



AN INTERSECTIONAL PERSPECTIVE  
ON SOCIAL (IN)SECURITY

*Making the case for universal  
social protection in Lebanon*

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## INTRODUCTION

The social protection system in Lebanon is characterised by a scattered contributory-based system, as well as palliative *ad hoc* social assistance service provisions targeting vulnerable categories of the population. On the one hand, mandatory social security schemes constitute the main pillar of the Lebanese social protection system. They are tied to formal employment in a labor market where informality is predominantly present, and constitute the norm rather than the exception<sup>1</sup>. On the other hand, data show that *ad hoc* provisions for vulnerable populations have a negligible impact on the income of targeted populations, and present high error rates pertaining to eligibility criteria (ILO and UNICEF 2021, 7), which hinders their effectiveness.

In addition to technical gaps, an analysis of the Lebanese social protection system reveals intersecting patterns of exclusion from social protection benefits linked to work status, class, gender, citizenship, resident status, ethnicity, and other social characteristics, such as disability or age. Overall, the existing social protection system largely fails in ensuring protection, leaving most of the populations residing in Lebanon behind, thus contributing to widespread social insecurity.

The goal of this briefing paper is twofold. On the one hand, it aims at shedding light on how social, economic, and political identities impact the social protection coverage of residents in Lebanon. By analysing the articulation of intersecting discriminations and privileges of the current social protection framework, this paper then seeks to propose ways forward for reform.

An analysis of social protection policies, schemes, and mechanisms informs us about how a society defines and conceives notions of solidarity and social justice, and how it attempts to build a broader social contract. From this perspective, we start the brief by questioning the emergence of a “social question”<sup>2</sup> and the development of social security schemes in Lebanon from a historical and political perspective. We highlight how the October 2019 social movement (the so-called *thawra*, i.e. revolution) in Lebanon has (re)actualised social demands that had been “euphemised” and relegated to the bottom of the political agenda in the post-war period vis-à-vis sectarian priorities and forms of political mobilisation (AbiYaghi and Catusse 2011).

We then analyse the current social protection system and assess its gaps, illustrating how it has failed to provide assistance to the segments of the population that are most in need, while analysing the articulation of exclusionary logics of the current social protection’s schemes against class, gender, race, ethnic, and other forms of social discrimination.

In conclusion, we question the impact of the ongoing multi-layered crisis in the country on formerly “privileged” populations, and the subsequent and progressive social class downgrading and pauperisation.

Finally, we propose ways forward to reform the social protection system through comprehensive social policies.

## THE SOCIAL QUESTION: A “NEW” POLITICAL PRIORITY?

The call for social justice has been a major demand throughout the 2019 social movement in Lebanon, which has highlighted the centrality of a “social question”. The latter constitutes an interrogation around the forms of solidarity on which a society relies on, and puts forward the need to tackle inequalities and to structure adequate social policies so as to ensure social inclusion and social protection. In light of the ongoing multilayered crises that Lebanon is experiencing, and which are further revealing the longstanding gaps of the social protection system in the country, the social question presents itself as a main matter of concern.

*While the country undergoes what is considered as one of the three most severe economic crises of the last two centuries, ESCWA estimates that around 82% of households currently live under “multidimensional poverty”.*

The “deliberate depression” of the Lebanese economy, as defined by the World Bank (WB) (WB 2020), encompasses all dimensions of social life, putting strain on the coping strategies of the vast majority of the Lebanese and non-Lebanese populations residing in Lebanon. While the country undergoes what is considered to be one of the three most severe economic crises of the last two centuries (WB 2020), the United Nations Economic and Social Commission for West Asia (ESCWA) estimates suggest that around 82% of households currently live under “multidimensional poverty” (ESCWA 2021)<sup>3</sup>. In this context, and with the rapid and deep

depreciation of the Lebanese Pound<sup>4</sup>, electricity and fuel shortages, business closures, increasing unemployment, dismissals, and labor rights violations (Dirani 2021), gaps in the Lebanese social protection system are brought to light, and access to basic services constitutes an essential priority. The current social policy regime in Lebanon is indeed considered as residual, reactive, and mainly led by international donors’ agendas. This lack of a cohesive social policy vision and programme was appar-

ent in the lack of policy response to the multiple crises the country is currently witnessing. It is only in 30 June 2021 that the Parliament passed the so-called “ration card law,” in an undisclosed attempt to mitigate the cuts on indirect subsidies on fuel, wheat, and medication with cash (direct) assistance to eligible households through pre-paid cash cards<sup>5</sup>. This cash transfer card has still not been enforced and implemented as of the time of publishing this brief.

1. Incidentally, informality constitutes the global “norm” as per ILO data, showing that 61.2% of the active population globally works informally (ILO 2019, 13). The World Bank estimates that in “emergent countries,” the informal sector employs up to 90% of the working population (World Bank 2019, 7).

2. Robert Castel defines the “social question” as “a fundamental aporia on which a society experiences the enigma of its cohesion and tries to ward off the risk of its fracture. It is a challenge that questions, calls into question the capacity of a society (what in political terms we call a nation) to exist as a whole linked by relations of interdependence” (Castel 1995, 11).

3. The notion of “multidimensional poverty” refers to the various deprivations experienced by underprivileged people in their daily life, and which are not limited to material dimensions. While poverty is usually assessed through income indicators, the notion of multidimensional poverty seeks to account for a wider array of indices such as – but not limited to – quality and access to health, education, work, etc. See: <https://ophi.org.uk/policy/multidimensional-poverty-index/>

4. As of March 2021, the Lebanese Pound devalued by 80% (ILO 2021).

5. This one-year programme to be implemented by the MoSA is expected to target over half a million families through the distribution of \$556 million partly financed through a \$300 million WB loan. See: *Al-Monitor* (7/10/2021 and 8/1/2021).

## INSUFFICIENT AND INADEQUATE SOCIAL ASSISTANCE MEASURES

Successive Lebanese governments have been over-relying on social assistance programmes, aiming to alleviate the poverty of targeted vulnerable groups by providing cash to them.

The underlying paradigm has been one that International Financial Institutions, and more specifically, the World Bank, based their notion of “safety nets” on. This is constituted of programmes that provide non-contributory assistance, including cash and in-kind transfers, to alleviate poverty and support targeted populations during life shocks and crises.

It should be noted that an over-reliance on social assistance programmes contributes to undermining a universal, inclusive, and life-cycle approach to social security and protection. Social insurance schemes and social assistance measures ought to be thought of and implemented in complementarity, in order to reach and protect the whole population.

These programmes have mainly been implemented through the Ministry of Health (MoH) and/or through the Ministry of Social Affairs (MoSA). Three safety net programmes currently exist (the National Programme Targeting Poverty (NPTP), the Emergency Social Safety Net (ESSN), and the ration card programmes). Only one of them has actually been implemented (the NPTP) although its outreach capacity has so far been very limited.

### NPTP (NATIONAL PROGRAMME TARGETING POVERTY)

The NPTP is implemented through the MoSA. It was conceived during the 2007 Paris III international donors’ conference, and was initiated in 2012 through the allocation of \$28 million, mostly funded through a WB loan. It is currently the only anti-poverty programme in Lebanon, and is based on cash-transfers. Following the COVID-19 crisis, its budget has been revised to \$452 million, which will be fully funded through a WB loan. As of February 2020, 150,000 households were registered on the NPTP database, of which only 15,000 had accessed the programme’s E-cards<sup>6</sup>. As of March 2021, only 1.5% of the resident population in Lebanon had access to the NPTP programme (ILO and UNICEF 2021, 10).

6. See Bou Khater (2020).

### THE ESSN (EMERGENCY SOCIAL SAFETY NET)

The ESSN is a cash assistance programme financed through a WB loan. Combined with the NPTP, it aims at reaching 27% of the population for a 3-year programme. Despite its approval by the board of WB in January 2021, it is currently still on hold due to political and technical delays<sup>7</sup>.

