follow the practical method where participants should take part in a practical way in solving problems that might face them in their daily work.

Lectures for Category I. The NPAI started these accelerated training sessions by a special session for employees in Category I, and for the Muḥafizeen (Prefects) and Kaim Makemeen (sub-Prefects) which lasted for a period of six weeks. These sessions started in November 24, 1960 and ended in December 15, 1960. The lectures concentrated on the scientific
organization of administrative work, and the Administrative Reform.

**Lectures for Category II.** The second group was composed of head of Services and head of Secretariate. It started on November 21, 1960, and ended on January 21, 1961. Sixteen participants attended these sessions. Ten of them passed the test given at the end of the session.

**Administrative Sessions for Category III.** Due to the large number of participants in the sessions of this group, three training tours were organized.

The first tour started on November 21, 1960, and ended on February 21, 1961. It included 59 participants out of which 54 passed the examination given at the end.

The second tour started on September 18, 1961, and ended on December 18, 1961. This tour included 64 participants 53 of whom passed the examination.

**The Financial Group.** This was specially created to provide training for employees dealing with expenditures of public funds. It consisted of three tours.

The first tour started on November 21, 1960, and ended on February 21, 1961. It included 40 participants, 34 of whom passed the examinations given at the end of the tour.

The second tour started on March 23, 1961, and ended on June 23, 1961. 43 employees participated and 31 passed the examination.

The third tour started September 18, 1961, and ended December 18, 1961. It included 40 employees, 31 of them passed.
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**Table 9.1**

RESULTS OF THE TRAINING SESSIONS AT THE NPAI 1960 - 61
As table No. 5 indicates, 183 participated in the administrative group out of which 154 passed the examination. In the Financial Circle, 123 participated, 96 of whom passed the examination.

An analysis of the program of the NPAI shows that while it - theoretically at least - provides training for those who could pass a competitive selection test, it fails to provide any kind of training for the large number of civil servants who either do not have the initiative or courage to take these tests; or for those who do not have even the qualifications to sit for that selection test. It can be argued that the group of employees who have the courage and qualifications to sit for the selection test and pass the test are not in an urgent need for the training provided by the NPAI as the majority of employees who do not have the courage, initiative and qualifications to sit for the examination and pass it. This latter group of employees is the majority in the Lebanese Civil Service and logically it is the group in urgent need for training to raise its performance.
In evaluating the Civil Service Board and its work one should be careful not to give a premature judgement regarding a newly created body. Undoubtedly, it is too early to say whether the CSB will ultimately provide the basis for future administrative reform. It is also premature to doom the CSB to failure on the basis of the three years' work which has elapsed, for social and administrative change is a lengthy process. Another limiting factor which renders any judgement we give subject to question and lack of support is the fact that the CSB has been operating under one political regime. One would wonder whether it could serve another different political regime equally. One would also wonder whether those recruited by the CSB in accordance with the dictates of the "merit system" would be found qualified by the regime to come. It is also possible that the regime to come might be able to tell us more about the actual unknown operations of the CSB. Was it following the dictates of the "merit system" or the instructions of those in a position to give instructions? Was it really trying to eliminate appointment on the basis of political belief, or was it eliminating only persons who belong to one political group rather than the other? Can we say that the Civil Service at present does not contain many employees whose sole qualifications is the support of the present regime, or being the followers of some influential political leader? All these questions cannot be answered right now in a definite positive way, although one can pass a general guess based on day to day experience and informal talking with those who are taking decisions. It is extremely difficult to mention names and sources since most of the issues are hot and debatable. It will be satisfactory for my purpose here to mention some tentative comments regarding the work of the Administrative Reform movement in general and the CSB in particular. Some of these comments might be questioned. It is left for the future to judge to what
extent they hold true.

The major question which I shall attempt to answer in this section is whether the CSB and the Administrative Reform movement were able to attain what they attempted to attain. How efficient were they in their attempt to tackle some of the diseases of the Lebanese Civil Service? What factors limited them in solving these problems? It is important to keep in mind that we are not trying to question the need for the creation of the CSB; or the need for an Administrative Reform. Our comments are intended to apply to the CSB in action and the approach it followed in its work.

Answering these questions entails a brief recollection of the defects of modern civil service in general, and the Lebanese Civil Service in particular.

