

Call for the Implementation of Article 95 of the Lebanese Constitution and Annulment of the Practice of Sectarian Appointments for a merit-based Process

May 26, 2020

At no time in Lebanon's modern history has the practice of sectarian appointments been more destructive. This practice has encouraged corruption, cronyism, and nepotism. Today, it has reached its lowest point and state institutions have become sectarian domains unable to fulfill their mandate.

1. The practice is categorically unconstitutional. Article 95 of the Constitution explicitly eliminates "the principle of sectarian representation" and adopts "expertise and qualification" as the basis for appointments. While the Constitution envisages broad Christian-Muslim parity within the most senior appointments, it does so only for a "transitory" period (that has now lasted for more than 30 years), leading up to the full elimination of political confessionalism. Moreover, the Constitution also explicitly prohibits the "earmarking of any one position to any one sect" and requires that these senior appointments respect the "principles of expertise and qualification".

2. Merit and character should trump all other considerations. At this time of unprecedented crisis when the survival of the republic is at stake, only the most qualified should be selected. The appointments should be made on the basis of merit and character, without consideration to gender, religion, or sectarian affiliation.

3. All appointments should be made according to an open, transparent, and competitive process that will attract the best talent to public service, rebuild state institutions, and restore trust in the rule of law.

We, the undersigned, call for:

- 1. An immediate annulment of the practice of sectarian appointments for all senior positions and their earmarking to particular sects.**
- 2. An immediate adoption of a merit-based appointment system that is open, transparent, and competitive.**
- 3. The implementation of the full elimination of political confessionalism and the restoration of citizenship as the foundational principle of the Republic.**

Signatories (In their personal capacities):

Bassem Snaije, Carl Bistany, Firas Abi-Nassif, Georges Sassine, Gerard Zouein, Ishac Diwan, Kamal Hamdan, Kamal Shehadi, Lea Bou Khater, Maha Yahya, May Nasrallah, Mireille Najm Checrallah, Nabil Fahed, Nasser Saidi, Nisrine Salti, Oussama Abboud, Philippe Jabre, Saeb El Zein, Sami Nader, Samira Trad, Hayat Mirshad

Institutional Endorsement:

ALDIC, Alliance of University Professors and Students for Lebanon Revolution, Arab NGO Network for Development (ANND), Badael, Fe-Male, Frontiers (Ruwad alHoukouk), Gherbal Initiative, Kulluna Irada, Lebanese Oil and Gas Initiative (LOGI), Mada Lebanon, Nahnoo, Pen Lebanon, Sakker El Dekkene, USJ secular club