### THE “RATION-CARD” PROGRAMME

The ration card programme is a government cash assistance programme ratified on 30 June 2021 by the Lebanese Parliament. Plans included a \$556 million cash transfer financed by the Lebanese government. It has been delayed amid questions about funding and eligibility criteria. Registration for the ESSN and the ration card programmes was planned to be done through the same system: the Impact platform, which had previously been used for registration in the government’s COVID-19 vaccine programme<sup>8</sup>. The platform, “daem” (شبكة دعم للحماية الاجتماعية)<sup>9</sup>, was launched by the Lebanese Government on 1 December 2021, and will be open for registration until 31 January 2022. However, at the time of writing of this paper, no indication has been given about how the programme will be technically financed, or on when resources will be made available to the eligible population<sup>10</sup>.

The fragmentation of schemes and measures is producing a considerable coverage gap, leaving a significant portion of the population without access to any kind of assistance. The eligibility criteria to access these programmes remain un-adapted to the current and constantly changing context, and do not rely on an accurate and rights-based definition of who the “poor” in the country are today. The announced number of households to be targeted (27% of the Lebanese population) is substantially below the estimated figures of about 82% of the population (ESCWA 2021) in need of assistance in the country.

Moreover, the mechanism and transparency of the rollout of the ration cards, the funding sources, as well as the sustainability and exit strategies, remain unclear.

These piecemeal measures are both inadequate and insufficient to mitigate poverty and vulnerability – both in the short and the long run – in the absence of a comprehensive social policy and universal, inclusive, and life-cycle social security scheme.

7. See *L’Orient-le Jour* (10/3/2021), available at: <https://today.lorientlejour.com/article/1278994/as-import-subsidies-gradually-end-delays-mire-two-major-programs-to-support-the-countrys-most-vulnerable.html>

8. Ibidem.

9. <https://daem.impact.gov.lb/citizenmobile/landing/main/login>.

10. See: *L’Orient-le Jour* (2/12/2021).

Vis-à-vis the widespread “social insecurity” (Castel 2003), the response has been based on “competing frameworks and discourses” (Abdo 2004) with at least three different approaches to social protection: first, a widespread reactive and emergency response, in line with the WB approach (with programmes such as the NPTP or ESSN, as detailed in the table) prevails; a second, less dominant, narrative set forth by the ILO and the United Nations Children’s Fund (UNICEF), advocating for the introduction of a multi-tiered social protection floor. In a joint policy note, the ILO and UNICEF present technical methods of implementing a core life-cycle social grant, stressing that a poverty response can be better served through the introduction of a universal social protection coverage than through targeted programmes presenting exclusionary mechanisms (and errors)<sup>11</sup>. Thirdly, some scholarly, civic, and expert voices stress the necessity to engage in a structural process of reform of the social protection system to effectively respond to impellent social and economic issues. In January 2021, following the announcement of the upcoming implementation of the ESSN and the expansion of the NPTP by the WB, a civil society collective called to avoid *ad hoc* mechanisms to tackle the crises, advocating for the introduction of a universal and human rights-based approach to social protection<sup>12</sup>.

These different approaches notwithstanding, the social question constitutes a central issue in individuals’ lives and in their everyday coping strategies to access social services and protection, both in civil society actors’ narratives and praxis, and in international stakeholders’ and donors’ discussions and programmes. In other words, the social question appears – for what seems to be the first time – to be constructed and instructed not only into a humanitarian priority, but also into a political one in Lebanon. Yet, can the emergence of a social question as a political priority in post-2019 Lebanon be understood as the mechanical result of the deterioration of the socio-economic situation of the vast majority of the populations residing in Lebanon?

11. “Evidence has shown that even the best performing [safety-nets] programmes have exclusion errors of up to 44%” (ILO and UNICEF 2021, 7).  
 12. See: <https://daleel-madani.org/civil-society-directory/no-organization/press-releases/open-letter-world-bank> [last consulted: 20 October 2021].  
<https://daleel-madani.org/press-releases/position-social-protection-expert-group-lebanese-governments-financial-recovery-plan> [last consulted: 14 December 2021].  
<https://daleel-madani.org/civil-society-directory/lebanon-support/press-releases/social-protection-emergency-response-bridge-toward-comprehensive-national-social-protection-plan> [last consulted: 14 December 2021].  
 13. The so-called “*thawrat al-dawalib*” of 6 May 1992 arose around the depreciation of the Lebanese Pound reaching an exchange rate of 3,000 LBP for the dollar. It followed an arm-twisting game between the General Confederation of Lebanese Workers (CGLT) and the Omar Karame government, resulting in the resignation of the latter. See Khalifeh (9/24/1997).

Social justice and social protection issues are far from being “new” in the Lebanese panorama. As noted by Marie-Noëlle AbiYaghi and Myriam Catusse (2011), several – and often overlooked or underestimated – collective actions emerged around a wide range of “social issues (*causes sociales*)” in the period following the Lebanese civil war (1975-1989) (AbiYaghi and Catusse 2011; Catusse 2020). Social movements, such as the so-called “tires revolution” in 1992<sup>13</sup>, the urban “uprisings” in the southern Beirut suburbs (*Dahye al-janubieh*) around electricity shortages (Verdeil 1/30/2008; Catusse 2020) in 2008, or the 2010 taxi drivers’ protests against the increase of governmental taxation of fuel (AbiYaghi and Catusse 2011), have highlighted socio-economic concerns closely linked to a “social question.” However, these scattered – although persistent and iterative – forms of mobilisation have been largely “euphemised” and remained “discreet” vis-à-vis partisan and sectarian mobilisations, recourse to political violence, and inter-sectarian clashes (AbiYaghi and Catusse 2011). Nonetheless, the observed “discreteness” (AbiYaghi and Catusse 2011) of social demands in post-war Lebanon has evolved into an open denunciation of corruption and social precarity throughout the 2015 social movements around the “garbage crisis,” and especially during the 17 October 2019 protests articulating socio-economic grievances, and clearly mobilising a social justice frame of contention (AbiYaghi and Yammine 2020; Hariri and Scala 2019). The 2019 social movement has (re)actualised long-standing social demands, bringing them to the fore of the political arena.

In other words, the social question is not new, and growing demands for social protection and justice cannot be read as the causal result of the overwhelming and overlapping economic, health, social, and political crises that Lebanon is currently facing. Nonetheless, its emergence as a political priority may be considered as one of the main results of the 17 October 2019 social movement (*thawra* or revolution).

# WHAT MOBILISES LEBANON?

## Focus on socio-economic demands

Protests have been ongoing in Lebanon since October 17, 2019. In an unprecedented geographic spread, largely motivated by demands to access socio-economic rights, which are part and parcel of human rights. This infographic visualises these demands, shedding light on the role of civil society actors in mobilising on these issues throughout the years, and in creating and framing rights-based demands and discourses.

Content Overview | Framing Rights-based Demands | Metrics since October 17, 2019

### ECONOMIC REFORMS

The Lebanese economic model is historically ultra-liberal giving free reign to market logics. More recently, risks of economic collapse have been magnified by inflation and devaluation of the Lebanese Pound. Moreover, austerity measures and aggressive taxation have widened prevailing socio-economic inequalities.

Several workers groups (school teachers, daily workers, soldiers, and pensioners) have been protesting against increased austerity measures, inflation, salary cuts in the past years, demanding the government to take the necessary policy reforms that would address the worsening economic conditions.

Protesters and activists have been organising marches and sit-ins in front of the Ministry of Finance, the Central Bank, and other public institutions, demanding the end of fiscal and economic policies of successive governments and preventing corruption in the country, and demanding the adoption of equitable and sound solutions. The current movement has also shed light on the youth's demand for increased job creation, relating the ongoing issue to the wider economic policy reforms that would address employment opportunities.

