

System of lebanon

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LEBANON'S CONFESSIONAL SYSTEM

The confessional system was detailed in the 1989 Taif Agreement, which sets up a proportional and highly inclusive power distribution system calculated based on the relative demographic presence and geographic distribution of the various minorities. The most senior government roles are also distributed to the three main religious factions, with the president being Maronite Christian, the prime minister Sunni and the speaker of the Parliament Shia. The 128 seats of the legislative body are also divided among them.



Nabih Berri
Shiite
SPEAKER OF PARLIAMENT

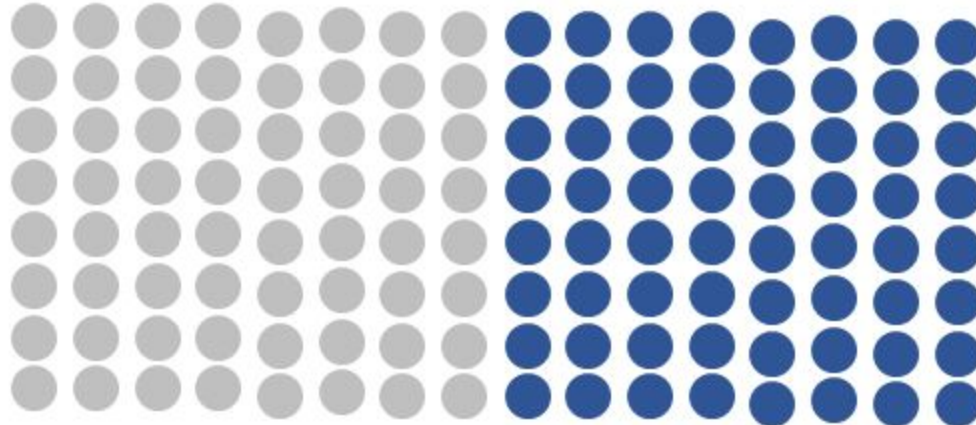


Saad Hariri
Sunni
PRIME MINISTER



Michel Aoun
Christian
PRESIDENT

50% MUSLIM
Sunni, Shia, Druze,
Alawite



50% CHRISTIAN
Roman Catholic, Maronite,
Orthodox, Protestant,
Armenian Catholics and
Orthodox

128 SEATS

President

Michel Naim Aoun is a Lebanese politician who has served as the President of Lebanon since 31 October 2016. He is Maronite Christian. Aoun joined the Military Academy in 1955 and graduated as an artillery officer in the Lebanese Army. In 1984, he became the youngest Commander of the Army, at the age of 49 years. On 22 September 1988 during the fourth phase of the Lebanese Civil War, the departing President Amine Gemayel appointed him as the interim Prime Minister of a Military Government, after the parliament failed to elect a new president, and dismissed the current government headed by the Acting Prime Minister Selim Hoss. This controversial decision saw the rise of two rival governments contending for power at that time, with Aoun being supported mainly by Christians and Iraq, while the other being supported by Muslims and Syria.



He declared the War of Liberation against Syrian Army forces on 14 March 1989, opposed the Taif Agreement, refused to recognize the newly elected presidents René Moawad and Elias Hrawi, clashed with the Lebanese Forces led by Samir Geagea, and survived an assassination attempt on 12 October 1990. On 13 October, the Syrian forces launched a decisive operation against Aoun, invading his strongholds including the Presidential Palace in Baabda and killing hundreds of Lebanese soldiers and civilians. Aoun fled to the French Embassy in Beirut where he declared his surrender and was later granted asylum in France where he lived in exile for 15 years.

In exile, he founded the Free Patriotic Movement, and advocated for the Syria Accountability Act by testifying in Congress. In 2005, a chain of widespread demonstrations triggered by the assassination of Rafic Hariri erupted in Lebanon, resulted in the withdrawal of Syrian troops from the country. On 7 May, Aoun returned to Lebanon.

Aoun was elected to the Parliament for the first time in the same year, while his party (Free Patriotic Movement) won 21 seats in the parliament, forming the largest Christian bloc, and second biggest bloc in the Parliament. In 2006.

In 2016 , he become the thirteenth President of Lebanon. He is the oldest president, taking office at the age of 83 years

Qualification of candidate to president in Lebanon:

The president of the Lebanese Republic is the head of state of Lebanon. The president is elected by the parliament for a term of six years, which is not immediately renewable. By convention, the president is always a Maronite Christian who is at least 21 years old.