The defects most frequently associated with modern civil service are overdevotion to precedent, remoteness from the rest of the community, unaccessibility and faulty handling of the general public, accompanied with lack of initiative and imagination. Sometimes civil service organizations are ineffective which normally lead to waste of manpower, procrastination and unwillingness to take responsibility or to give decisions 1.

In its "Five Years Plans for Economic Development", the Lebanese Government described the Lebanese Civil Service as lacking in its administrative and human systems, and pointed out the necessity of reforming the

administrative system and seeking the help of experts for this purpose.

"As for the deficiency in the human system, it may be said that this system suffers from a complexity of diseases. Most employees are not appointed in a proper manner and they are neither trained nor paid sufficient salaries. Therefore, most of them do not perfect work, nor work with enough assiduity in order to secure an effective administration, nor do they have the integrity which would give the best people the desire to dedicate their life to public service. Consequently, civil service does not have the competence, knowledge and trustworthiness necessary for a state aiming at progress, nor does it have the prestige necessary for an effective rule.

This bad situation is due to many reasons the most important of which are: Employment is still greatly affected by partisan policy, favouritism, and sectarianism; and therefore, most of the positions are occupied by persons who would have not been able to obtain such positions had capability been the only standard adopted in employment. Second, the means of training in public administration are almost nonexistent. Thirdly, the low salaries have driven many employees of weak souls to accept bribes; constituted a justification for laziness, carelessness, and unpunctuality; and kept many qualified persons away from public service. Fourthly, the smallness of the number of working hours and the numerosness of official holidays have increased the ineffectiveness of the Government system and made the completion of work slower." ¹

In its attempt to solve these problems, were the Administrative Reform movement and the CSB successful? To what extent? And why did they fail?

¹. The Lebanese Council for Planning and Development, A Five Years Plans for Economic Development in Lebanon, (Beirut; 1958), p. 339
One of the main characteristics of the 1958-59 Administrative Reform was the overwhelming public support that this attempt received from both the government and its opponents. The 1958 incidents intensified this feeling and the Lebanese intelligensia became more than ever convinced of the need for reform. What helped to give this new attempt momentum was the personality of President Chehab who considered the Administrative Reform as the basis for his regime, and gave his whole-hearted support.

Another major characteristic of the 1958-59 attempt was the extensive power given to the Council of Ministers to legislate in all fields pertaining to the Lebanese Administration.2

A third characteristic of the 1958-59 Administrative Reform movement was the establishment of a systematic and elaborate administrative organ to carry out the intended reform.3

A fourth characteristic was the participation of persons who are not in the civil service. Provisions were made to take the opinion of outside groups into consideration.

In spite of all these advantages that the 1958-59 Administrative Reform had over its predecessors, it suffered from several drawbacks.

The immense task given to the Council of Ministers and the three months limit to complete this task rendered any scientific and proper studying of the Lebanese Administrative problems impossible. At the end of the three

1. Decree No. 193, December 6, 1958, Lebanese Official Gazette, No. 50
2. Decree No. 206, December 6, 1958, Lebanese Official Gazette, No. 50
months period, the CCAR found that it had to complete many Project Laws to present to the Council of Ministers. They had to rely heavily on the recommendations of the Work Committee. The Council of Ministers did not have the time necessary to study the Project Laws presented to it. At the end of the three months, the government approved 162 Legislative Decrees laying the basic regulations and procedure of all the Civil Service. 1

Another basic deficiency of the 1958-59 Administrative Reform was the failure of the reformers to draw a comprehensive Position Classification on Salary Scale for all government employees. This factor undermined the efficiency and effectiveness of the newly created CSB.

Although provisions were taken to insure cooperation and coordination among the different committees created, in actual practice this coordination was absent. Its absence was mainly due to the fact that every committee had so many tasks to perform that it neglected the work of the other committees. Another factor for this lack of coordination was the fact that most members of the work committee were appointed by the Council of Ministers without taking the opinion of the CCAR in this appointment. Thus, there was a tendency among the Work Committee members to work independently and sometimes in contradiction of the CCAR instructions.

A further undermining factor to the work of the 1958-59 Administrative Reform was the fact that most of the Work Committee members were chosen from among the civil servants who had their bias and prejudice and who were not known for their administrative expertness. This tremendously affected their recommendations.