### ACCESS TO EDUCATION

The education system in Lebanon is highly privatised. Public education in Lebanon is generally considered of poor quality compared to private education leading many parents to send their children in costly privatised schools.

Parents and students have been protesting for affordable education, as tuition fees have been increasing yearly. Most recently, protests in front of the Ministry of Education and Higher Education (MEHE), denounced negligence within the Education system, notably increased Baccalaureate results reported on MEHE's website.

Protesters, including youth have been reiterating demands for free and affordable education. They have also highlighted the need for better quality education in the public system for all, and an updated, more modern education curriculum.

### ACCESS TO AFFORDABLE HOUSING

In 2008, the Lebanese housing bubble of the real estate sector, has led to an exponential increase of property prices, and a rent law introduced in 2004, allowing landlords to increasingly increase the rents of long-term tenants (prior to 1992) contributed to further restricting access to housing, whether bought or rented, for a large section of the population. Additionally, in 2018, due to the rising inequality and the increase of the Central Bank's subsidised interest rates on housing loans were halted.

Following the promulgation of the 2014 rent law, tenants have been organising and mobilising consistently to protest rent increases, request evictions, and demand the enactment of a national housing policy. In 2018, a few collectives led by youth groups mobilised and demanded the rehabilitation of housing loans, and sustainable national housing policies.

The social movement has been reiterating the necessity of a national housing policy, leading to the need of more well-ventilated, in the provision of adequate housing for all.

### ACCESS TO SOCIAL PROTECTION

The social protection landscape in Lebanon is highly fragmented and unbalanced, leaving the most vulnerable and marginalised with little or no safety nets, with a high dependency on private, charity, and/or charitable initiatives. Interestingly, the private healthcare and social protection systems in Lebanon largely rely on public funds.

While some civil society actors have been working on alleviating the population's most pressing needs by delivering social protection services, others have been advocating for longer term policy changes for universal and unified social security, access to affordable healthcare, pensions, unemployment compensation, etc. Other activist collectives and civil society actors have also been raising awareness on the impact of the public system.

Protesters and civil society actors in the current mobilisations have been raising demands for universal social protection rights, notably pensions. They also voiced the necessity of reforming the labour law to include all workers and to protect employees.

### GENDER EQUALITY & WOMEN'S RIGHTS

Patriarchal laws embedded in the confessional and consociational system, as well as their corresponding practices, all contribute to placing women in Lebanon in the position of second class citizens who are also vulnerable on the socio-economic level.

While women's rights organisations have been championing issues such as gender-based violence, feminist organisations and activists have also been mobilising for a unified personal status law, and reformed citizenship law granting women their rights as Lebanese citizens.

Women have been at the forefront of current protests, taking an active role in mobilising, leading marches, organising sit-ins, chanting feminist slogans, and re-appropriating public spaces in the public square, as well as the neo-economy and all the protesters from security forces. Protesters have also reiterated demands for the right of women to pass on nationality to their family, as well as upholding equal gender rights.

### ACCESS TO PUBLIC SERVICES

Lebanon lacks the provision of efficient and proper public services as the state has failed, since the end of the civil war (1990), to ensure access to basic services such as electricity, regular water supply, public transportation, and waste management plans, leaving the population to rely on alternatives, such as private generators for electricity.

Civil society groups and collectives have been mobilising for years over electricity and water supply shortages. Residents in Lebanon and activists have also been protesting against lack of waste management, notably in the 2015 social movement as well as many MHRF protests in various regions over the territory.

Sit-ins have been organised in front of the Electricity du Liban to demand 24/7 electricity. Protesters carried and recycled their waste, and have been denouncing the corruption linked to the lack of public services, as well as the neo-economy and all the waste management solutions offered by the successive governments. The protests have also reiterated demands for a more systematised public transport system.

### ENVIRONMENT PRESERVATION

Since the end of the civil war (1990), the state has failed to pass and implement sustainable environmental policies and to preserve Lebanon's ecosystem leading to various issues related to water supply, waste management, pollution, squatters, destroying the country's mountains, and enforcement among others.

In the past year, civil society actors and residents have advocated for the enactment of eco-friendly policies, all while denouncing laissez-faire, corrupt, and clientelistic ad hoc initiatives, pushing for the preservation of the Lebanese natural heritage and of public health. Notably, a wide social movement emerged in 2019 demanding accountability around these issues, notably sound waste management policies.

After the eruption of wildfires across the country on October 13, 2019, demands have centered around an increase in the state's readiness to cope with natural disasters (disaster equipment and training). Moreover, sit-ins in front of Marj Al-Sayid and Marjouna Dam were staged by civil society actors against the development of privatised projects at the expense of the country's environment.

### JUSTICE, ACCOUNTABILITY & FREEDOMS

The justice system in Lebanon is characterised by limited independence from political and sectarian affiliations, which impedes an effective and unbiased recourse to justice, with articles criminalising corruption remaining largely not enforced. Also, while the Constitution guarantees the right of freedom of speech, establishment political parties and authorities have been using articles in the Penal Code criminalising defamation against public officials, national emblems, and the flag to stifle public speech.

In recent years, civil society actors, independent journalists, jurists, and activists have been denouncing the increasingly shrinking civic space, violations of freedom of speech, and stressing the urgency of an independent judiciary. In the same vein, groups such as the Committee of the Families of Kidnapped and Disappeared have mobilised since the 1980s for the "right to know", proposing relevant draft laws in their mission for accountability and justice.

Protesters have been organising sit-ins in front of justice Palaces, and courts, urging the state to respect the freedom of association and expression, and demanding the removal of criminal sanctions for libel, defamation, and criticism of symbols of the state.

### ACCESS & PRESERVATION OF PUBLIC SPACE

The privatisation of public space is yet another symptom of Lebanon's neo-liberal policies and collision of interests between the political and business spheres. Since the 1990s, public spaces were increasingly curtailed and privatised, with landmarks such as the Beirut Stadium being "sold" to private businesses.

Residents, activists and civil society actors have mobilised in past years over the privatisation and lack of public parks and gardens, public beaches, and for the need for spaces open to communal interaction.

Protesters have been occupying public spaces (legally acquired and privatised), while denouncing the corruption in such processes. Protesters staged sit-ins and protests on the coast (such as Zaitunayyeh Bay), and have reclaimed abandoned and previously inaccessible buildings (such as the Grand Theatre and the Eggi) as public spaces.

Information architecture - design by Paul Tschirgknap & Rula Issa

CSOPartnership for Development Effectiveness | LEBANON SUPPORT

Fig.1: Centre for Social Sciences Research & Action, “What Mobilises Lebanon? Focus on Socio-Economic Demands”

## THE EMERGENCE OF A SOCIAL QUESTION IN LEBANON

While in European contexts, the social question is very much intertwined to the “salarial” or waged workforce (Castel 1995), and linked to the fates of the workers’ movement (Van der Linden 2008), the social question in the Middle East has been articulated to the struggle for national unity and the construction of the State (Harris 2019), to which it has historically been considered as subsidiary (Catusse 2020).

*The mechanisms of social protection got scattered in a variety of piecemeal & disaggregated schemes, failing to provide an adequate response to the needs of the ensemble of the Lebanese population.*

In the Lebanese context, President Fuad Shehab’s mandate (1958-1964), which focused on the development of public institutions and the bureaucratisation of the state, is traditionally seen as the basis of the foundation of the national social protection system (Corm 2003). The 1963 introduction of social protection schemes for public employees through separate cooperatives for public servants and security forces personnel, and for private sector employees through the foundation of the National Social Security Fund (NSSF) (Law Decree n° 13955 of 26 September 1963), is generally considered as part of Shehab’s developmentalist plan. As Nabil Abdo notes, “the introduction of the National Social Security Fund (NSSF) was a bold step by the Shehabist era, and not a fruit of social contract between labor and capital and the State” (Abdo 2014, 10). It is also during Shehab’s presidency that the Ministry of General Planning, or the Bureau of Social Development, was created (AbiYaghi 2014)<sup>14</sup>.