The constitution requires the president hold the same qualifications as a member of Parliament (also called the Chamber of Deputies), which are Lebanese citizenship and attainment of the age of twenty-one years

Manner of election

Lebanese presidential elections are indirect, with the President being elected to a 6-year term by the Parliament.

new president, which selects a candidate for a six-year term on a secret ballot in which a two-thirds majority of parliament is required to elect.

According to one view on the issue, a quorum constituting a majority of fifty-percent plus one (that required for any meeting of Parliament) is sufficient for a parliamentary presidential electoral meeting

function

As described in the constitution, the president is commander-in-chief of the Lebanese Armed Forces and security forces.

Issue the decree appointing the prime minister (by convention Sunni Muslim) independently.

Issue the decree forming the government (i.e. the cabinet), co-signed by the prime minister. The government must then receive a vote-of-confidence by parliament (51%) in order to become active.

Fire the prime minister (at will, no confirmation needed). This automatically fires the entire government, meaning every minister.

Fire an individual minister. Requires confirmation of 2/3 of the cabinet and the signature of the PM. If more than 1/3 of the ministers constituting the initial government are fired/resign, then the entire government is considered resign.

Sign into law and promulgate laws (countersigned by the PM).

Sign decrees concerning a specific ministry(ies). Countersigned by the PM and ministers involved.

Negotiate and ratify international treaties. All treaties must be approved by 2/3 of the cabinet and countersigned by the PM before entering into force. Treaties involving spending that cannot be cancelled every new year must also be approved by Parliament (51%).

Dissolve the parliament. Must be countersigned by the PM and requires a 2/3 approval of the cabinet.

Pass "emergency decrees" without the parliament's approval (article 58).[7] Requires a simple majority of the ministers. To pass emergency decrees without the parliament's approval, the parliament must spend 40 days without taking any action on a bill that was previously declared urgent by the president.

parliament

Lebanese parliament is the national parliament of Lebanon. There are 128 members elected to a four-year term in multi-member constituencies, apportioned among Lebanon's diverse Christian and Muslim denominations but with half of the seats reserved for Christians and half reserved to Muslims per Constitutional Article 24.

The parliament is divided into half christians and half muslims the head of the parliament must be muslim shiaa , he is now nabieh berri



qualification of a candidate for lebanese parliament

1. He must be Lebanese from more than 10 years
2. He must have no crime in his file.
3. He must be greater than 21 years old.

Manner of election

Elections in Lebanon are allotted to occur every four years. Every citizen is allowed to vote, but the positions are constitutionally allocated by religious affiliation.

Lebanon's national legislature is called the Chamber of Deputies (Arabic: مجلس النواب, romanized: Majlis An-Nouwab). Since the elections of 1992 (the first since the reforms of the Taif Agreement of 1989) removed the built-in majority previously enjoyed by Christians, the Parliament is composed of 128 seats with a term of four years.

Seats in the Parliament are confessionally distributed but elected by universal suffrage. Each religious community has an allotted number of seats in the Parliament (see the table below). They do not represent only their co-religionists, however; all candidates in a particular constituency, regardless of religious affiliation, must receive a plurality of the total vote, which includes followers of all confessions. The system was designed to minimize inter-sectarian competition and maximize cross-confessional cooperation: candidates are opposed only by co-religionists, but must seek support from outside their own faith in order to be elected.

In practice, this system has led to charges of gerrymandering. The opposition Qornet Shehwan Gathering, a group opposed to the previous pro-Syrian governments, has claimed that constituency boundaries have been drawn so as to allow many Shi'a Muslims to be elected from Shi'a-majority constituencies (where the Hezbollah Party is strong), while allocating many Christian members to Muslim-majority constituencies, forcing Christian politicians to represent Muslim interests. Similar charges, but in reverse, were made against the Chamoun administration in the 1950s.

Function of Lebanese parliament

Its major functions are to elect the President of the republic, to approve the government (although appointed by the President, the Prime Minister, along with the Cabinet, must retain the confidence of a majority in the Parliament), and to approve laws and expenditure.

Parliament can put law that members present by voting . And it give trust to the government to be able to work . And it can watch government work and ask her. And he can remove trust from government that make it resigned.