Furthermore these Work Committees were very large (sometimes 30 members each) which rendered effective cooperation and participation of the members difficult.

1. Crow and Iskandar, op. cit., p. 79
A basic criticism of the 1958-59 Administrative Reform movement and all previous attempts to reform the administration was the method in which data was gathered and analyzed. People who lacked the technical qualifications were responsible for collecting the data. They did not know what to collect or how to collect what they needed. Even when they collected needed data, they were unable to analyze it scientifically and meaningfully. To the majority of these persons reforming the Administration could be realized through the formulation of new regulations and procedures that might have been applied in other countries and proved to be successful.

As we noticed when discussing the CSB in action, one of the main factors which hindered the CSB in executing its functions was the human element. Lebanon has not known a reform built on socio-economic studies. All that it had witnessed was the adoption of rules and regulations regardless of their applicability to the Lebanese Society.

It is further believed that an administrative reform cannot succeed in a vacuum. It should be accompanied by a political, social and economic reform. These conditions were never materialized to assist in the success of any of the administrative reforms that Lebanon had witnessed.

In its attempt to solve these problems, were the Administrative Reform movement and the CSB successful? To what extent? And why they failed?

To judge whether the CSB in Lebanon succeeded in realizing its objectives let us ask ourselves this question. Was the CSB in Lebanon able to develop what we know as the "merit system", that is a system of "civil service recruitment and tenure" based upon competitive entrance examination, relative
security from partisan removal, and political neutrality and non partisanship in public office?"¹ The answer to this question is in the negative.

In the United States, the "most important contribution" of the United States Civil Service Commission was the "improvement of examination techniques through the refinement and more extensive utilization of advanced testing methods. Psychological testing had been given a great impetus by the success of the Army program in World War I".²

In 1933-1937 the major achievement of the United States CSC "... lay in the development of the junior professional and managerial examinations."³

For while we see that the improvement of testing techniques are the most important contribution of the USCSC we find that the Lebanese CSB failed to establish a uniform standard for tests. The lack of uniform testing standards has seriously undermined the achievement of a "merit system". It is suspected that these competitive tests in Lebanon were tailored in such a way to give the testing authorities the opportunity to choose persons they want. The absence of a scientific comprehensive position description, for all the civil service combined with sectarian influence in appointment render any claim on the part of the CSB to be working on the dictates of the "merit system" completely false.

A further factor which limited the CSB in attaining its objectives was its over-emphasis on the legal approach, which led to the exclusion of able

². Ibid p. 309
³. Ibid p. 331
persons who do not have a legal back-ground from joining the civil service. This stress on law has resulted in the entanglement of the civil service with unnecessary rules and regulations.

Instead of reducing red tape and procrastination the CSB has intensified this trend. In its stress on achieving control it has spent more than it has saved. It has been argued that the "disease of making no errors at all costs, involved the American Government during the last war in disproportionate expenses through the detailed checking of comparatively trivial travelling expenses of huge numbers of officials, with the result that the total money disallowed is much less than the salaries of the auditors." 1 The same thing can be argued about the detailed rules and regulations by the CSB which were intended to achieve control but resulted in crippling the Lebanese Administration.

Some might argue that these detailed rules and regulations are needed in order to pinpoint responsibility on the part of the civil servants. To this way of reasoning I would join with Mr. Donald Kingsley and say that "the essence of responsibility is psychological rather than mechanical." True responsibility "is to be sought in an identity of aim and point of view, in a common back-ground of social prejudice, which leads the agent to act as though he were the principal." 2

For instead of occupying most of its time in the preparation of rules and regulations which were usually cast aside, the CSB in developing its training

program should have stressed the goals that the government is trying to achieve. It should have labored hard to develop among its employees a unity of aims and goals.

The efficiency of the administration in the long run depends almost entirely upon the personal knowledge and skill of its individual members. "Goal planning, mechanization and rationalization all play their part, but in the last resort it is the quality of the individual that counts." ¹

The Civil Service Board in Lebanon must realize that its role is not that of an administrative court. It must realize that its role is to cope with a dynamic and changing administration. Its emphasis should be on achievement and not only on the legality of a certain transaction. We can tolerate an administration that moves and works and errs; but we cannot tolerate an administration that is crippled with red tape and legality to an extent that it becomes almost impossible for it to achieve any positive goals.