However, the contribution of workers’ and social movements in the introduction of social policies cannot be overlooked.

Historically, social policies in Lebanon have been shaped by two main forces. On the one hand, they have been promoted by the state’s elites within the framework of sectarian power sharing (the so-called “consociational pact”). On the other hand, they have been pushed by forms of grassroots mobilisations emerging around socioeconomic grievances.

From the point of view of state policies, a first blueprint of the social protection system was set up during the French mandate that established the basis for the management of civil status related issues to confessions, and delegating the provision of social services through religious “charitable associations” to them (Yehya 2015, 119 and following). The mandate period also saw the introduction of the first basic forms of labor-related social security protections (Thompson 2005, 156-163), implemented through *ad hoc* amendments of the Ottoman-inherited *Code des Obligations et des Contrats* (Law of 9 March 1932). This dualistic pattern of provision was retained and further expanded in the post-colonial period, which saw the enhancement of labor-related protections through the enactment of the Labor Law of 1946 (Law of 23 September 1946), and the consolidation of sectarian welfare as the main source of social services. Between the independence (1943) and 1960, for instance, 150 charitable associations were created, which amounts to 40% of the total number of charities created between 1860 and 1964 (Yehya 2015, 402). *Zu’ama*<sup>15</sup> instrumentalised confessional charities to extend their influence within the political system, understanding

that “assistance is the strongest means of propaganda” (Yehya 2015, 403). The borders between philanthropy and clientelism were, henceforth, blurred. The developmentalist approach of Fuad Shehab and its national unification strategy through the establishment of public institutions constituted a direct attempt to undermine *zu’ama*’s hegemony within the Lebanese political context (Hottinger 1966) and, therefore, the weight of sectarian welfare relying on what Melani Cammett coined as a “compassionate communalism” (Cammett 2014). The implementation of social protection schemes under Shehab’s presidency also constituted a structuring political issue vis-à-vis long-rooted labor struggles. The latter firstly involved illegal, yet very structured, trade unions which emerged during the mandate period, whose struggles contributed substantially to the introduction of a Labor Code in 1946 (Couland 1970; Tufaro 2021). The introduction of the NSSF in 1963 was considered to be a major achievement by the workers’ movement, which continued struggling for its actual enforcement in the years that followed. Throughout the 1960s and the 1970s, organized labor unions persistently demanded the implementation of the Social Security Law, putting forward wider social grievances, such as the inclusion of agricultural workers in the NSSF, the right to housing, as well as the abolition of article 50 of the Labor Code, which allowed arbitrary dismissal (Tufaro 2021). During the country’s civil war, taxi drivers’ syndicates organized different cycles of mobilisation protesting against the rise of fuel prices due to the removal of subsidies. In this context, the Federation of the syndicates of taxi drivers, created in 1986, succeeded in obtaining the affiliation to the NSSF for its members, in exchange for its *de facto* acceptance of the fuel price increase (AbiYaghi and Catusse 2011, 82). The implementation of social security schemes as well as access to them was, therefore, thought and claimed as part of a larger social question, and inscribed within a struggle for social justice, in which the workers’ movement was one of the main actors. The Shehabist priority of building public institutions can help to make sense of the introduction of more protective social security schemes for public servants and military personnel, i.e. “employees of the state,” compared

to private sector employees’ social security schemes. As noticed by Longuenesse *et al.*, “the dominant model of the ‘salarial’” in the MENA region – here understood as a political, social and, economic institution providing protections in exchange for subordination – (Castel 1995, Supiot 2000; Polanyi 2015) “is [and has always been] more than ever public employment” (Longuenesse *et al.* 2005, 22). Here again, while in other contexts, such as Europe, for example, the emergence of the “salarial” (or the workforce) has been intimately linked to the development of industrial relations and workers’ struggles, in the MENA region, it has followed its own itinerary, and has been structurally linked to the development of public employment. It is worth noting here that the Arabic term “*muwazzaf*” (employee) was initially and historically associated to public servant employment before being extended to designate any kind of employee in the common language, in either the public or the private sectors (Longuenesse *et al.* 2005, 21; Fioroni 2018, 148).

The Shehabist model for social protection underwent a substantial dismantlement in the post-war period, within the framework of a broader neoliberal restructuring of the Lebanese economic system inaugurated by the reconstruction policies pursued by the Prime Minister at the time, Rafic Hariri (Dibeh 2005). A prominent trigger for this dismantlement came from the sharp increase of the national public debt, which was conducive to both increasingly tight austerity budgets and a rationalisation of the expenditures in the public sector. Equally importantly, the rise of public debt increased Lebanon’s dependency on international financial institutions, which played a pivotal role to affirm non-contributory emergency programmes of social assistance as a privileged means to tackle socio-economic vulnerabilities. The progressive co-optation of the labor movement (Bou Khater 2019) and the cyclical humanitarian crises that hit the country also played a major role. As a result, the mechanisms of social protection got scattered in a variety of piecemeal and disaggregated schemes, failing to provide an adequate response to the needs of the ensemble of the Lebanese population.

14. The Bureau of Social Development was transformed into the Ministry of Social Affairs by 1993 (Law 212/1993).

15. Plural of *za’im*. The term embodies different meanings ranging from “chief, leader, political leader, notable,” as it is usually translated, and “responsible, spokesman, guarantee.” The ambiguity and overlapping identities of this central figure of Lebanese politics get lost in translation, which explains our preference for using the term in an Arabic simplified transliteration. For a socio-history of the *za’im*, see Picard (2001).

## THE DEVELOPMENT OF SOCIAL SECURITY SCHEMES LINKED TO FORMAL LABOR

The emergence of a social question within public policies has therefore been linked to the fate of the state and its construction in Lebanon. As for social protection and social security programmes, their trajectories have been articulated around that of an “unborn” welfare state<sup>16</sup>, and the Lebanese political economy.

Lebanese social security schemes can be described as inspired by the Bismarckian model as “it is characterised by the fact that the insured persons are employees who, along with employers, finance the system through contributions based on wages or salaries” (Abdo 2014, 10). In short, this is equivalent to: if you want to be protected, you need to be productive. Since social security schemes are tied to contributions, they are therefore linked to formal employment.

However, the liberal and, starting from the post-war period, neoliberal orientation of the Lebanese political economy has resulted – *inter alia* – in a largely informal labor market:

*“The uneasy coexistence of a social security system based on formal employment with a laissez-faire economic model characterised by minimal state intervention has generated salient dualities and binaries in the labor market: formal employment versus informal employment, privileged workers versus underprivileged workers; commodified labor versus relatively decommodified labor; protected citizens vs vulnerable citizens”* (Abdo 2014, 11).

The structure of the labor market in Lebanon clearly shows that wage and formal protected labor (the salariat) does not constitute – and has seemingly never constituted – the norm of labor relations as it has been in Europe or in North America. It is important to note here, that “standard employment [i.e., le salariat] under capitalist conditions is an historical anomaly” (Van Der Linden 2014, 19) that mainly concerned high-income countries of the Global North after World War II (1946-1975). Hence, “[it] had a deep impact in a limited part of the world for a relatively short period of time (Breman and Van Der Linden 2014, 920)<sup>17</sup>.

Currently and globally, informal labor concerns about 61.2% of the working populations, including 85.8% of jobs in Africa, 68.6% in Arab countries, 68.2% in Asia and the Pacific, and 18% in “developed countries” (ILO 2019, 13). In Lebanon, the so-called informal sector is hardly the “exception,” and historically concerns the majority of the workforce. The informalisation of labor relations has strong political roots, and several categories of workers have been historically excluded from labor regulations, therefore being pushed towards informality. The *de jure* or *de facto* (i.e. historical) exclusion from the Labor Code of professional categories can be better understood by examining the ideological framework in which that exclusion has been thought and implemented.