Parliament make groups of deputies to discuss law and make some changes on them before voting on them .

Executive power

Executive power is described in Lebanon by the Council of Ministers.

The Council of Ministers of Lebanon (French: Conseil des Ministres du Liban) is the executive body of the Republic of Lebanon. Its president is the Prime Minister of Lebanon, and it is appointed by the President of Lebanon with confirmation of the Parliament of Lebanon. It is typically composed of an equal number of Muslims and Christians (although this requirement is not specified in the Constitution). The Council of Ministers is considered to be the "government" of Lebanon by the Constitution.

he Council is formed by a Decree of the President of the Republic, which is countersigned by the Prime Minister. Within 30 days, the Chamber of Deputies must approve the Government through a vote of confidence, which requires a simple majority. By Article 64 of the Lebanese Constitution, it is the Prime Minister who assumes the negotiations with the Parliament for the formation of a government. By custom, the government is composed equally between Muslims and Christians - however, this is not a requirement specified in the Constitution.[1]



Responsibilities and Powers

The council is generally tasked with overseeing daily affairs, and preparing bills for the House of Deputies to vote on. The individual ministers work on their own portfolios, and only need the signature of the President and the Prime Minister for decisions concerning their individual ministry. When decisions affect the entire government, a majority of the ministers are needed. For the government to consent on so-called "basic" issues (constitutional amendments, electoral laws, dissolving parliament, war and peace, intl. treaties, state of emergency, state budget, long-term development plans, appointing first-cadre state employees, redistricting, nationality laws, personal affairs law, dismissing ministers)[nb 1] a 2/3 majority of the ministers present is needed.

The following is a list of the powers of the Council of Ministers:

Forming bills for the legislature to vote on. It elaborates the public agenda, and takes the necessary decisions for the implementation of the bills adopted by the House of Deputies.

Acquiesce on the decision of the President to dissolve the Parliament.

Consent on the President's ratification of international treaties.

Approve the dismissal of a minister by the President.

Oversee all civil, military, and security administrations.

It is the power to which the Armed Forces are subjected (however, the President is the commander-in-chief and thus has the final say).

Powers in Relation to the President

Prior to the Ta'if Accord, the role of Council was to give the President its "favourable advice" rather than a clear consensus/majority on the issues prescribed above.[3] Nevertheless, as the president is the sole person who can nominate/remove the ministers and the entire government, it is bound to be favorable to him or her. In addition, the Constitution is silent on the issue of retaliation - where if the President has the authority to fire the government and sign a decree it did not approve of - however this issue has never arisen since the Cabinet generally deferential to the President (or vice versa).



Judicial power in Lebanon

The Lebanese constitution issued on May 23, 1926 stated in article 20 that “the judicial power is entrusted to the courts of all degrees and jurisdictions within a system stipulated by law and granting necessary guarantees for all judges and litigants.

The Career of Judges in Lebanon in Light of International standards

Judicial selection, appointment, promotion and security of tenure

International law and standards on the independence of the judiciary aim to ensure that matters related to the selection of judges, their appointment, training, evaluation, promotion and discipline, are free from improper influence by the other branches of government. This is essential to enable judges to protect and enforce human rights and the rule of law without fear or favour.

As explained by the United Nations Human Rights Committee, mandated by the International Covenant on Civil and Political Rights (ICCPR) to interpret and apply its provisions, the requirement of an independent judiciary set out in article 14 encompasses “the procedure and qualifications for the appointment of judges, and guarantees relating to their security of tenure until a mandatory retirement age or the expiry of their term of office, where such exist, the conditions governing promotion, transfer, suspension and cessation of their functions”.

1 To comply with article 14, the UN Human Rights Committee affirmed that States should establish “clear procedures and objective criteria for the appointment, remuneration, tenure, promotion, suspension and dismissal of the members of the judiciary and disciplinary sanctions taken against them”.

Lebanon, which is a State party to the ICCPR, has consistently failed to comply with its obligations under article 14, including respecting and upholding the independence of the judiciary.³ The Human Rights Committee has expressed its “concern about the independence and impartiality” of Lebanon’s judiciary and recommended that the State party “review, as a matter of urgency, the procedures governing the appointment of members of the judiciary, with a view to ensuring their full independence”.

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