While we witness in the advanced countries a shift from the formal legalistic approach to Public Administration to the democratic, behavioristic approach, we notice that in Lebanon the approach followed still concentrates on the former. In its attempt to achieve a neutral and independent civil service, the CSB failed to cultivate the benefits of a dynamic administration and at the same time it failed to achieve a neutral and non partisan civil service.

Another factor which limited the CSB from achieving its goals was the qualifications of the top personnel who man it. In addition to honesty and integrity, the members of the Board should be aggressive, otherwise the job will not be done. They must announce their convictions and stand by them; for this is the way through which the public can know whether to support them or tell them to quit. They must have the courage to disregard the demands of individual deputies who think they are the parliament. They may even have to speak against the Council of Ministers itself. (Connected with this factor is the fact that the CSB is inadequately manned. Out of seventy five employees assigned to it only forty four employees have been recruited. Several bureaus and even services in the CSB have not been manned yet. The position of the Head of NPAI Secretariat is vacant. The CSB was supposed to have sixteen supervisors; only eight supervisors have been recruited. Some of its members like the head of Specialization and Examinations Bureau, are not working in the CSB, but were delegated to some other departments.\(^1\) This lack of human potentials in the CSB rendered the achievement of its goals difficult.\(^\))

Another external factor which has led to the failure of the CSB in achieving its work was the constant and continuous interference of what has been called the "Administrative Reform Committee" under the chairmanship of the French military advisor Mr. Lay. This committee after the abolishing of the Ministry of Administrative Reform, was entrusted with the responsibility of carrying the work of the Administrative Reform in cooperation with the CSB and the Central Inspection Agency.\(^2\) Mr. Lay did not confine himself

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1. Interview with an employee in the CSB, February 9, 1963
2. Decree No. 2968, December 26, 1959
to his legal authority only. Having got the backing of the higher political authorities to which he acts as advisor, he increased his jurisdiction to an extent of making all other administrative organs in the Lebanese Civil Service subservient to him. Illegally he interfered in the day to day operations of the CSB. There is an indication that Mr. Lay's interference represents political interference on the part of the authorities, an interference which had contributed to the failure of the CSB in attaining a neutral non-partisan civil service.¹

As to the NPAI it is sufficient to mention the following incident to realize how insignificant its efforts were to the general public opinion. In November 24, 1962, one of the leading Lebanese daily newspapers mentioned the following news:

It was known that a group of deputies have decided to prepare a law calling for the creation of an institute for the purpose of teaching the principles of correct administrative work which is based on honesty. It should further work to prepare new employees needed by the civil service, employees who have the education and the moral virtues needed in the entire civil service. The project law calls for the arrangement of training sessions for existing employees in the fields of Administration and the relation of the employees with the citizens. This group of deputies justified their suggestion calling for the creation of the above mentioned institute on the basis that the general conditions in the civil service are deteriorating day after day because in appointing to vacancies in the civil service, qualifications are not being taken into account. Moreover, a large number of the civil servants are treating the public while performing their transaction in a very irresponsible way. Thus by creating such an institute, it is hoped that a group of qualified employees can be found in the civil service that can help to abolish the existing Chaos, negligence and ignorance in the civil service.²

¹ An interview with an employee in the CSB, February 9, 1963.
² Al-Jareeda, November 24, 1962.
This news indicates that three years after the creation of the CSB and the NPAI a group of deputies were unaware that there exists in the Lebanese Administration a NPAI whose functions are those mentioned by their Decree. It also helps to show that after three years of work the Lebanese Administration was described by a group of deputies as "corrupt, chaotic, indifferent and ignorant" and that it needs an institute to prepare and train the employees to be good administrators, and good citizens at the same time.

The Lebanese Administration does not lack any more the enabling legislation. All that it needs - in addition to the few present - is a great number of capable people who possess both the technical and moral qualifications and have the courage and ability to carry out the intentions of the existing rules and regulations. The success or failure of any administrative reform in Lebanon will depend to what extent and in what way the new blood will be inserted in the Lebanese Administration to assume leadership positions. In the presence of a responsible political leadership this condition is not far from being attainable, for Lebanon contains qualified human potential more than it can actually utilize.
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