The liberal identity of the “Merchant Republic” (Gates 1998) is inscribed within the preamble of the constitution since its very first version of 1926, and has remained unchanged in the 1990 version: “The economic

system is liberal and ensures private initiative and the right of private property” (Preamble of the Lebanese Constitution [1990], clause F). The perspective of Michel Chiha (1881-1954)<sup>18</sup>, supporter of the Lebanese “adventure of freedom” in the free market, can help explain how the liberal approach has impacted labor regulations and social protections. Chiha wrote that Lebanon should not provide protection to workers in agriculture and construction, since Lebanon was not competitive in these sectors at the regional level. Hence, he maintained: “It is the baccalaureate holders, graduates, and doctors who must be identified. The only dramatic unemployment is theirs” (Chiha 1964, 113). The formulation of the Labor Code in 1946 confirms this approach. These workers are indeed excluded from its regulations. Be it *de jure*, as it is the case for agricultural workers excluded from the Labor Code in article 7, or *de facto*, as it is the case for workers of the construction sector. Widely and historically employed as daily and informal laborers, the latter are mainly foreigners, and more specifically, Syrian nationals (Chalcraft 2009)<sup>19</sup>.

As per ILO data, prior to the 2019 crises, only 1 in 10 of all workers in the construction and agricultural sectors had access to employment-related social insurance (ILO 2021, 7). Moreover, and it is further elaborated below, this data seemingly underestimates the uninsured portion of workers in these sectors. In fact, the calculations are based on a survey<sup>20</sup> that does not consider foreign workers living in “informal dwellings” (ILO 2021, 14), and whose livelihood strategies predominantly consist of daily and/or seasonal work in the sectors of construction and agriculture (Chalcraft 2009; Alijouni and Kawar 2015; Aubin-Boltansky 2018).

*In Lebanon, the so-called informal sector is hardly the “exception” and historically concerns the majority of the workforce.*

16. As stated by Nabil Abdo: “While Lebanon can hardly be identified as a welfare State [...] the Shehabist era in the 60s tried to instate some of its elements through introducing social security” (2014, 10).

17. To this point, also see De Vito (2018).

18. Politician, banker, journalist, co-author of the 1926 Constitution, and promoter of the Lebanese Pact of 1943.

19. Prior to the Syrian conflict, authors estimate the number of Syrian daily and seasonal workers to be around 300,000 (Alijouni and Kawar 2015, 34). The United Nations High Commissioner for Refugees (UNHCR) estimates that between 1 and 1.5 million Syrian refugees have arrived in Lebanon by 2013, of which 30% to 50% are active. See: <https://data2.unhcr.org/en/situations/syria/location/71> [last consulted on 20 March 2021].

20. Namely, the Labor Force and Household Living Condition Survey (LFHLC) conducted by the ILO and the Central Administration of Statistics (CAS) in 2018-2019 (ILO and CAS 2018-2019).

## OVERLAPPING PATTERNS OF EXCLUSION FROM SOCIAL SECURITY SCHEMES

Exclusion from social security schemes does not only concern informal workers. Overlapping social and political identities linked to citizenry, ethnicity, class, gender, work or residential status, contribute to the exclusion of individuals and groups from accessing social security benefits.

Successive and different regional crises and the subsequent arrival of various waves of refugees from Palestine, Iraq, Syria, and Yemen, have impacted the labor market and social fabric of the country. These generations of refugees have been partially integrated within the informal sector and pushed to the margins of urban and rural settings. It is worth noting that, following the ministerial decree 289/1 of 1982, Palestinian refugees cannot work in 70 professions (AbiYaghi 2014) and cannot own property (real estate), which further undermines their marginalisation and labor opportunities. Similarly, Syrian refugees' participation in the labor market is regulated through ministerial circulars, published almost every year, specifying that they can only operate in three sectors – agriculture, construction, and services – all of which are either excluded from the Labor Code, or characterised by high rates of informality.

Moreover, as of the end of the 1990s, the import of foreign workforce has tripled, mainly constituted of female and male foreign workers from Sub-Saharan Africa and South-East Asia (De Bel Air 2017, 10), and mostly within sectors requiring low-skilled workers (Longuenesse and Tabar 2014). Male foreign workers have been mobilised in the service sector. Their work

conditions have been largely overlooked by scholars and practitioners; however, some research, as well as an NSSF inspection in 2012, assessed the violation of their labor rights and their non-registration to social security in the retail sector (Hussein 2019; Scala 2020). Women, on the other hand, have mostly been employed as domestic workers, and are excluded from the Labor Code as per article 7, noting that article 7 also excludes agricultural workers, and daily-workers employed within public institutions, companies, and administrations<sup>21</sup>. These three occupational categories are therefore excluded from accessing social security schemes.

As shown by these few examples, access to social security through labor is not only tied to formal employment, but is also subjected to the belonging of individuals to specific occupational categories. However, other characteristics contribute to accessing – or being excluded from – “protected” jobs. A quick look at the Lebanese labor market shows that occupational categories excluded from access to social security schemes are gendered and ethnicised, and tend to include low-skilled and/or low-income individuals. Domestic work is mostly (and has historically been) gendered and ethnicised, consisting mainly of Syrian, Egyptian, Kurdish, and Palestinian female workers, prior to the upsurge, as of the 2000s, of the influx of South East Asians and, later on, Sub-Saharan female workers (Jureidini 2009). Female foreign domestic workers are, moreover, subject to the so-called *kafâla* system that ties the residency and work permits of the employee to their sponsor, which hinders their ability to circulate in the labor mar-

ket, and access social security benefits<sup>22</sup>. Agricultural work employs a large number of Syrians workers while the limitations to access professions imposed on both Palestinians and Syrians push them to integrate into the informal sector. Hence, in variable ways, gender, ethnicity, but also residency and work status, intersect and exclude individuals from accessing social security mechanisms.

This illustrates that inclusion and exclusion from social protection follow intersecting patterns that cannot be understood through a labor perspective alone. Social identities such as – but not limited to – ethnic, gender, and class belongings need to be considered together to understand the exclusionary mechanisms to social protections. Thus, and as will be further shown below, the intersectionality framework (Crenshaw 1991) allows us to think of these mechanisms of exclusion in their intersection with different social characteristics and identities, such as class, gender, race, citizenship or ethnicity, residential and work status, but also age and/or disability.

*A quick look at the Lebanese labor market shows that occupational categories excluded from access to social security schemes are gendered and ethnicised, and tend to include low-skilled and/or low-income individuals.*

21. Daily work in the public sector is mostly operated by low- and middle-skilled Lebanese workers, and concerns around 10% of the workforce in the public sector (Lebanese Labor Watch (LLW) 2013). However, their number goes up to 50, 70, and even 80% in certain public facilities: 50% at Électricité du Liban (EdL), among 70 and 80% in the South Water Company (EES), North Water Company (EEN), municipalities of Beirut, Sidon, and Mount Lebanon, and the Baabda Public Hospital (LLW 2013, 45-47). Their employment is subjected to clientelist arrangements that nourish work, and social and economic precarity, while ensuring a certain degree of protection in exchange for political subordination and work exploitation (Scala 2020).

22. On the *kafâla* system see: Jureidini and Moukarbel (2004); ILO (2017).

## ASSESSING INTERSECTIONAL GAPS OF THE LEBANESE SOCIAL PROTECTION SYSTEM

The social protection system is currently based on a scattered contributory-based system and palliative *ad hoc* social assistance for vulnerable populations that have been consistently analysed by literature, especially – but not limited to – a technical one<sup>23</sup>. According to available data pertaining to the pre-crisis period (2018), overall, 1 in 3 (the equivalent of 34.3%) Lebanese citizens were completely excluded from the social protection system (ILO 2021, 10), while around half (52.8%) of the non-Lebanese population covered by the same ILO survey did not have access to any kind of social protection benefits (*Id.*, 14).

In this context, the ILO estimates that 1.2 million workers (out of 2.1 million active population)<sup>24</sup> were uninsured prior to the 2019 crisis. Insured workers mostly operated within large enterprises and were Lebanese. 80% of Lebanese workers in larger firms were insured while only 31% of non-Lebanese workers were insured in firms of the same size. In enterprises with less than 5 employees, 67.7% of monthly paid employees were uninsured (ILO 2021, 7). On average, only 1.7% of informal workers covered by the ILO sample were affiliated to insurances, against a staggering 50.4% in formal settings<sup>25</sup>.

Needless to say, consistently with the deterioration of the economic situation over the past two years, these figures have, in all likelihood, largely worsened, in a context characterised by business closures and massive layoffs, as well as abusive wage cuts or suspensions (Dirani 2021).

The failure of the social protection system is intimately linked to its labor-based structure. Social security schemes are related to formal employment in a country where pre-crisis estimates indicate that the so-called informal labor accounts between 55% (ILO and CAS 2018/2019) and 66% (WB 2011) of the total employment rate<sup>26</sup>, while the so-called informal sector would account for 36% of the GDP (WB 2011) and concerns 65% of the productive sector (ILO and CAS 2018/2019).

However, besides its labor-based structure, intersecting patterns of discrimination related to class, gender, and ethnicity can help explain systemic gaps of the Lebanese social protection system.

23. See: Ne'meh (1996); Kochuyt (2004); Abdo (2014); AbiYaghi (2014); Yehya (2015); ILO (2021); ILO and UNICEF (2021).

24. Source: ILOSTAT.

25. Our calculations based on ILO data (ILO 2021, 7, figure "employment-related affiliation to social and private insurance, by employee and employer characteristics").

26. Contrasted figures are the result of different quantitative methodologies based on projections.

## SOCIAL SECURITY SCHEMES

Social security schemes are linked to formal employment in Lebanon.

Formal public sector employees are covered by different cooperatives: the Cooperative of Civil Servants<sup>27</sup> and separate cooperatives for the military and security forces personnel<sup>28</sup>. Private sector employees are covered through the National Social Security Fund (NSSF). Public sector social security schemes offer better coverage than the NSSF, and notably provide old-age pension.

The NSSF constitutes a mandatory insurance that only covers formal private sector employees and their dependents (spouse, children, and parents over 60 years of age) during the period of employment. It also covers foreign workers on the condition that they hold a work contract, and that their country of origin applies the principle of reciprocity for Lebanese citizens. Coverage offered through the NSSF consists of: health insurance (ranging from 85 to 95% of health costs), sickness and maternity benefits, non-work-related death, maternity and partial inability to work linked to sickness. Family and education allowance are provided to male workers. Women registered with the NSSF can only access child allowances, if their husband is not or cannot be registered to the NSSF (Abdo 2014, 7). The NSSF does not provide any paternity leave (nor allowance) which implicitly suggests that the woman is the one taking care of the children.

The NSSF does not provide any old-age pension scheme, and only offers end-of-service indemnities. The NSSF adopts the method of individual capitalisation, which consists of collecting the contributions paid by and for the employee into a personal account, accumulating the regular interest determined by the Fund "without allowing it to redistribute resources between generations or benefit the most marginalised groups" (AbiYaghi 2014).

The NSSF is funded through contributions equal to 25.5% of every member's salary. The employer's contribution (equal to 22.5%) is divided as follows: 8% maternity and sickness; 6% family allowances, 8.5% end-of-service allowances. The employee contribution is set at 3%. The state contribution is set at 25% of the total expenses assumed by the NSSF in the event of sick leave and maternity leave<sup>29</sup>.

27. It includes public employees of all public administrations, including the judiciary and the Lebanese University. This system excludes contractual employees in the public sector.

28. Military and security forces personnel cooperatives also cover the civilian personnel attached to them.

29. See Civil Society Knowledge Centre (2020).

## CLASS PERSPECTIVES

Social protection is not only about coverage proportion; it is also an issue of impact. Overall, most vulnerable groups – i.e., low-income groups – are those who benefit the least from existing social security schemes. In fact, in contributory systems, benefits tend to be distributed proportionally to income. Contributory benefits account for the most part of the social security coverage in Lebanon. Being tied to the individual income of members, i.e. to the individual capacity of contribution, the current system structurally strengthens class inequalities. In short, it leaves behind those not capable of participating in the social security scheme. As a result, this system largely fails to protect the majority of vulnerable populations, thus deepening social, political, and economic exclusionary dynamics in Lebanese society.

As highlighted by the ILO Vulnerability and Social Protection Gaps Assessment, the richest decile of the ILO sample received 100 times more benefits than the bottom (poorest) decile:

*“Over 90% of total benefits distributed through social protection schemes was constituted of benefits from contributory social protection, such as retirement pension and health insurance, and more than 70% of those affiliated with social insurance schemes belonged to the upper half of the income distribution” (ILO 2021, 14).*

As a result, more than 60% of all social protection benefits (excluding private insurance) went to individuals in the richest income quintile of the ILO sample.

As mentioned above, the ILO and CAS 2018-2019 Labor Force Household and Living Condition Survey (LFHLCS), on which the mentioned the ILO Vulnerability and Social Protection Gaps assessment is based, does not take into account “informal dwellings” (namely, refugee camps and informal settings), and does not in-

clude female foreign domestic workers (ILO 2021, 14)<sup>30</sup>. As a consequence, pre-crises available data appears to underestimate the social protection reality and needs of non-Lebanese population, especially those living in camps, as well as Lebanese and undocumented populations such as Dom living within informal settings<sup>31</sup>. As such, it can only give very partial information about access to social protection for some of the most vulnerable groups in the country. These same groups today witness further and extreme pauperisation along with the deepening of the unprecedented economic crisis that strikes Lebanon has been experiencing since the fall of 2019.

## CLASS, GENDER, AND ETHNICITY

However, partial data collected through the ILO and CAS LFHLCS 2018-2019 indicate the intersectional relationship between class, gender, and ethnicity. The ILO report assessment (2021) indicates that gender inequalities are higher among low-income non-Lebanese households living within residential dwellings. Proportionally to the total sample population, an average of 67.2% of women belong to the two lower income quintiles, against 59.8% of men. As per Lebanese households, the link between poverty and gender appears to be flattened. In fact, within the sample Lebanese population, an average of 22.7% of men belong to the two lower quintiles against 23.5% of women (ILO 2021, 3).

For low and extremely low-income non-Lebanese households (i.e. the larger part of non-Lebanese residents), humanitarian interventions and safety net programmes constitute the predominant source of social protection.

However, as highlighted by the aforementioned ILO report, households where no one is employed are more likely to access benefits derived from UNHCR and other UN and NGOs health programmes (ILO 2021, 16), compared to other households. Therefore, virtually all informal non-Lebanese workers have limited chances to access UNHCR and other UN and NGO social protection programmes if they declare to be working (in the informal sector). This explains, *inter alia*, the crafts and workaround strategies produced during interviews and surveys by these subaltern populations who tend to misrepresent their actual life, social, and work realities to circumvent the organisations’ eligibility criteria, and hence, access the scarce resources offered by international and non-governmental organisations. The crafted and studied narratives mobilised by subaltern populations to access social safety nets and humanitarian aid can be understood within the framework of a “moral economy of lying” (Beneduce 2015; Maranconi and Kerbage-Hariri 2017). Here, lying constitutes a “legitimate(d)” practice as far as it seems to be the only pathway to access critical, and otherwise, unapproachable forms of social protection.

## QUESTIONING PRO-POOR APPROACHES

Safety nets present a number of limitations and gaps, starting with a theoretical one. Indeed, safety nets do not approach social protection as a human right, but rather focus on poverty response from an “emergency” rather than from a structural perspective. Furthermore, they are mostly funded through time-bound interventions from external donors, as is the case for the two main safety nets programmes in Lebanon: the WB-supported NPTP; and the ESSN financed by the WB and the European Union (EU). Safety nets have also proven to be very short reaching (as already mentioned, in March 2021, the NPTP reached up to 1.5% of the resident populations in Lebanon) and present a high error rate, due to both exclusion and inclusion criteria. Due to limited resources, social safety programmes only target the “most vulnerable populations,” which entails a hierarchisation of forms of poverty and human suffering. For instance, the ESSN programme prioritises households with children, members suffering from a severe disability, members aged above 70, and households headed by women. It thus leaves behind, *inter alia*, households with members who have just reached the retirement age of 64, as well as households with individuals presenting disabilities that are not classified as “severe.” Crucially, when targeting refugee populations, safety net programmes may deepen social tensions among the equally poor host and refugee communities. In the context of an emergency-based response, emerging crises often contribute to the marginalisation of other in-need populations, which was notably the case in Lebanon for the Palestinian community. As pointed out by the Lebanese Humanitarian INGO Forum (LHIF), the Social Safety Net Programme (SSNP) for Palestine Refugees in Lebanon (PRL) has been on hold for six years, coinciding with the onset of the Syrian crisis (LHIF 2021). Throughout the 2019 crisis, several reports re-evaluating the needs of vulnerable population groups have been produced, but very few have shed light on the growing needs of Palestinians (LHIF 2021, 9).

30. As per methodological criteria, let's also note that up to this day, the methodology of the ILO and CAS LFHLCS 2018-2019 has not been disclosed in any published report. Therefore, only fragmented information can be extrapolated from related reports exploiting the LFHLCS data.

31. Dom people are a formerly nomadic population that moved from India to several countries in the Middle East, starting in the 3rd century AD. In Lebanon, they have mostly been naturalised since the 1994 naturalisation law passed by presidential decree 5247 on 20 June 1994. However, some of them (15%) are seemingly still undocumented; others hold Syrian nationality. Their number is uncertain. Estimates suggest that at least 3,112 Dom live in the Beirut, Sidon, and Tyr areas. See: Terre des Hommes (2014).

Moreover, international donors have drastically reduced their participation to the financing of the United Nations Agency for Palestinian Refugees (UNRWA). Beginning in 2020, and in parallel to the US-brokered normalisation accord between the UAE and Israel (the so-called “Abraham pact”), for instance, the UAE has cut its funding to the UNRWA, which shows how *ad hoc* programmes can also be impacted by geo-political priorities and arrangements (LHIF 2021, 16, note 13).

In addition, safety nets have, in practice, a limited impact on beneficiaries. In Lebanon, data shows that they account for less than 0.5% income increase for benefiting populations (ILO 2021, 12). Furthermore, pre-2019 available data shows that a very small proportion of vulnerable individuals have access to non-contributory transfers. More precisely, 62.3% of the most vulnerable populations do not receive any transfers; 33% receive transfers based on contributions; and 6.8% receive non-contributory transfers based on social safety net programmes<sup>32</sup>.

Thus, both the fragmentation of the social protection system and the reliance on poverty alleviation with its limited social impact, exacerbate social inequalities: first, by ensuring better forms of protection for those able to contribute to social security schemes through labor; and second, by leaving behind those who cannot find – or perform – formal jobs. At the same time, this fragmentation reveals long-established patterns of discrimination based on social, political, and economic factors. Those who end up benefiting the least from the scattered social protection system(s) in the country are ultimately those who need it the most: vulnerable populations who are subject to different and sometimes overlapping forms of discrimination, including refugees and other non-Lebanese populations, but also women, older persons, persons with a disability, as well as Lebanese and non-Lebanese informal workers.

## HIERARCHICAL CITIZENSHIPS

Among persons who have access to social security schemes through formal employment, benefits differ depending on national and ethnic belongings. As noted by Jawad *et al.*:

*“Social welfare programmes are not just systems of service delivery, but also reflect political, cultural, and institutional orientations that have wider political significance for national identity and belonging, wealth redistribution, and subjective perceptions of personal wellbeing”* (Jawad *et al.* 2019, 1).

Intersectional patterns of discrimination thus also concern those who access both formal forms of labor and social security.

A hierarchy of citizenships and ethnicities seems evident. Citizens who hold Belgian, French, Italian, and British nationalities have full access to NSSF social security schemes, and are not subject to the principle of reciprocity. In contrast, the NSSF provides unequal access to social security schemes for Lebanese and non-Lebanese formal workers, reflecting profound social hierarchies based on citizenry and ethnicity. Notably, Palestinians have been automatically excluded from access to NSSF benefits, as no state counterpart exists, and the principle of reciprocity cannot, therefore, be satisfied. The Labor Code (article 59) and the NSSF Code (article 9) have been respectively amended in 1995, 2005, and 2010 to allow Palestinians formal workers to access NSSF provisions (AbiYaghi 2014). Yet, even though the reciprocity principle has been abrogated for Palestinians, amendments did not include the right to access maternity insurance and family allowances.

Therefore, up to this day, Palestinians can only access end-of-service indemnities. Several obstacles *de facto* impede Palestinians from obtaining work contracts, however, and by extension from obtaining a formal work status and labor-based benefits (Tarraf-Najib 2005; El-Nattour 1993). This is illustrated through the social movement of Palestinian workers and their families, which began a mere months before the 17 October 2019 social movement, and in which Palestinians specifically set forth labor-related grievances. On what was called the “Friday of anger” (*juma’at al-ghadab*) (Al-Akhbar, 20 July 2019), they mainly advocated for their right to access the formal labor market.

Similar dynamics can be highlighted while analysing the unequal access of Syrian refugees to the NSSF provisions, as well as that of other “forgotten refugees” (Al-Saadi, 25 August 2021) like Iraqi and Yemeni refugees. All of them encounter practical and social obstacles in accessing formal labor, and do not have access to the benefits that the NSSF offers to Lebanese workers. In fact, all foreign formal workers only access end-of-service indemnities, apart from the aforementioned four European nationalities. It is also worth noting that, while foreign formal workers only access end-of-service indemnities, both they and their employers still have to pay the same monetary contribution that Lebanese formal workers pay to the NSSF (25.5% of the salary, of which only about half is destined to cover end-of-service indemnities). This means that the NSSF is profiting off of non-Lebanese workers’ contributions (in case the latter have access to formal labor, which is seldom the case). But what Lebanese and non-Lebanese formal workers do have in common is the fact that the end-of-service indemnities they access, if at all, are indeed quite limited: they only cover three years of salaries for a worker who is able to justify 45 years of continuous activity (Centre for Social Sciences Research and Action 2020).

## PERSONS WITH A DISABILITY

Individuals with a disability constitute a typical example of the inability of the current Lebanese social protection system to protect.

Persons with disabilities who are unable to find a job through the contributory social security system are targeted through safety net programmes that provide social assistance. The latter have proven to be inefficient since they provide a negligible income increase (0.4% following ILO estimates [ILO 2021, 12]). In addition, only 60% of the disabled population<sup>33</sup>, equal to 103,262 people (UNICEF and MOSA 2019, 8), receive assistive devices and fee waivers through the Social Assistance for Persons with Disabilities Programme (ILO and UNICEF 2021, 9).

It should be noted that in the context of the ongoing crisis, the “only” (according to *L’Orient-le Jour*) private school for autistic children in the country, namely the “One Two Three Autism School” in Dbayeh, has been forced to shut down in September 2021 due to financial difficulties (*L’Orient-le jour*, 9 June 2021).

32. Our calculations based on ILO and UNICEF (2021, 8, figure 3.3).

33. Equal to 4% of the total population (ILO and UNICEF 2021, 9, note 28).

## CURRENT TRENDS: SOCIAL DOWNGRADING OF “PRIVILEGED” PUBLIC EMPLOYEES

The current crisis has severely impacted the social protection system mechanisms in unequal ways for different social groups. According to the WB, the GDP has decreased considerably, from \$55 million in 2018 to \$20.5 million in 2021, with an inflation of 131.9% over the first six months of 2021<sup>34</sup>. In the volatile context of multiple exchange rates and social security benefits, allowances and third-party payments are being provided by both private and public insurances according to the currency and the exchange rate with which the insurance contract has been settled initially. What this means practically, for instance, is that most public and private hospitals are not accepting third-party payments from public social security institutions (civil servants, military and security forces cooperatives, and the NSSF) because they pay social security benefits in accordance with the official exchange rate of 1,515 LBP for the dollar, while the so-called black market exchange rate exceeds 20,000 LBP for the dollar. In this context, many hospitals ask public employees and retirees to deposit substantially large amounts of money (compared to their salaries) in order to be admitted in the case of an emergency, and to access treatment<sup>35</sup>. Those who can afford to pay for private insurance in dollars and in cash are thus better covered than those with public social security.

A two-fold trend thus unfolds. On the one hand is the social downgrading of previously “privileged” individuals, namely formal public sector employees, who are being progressively shut out from the middle class and being relegated to subaltern segments of the population. On the other hand, class inequalities are further reinforced and entrenched. In this context, string-pulling (*wasta*) plays a major role, allowing individuals to access otherwise inaccessible services while fostering a reconfiguration of sectarian and clientelist affiliations, which were put under pressure by the social movement of 2019.

Even prior to the multiple crises of the past two years, sectarian political parties provided a large number of services, either directly or indirectly, especially through health care.

*“In 2006, out of 160 hospitals, only 5 are operated by the Government [...]. In parallel, 71% of the budget of the Ministry of Public Health (MoPH) is allocated for hospital-based care, and the majority of hospitals, which are faith-based, are engaged in contractual agreements with the Ministry [...], meaning that most of the MoPH budget is spent on private care providers, mainly hospitals linked to sectarian entities. Adding to that, these care providers tend to charge higher prices and prescribe a multitude of drugs for patients covered by the MoPH [...], thus inflating their profits. Furthermore, between 1991 and 2000, insurance premiums skyrocketed from \$57 million to \$355 million, with many of them linked to the families of the ruling oligarchy, who also possess exclusive import agencies for pharmaceutical drugs, as per the accounts of Fawaz Traboulsi.” (Abdo 2014, 16)*

Even today, many hospitals are run by political parties and charities, and offer services under philanthropic pretences, though it is often on a clientelist basis. In other words, sectarian welfare has established the basis for an actual “bricks and mortar clientelism” (Cammatt and Issar 2010) made of hospitals and charities founded and run by parties, and largely financed by public expenditures.

## CONCLUSION

The Bismarkian-inspired model systematically excludes important segments of the population from protection, due to the combination of a structurally informal labor market, the Labor Code’s exclusionary regulations, and the mobilisation of a large foreign workforce. This has contributed to the strengthening of at least three dynamics. First, the development of structural and intersectional “social precarities” and “social insecurities” (Castel 1995, 2003) through the exclusion of a large part of the Lebanese and non-Lebanese populations from any form of formal protection tied to employment. Second, the establishment of public *ad hoc* provisions, and international organisations and NGOs’ humanitarian interventions based on an emergency and pro-poor approach, trying to respond to the needs of most in-need individuals and populations. Third, the development of informal networks of protection, sectarian welfare, and clientelist repartition of resources, constituting a structural, rather than dysfunctional, element of the Lebanese social protection system. In conclusion, this policy brief suggests that while social protection schemes constitute a main pillar of social justice in a given society<sup>36</sup>, their ineffectiveness and/or instrumentalisation is – and has been – used as a means to advance political partisan agendas in the Lebanese context.

34. See: <https://www.worldbank.org/en/country/lebanon/publication/economic-update-october-2021>.

35. A few weeks ago, a public servant retiree was asked to pay 200 million LBP (around \$10,000) to access emergency care in a hospital in Beirut (conversation with a public servant, 23 October 2021).

36. The Lebanese society constitution states: “Lebanon is a parliamentary democratic republic based on respect for public liberties, especially the freedom of opinion and belief, and respect for social justice and equality of rights and duties among all citizens without discrimination” (Preamble of the Lebanese Constitution [1990], clause C).

## RECOMMENDATIONS

The current contributory-based social protection system has proven to be unable to protect at least 1 in 3 Lebanese, and 1 in 2 non-Lebanese citizens, while deepening class inequalities and intersectional discriminations based on gender, ethnicity, or disability. Social safety nets have proven to be short-reaching while also only providing limited protection for most vulnerable populations. Moreover, they imply an emergency-based, rather than a human rights-based approach, that does not challenge the structural causes of inequality and poverty. They also appear to be dependent on external donors' support, and are conditioned by political and economic issues that have, up to this day, impeded their implementation.

Thus the necessity for action on the level of the state, as the main duty bearer in charge of protecting Lebanese citizens and non-Lebanese populations residing in the country, is evident across all research findings. A universal and unified social security scheme must be implemented, as a cornerstone of a rights-based social policy in the country that ensures on the short-term protection against crises and life-shocks; and on the longer term, welfare and prosperity. This social security system unites access to socio-economic rights from access to the formal labor market, and is envisioned as multi-tiered and including tax-financed, with contributory schemes that ensure entitlements for all, as well as targeted social assistance.

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### THE LEBANESE STATE SHOULD

- Develop, along with syndicates, workers' groups, civil society actors, and other stakeholders, a comprehensive national and universal social security framework. This should entail the reform of the NSSF Fund to ensure universal coverage, retirement pensions, and unemployment allowances.
- Establish a unified, national body for the implementation of social protection policies, which includes the relevant ministries, public administrations, and organisations.
- Reform labor regulations in line with international conventions encouraging the inclusion of all categories of workers, and their capacity to organise and participate in policy reforms.
  - » Reform of the Labor Code should entail: i) the elimination of article 7 that excludes agricultural workers, domestic workers, and daily workers employed in the public sector from law regulations and from access to social security schemes; ii) the elimination of article 86 subordinating the establishment of trade unions to a ministerial authorisation; iii) reform articles 91 and 92 allowing foreigners to fully participate and be represented within trade unions.
  - » Abolish prescriptions for Palestinian and Syrian citizens limiting the sectors and professions in which they can operate.
  - » Abolish the labor-related residency policies, namely the *kafâla* system, which ties foreign workers to one employer, limiting free circulation in the labor market and encouraging forms of discrimination and exploitation of foreign workers, especially – but not limited to – female foreign domestic workers.

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### THE DONOR COMMUNITY AND INTERNATIONAL NGOS SHOULD

- Support the Lebanese state in the policy reform process towards the unification of the existing exclusionary and fragmented schemes into a universal and unified social security programme for all.
- Gear policy and programmatic efforts and funds towards structural policy reforms that are based on social rights, rather than piecemeal and scattered provision of services.
- Commit to full transparency in the earmarking, allocation, and reporting of funding for social security given to the Lebanese state, its ministries, or charities and the associative sector.
- Ensure that consultative processes are effectively participatory and include labor and civic actors' voiced priorities and needs.

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### CIVIL SOCIETY SHOULD

- Reclaim advocacy and lobbying efforts, and campaign for social and economic rights, notably for access to social security, beyond, or in complementarity with, their provision of social services.
- Advocate and lobby for the introduction of a national social protection strategy that mitigates the effects of current compounding crises, and aim for the enactment of a universal social security scheme on the long term.

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