

Behind Beirut's Thalassocracy: A Study of the Systematic Corruption within the Beirut Port

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Executive Summary

The Lebanese curriculum of Geography highlights the Beirut port as the strongest maritime administration in the east mediterranean coast. While this claim may have been true at some point in history, the new world order shifted the situation around, as the harbor found itself in ruins after facing the consequences of its deep-rooted corruption.

The Lebanese golden age witnessed an inexplicable economic boom in its absolute free market, which historians later described as “Le miracle Libanais” (The Lebanese miracle). However, this economic boom was nothing but the short run benefits of institutionalized corruption within the state’s administration and beyond. Notably, the Beirut port’s thalassocracy’s magnetism has been based on corruption and the ease of transactions. Its history is based upon adapting to new layers of corruption, as it was a weapon trade tool during the Lebanese civil war, and is now a hub of clientelist networks and favoritism between ruling class and wealthy businessmen. The Taif agreement created a new temporary committee to oversee customs affairs, which acted more like a business firm than a public administration. This system is still used today, as the committee’s board seats are being divided between the ruling class.

With the current allotment era, institutionalized nepotism in the customs administration became a massive burden to the state, as we started to witness the long-term dangerous damage of corruption. Tax evasion and illegitimate smuggling of goods created critical fallacies within the state’s treasury calculations, as only a fraction of the expected revenue arrives in the state’s hands. Moreover, with expanded popular clientelist networks, customs workers are not working under the rule of law, but under the surveillance of their patron, who employed them in order to facilitate the transactions of the wealthy business owners who fund his campaign.

Petty corruption was at least benefiting the private sector in the short-term, as the long run consequences turned out to be drastic. With the lack of the necessary funds, the customs’ efficiency dropped. The custom program “Najm” obtains low maintenance, workers keep on striking, and they are increasingly accepting bribes as their wage is minimal. Petty corruption also opened the gate for criminal enterprises, as Beirut’s port became a primary checkpoint for exporting Syrian narcotics. Considering the billions of captagon pills found hidden in goods imported from Beirut and the increased risks of drug smuggling, many countries like Kuwait and Saudi Arabia decided to cut commercial ties with Beirut. Armament trade accompanied the narco trade, as more and more militias and armed groups relied on the Beirut port’s leniency and lack of surveillance to smuggle illegitimate armaments within the region. Much weaponry material was left hidden and forgotten within the dockyards of Beirut, including the 2755 tons of ammonium nitrate in dockyard 12, which went unnoticed until the 4th of August 2020.

Many were warned about this ticking time bomb, and many who had raised concerns were found dead, such as Colonel Joseph Skaff in 2014. It is no secret that these explosives were not 'forgotten', but linked to layers and layers of corruption, clientelism, and militia rule. The ammonium nitrate cargo is not only linked to a certain corruptive file, but an endless matryoshka doll system of file after file opening. The domino effect that the investigation threatens to cause would put the whole administration at risk, revealing the deep-rooted nepotistic mechanisms engraved in the customs. Moreover, the broad clientelist networks are protecting their people from customs workers to managers in order to maintain their personal benefits within the port.

However, corruption has never been as damaging as within the judiciary. While allotment expanded, judges were appointed by certain ruling people. This is creating an issue for investigators, as judges are constantly forbidding them of information that may harm their affiliations. The political class seems to blockade the investigation as it will definitely open many files, causing the increase of the rule of law over the rule of men.

International pressure is rising more and more, and while people are asking for their basic right of information, the corruption that they themselves created is blocking their access to justice. Within every policy implemented in the country, especially in the Beirut port, human greed is a primary variable. If we can make the 'clean way' more economically profitable than the endless series of bribes, corruption, and evasion, the core of this whole mechanism, institutionalized nepotism, would destroy itself, and justice may arrive one day or another.

Issue Synopsis

It has been more than 3 years since the Beirut port explosion, and the situation remains shrouded in mystery. The 4th of August 2020 blew up decades of corruption in one go, in the very place that was praised and cherished for being the origin of Beirut's thalassocracy not so long ago. The capital's port has relied on corruption in order to give itself the image of high efficiency, ease of transaction, and comfortability. Even before the civil war, the law was undermined in the harbor and the private sector was enjoying the profits.

However, the detriments have grown exponentially, outweighing the benefits of corruption. While the government claims that the core city holds its maritime power, the youth and even the teachers are aware of the changing world order and the curriculum's inaccuracy and obsolescence. The subversion of legal principles did not only turn Beirut into rubble, but also advocated a drug empire and blocked access to justice, as the investigation over the explosion opened a near endless analysis of the deep-rooted nepotism within the institution.

D) A maritime power constructed with corruptive administration.

A) The Beirut port has a long history deep rooted with corruption from its renovation in 1938 until now.

- 1) No later than 1939, a year after the inauguration of the renovated Beirut seaport, 190 kilos of Opium were found in the dockyards of Beirut. Further investigation was stopped as politicians were involved backstage¹.
- 2) Beirut's maritime competition with Haifa pre-decolonization evoked a sense of receptivity for institutionalized favoritism², which gave Beirut the upper hand. The extended corruption is also linked to the competition with the Lydda port in 1950s occupied Palestine
- 3) By the end of 1950, over 500 workers were dismissed for reporting inactivity and corruption, which primarily benefited the Syrian state. "The severing tensions between the two states caused a complete rejection of undermining the law in favor of Syria³."
- 4) With the outbreak of the civil war, the now militia-controlled port was used for Gun imports, narcotics, and the funding of the 25-year long

¹ The Palestine Post, "After Hashish, Opium: 190 KILOS OF DRUG SEIZED AT BEIRUT PORT.", Aug. 22, 1939, p.5.

² The Palestine Post, "Inauguration of New Beirut Port: HAIFA AND TEL AVIV REPRESENTED." Jun. 15, 1938, p.2.

³ The Jerusalem Post, "Beirut Port Idle, 500 Men Dismissed", May 31, 1950, p.1.

conflict.⁴ Battles like the battle of the hotels , black saturday , and the karantina massacre shed light on the determination of militias to control the area for their own benefits.

- 5) The war of liberation marked a key paradox linked to corruption. While the state was not able to provide electricity for the average citizen, La Cigale and other private industries were illegally smuggling caviar and champagne in the Lebanese souks⁵.

B) The Port's administration has been hollowed out, and positions are abused in favor of the holder's affiliations, leading to massive clientelism.

- 1) Iran backed Hezbollah militia have a 'free pass'⁶, which lets them import and export without having to abide by the rule of law, all due to its clientelist network and lobbies within the port's administration⁷.
- 2) The State security agency reported the names of five inspectors in the institution that must be replaced, but cannot do so due to political ties⁸, majorly with the Free patriotic movement, the Lebanese Forces, Hezbollah, Amal, and the Future movement⁹.
- 3) Political forces, which ended up controlling the area and establishing a double sided clientelistic network . This alliance additionally imported goods ... "imaginary charitable associations exempted from paying customs fees." While the same businessmen finance the campaigns¹⁰.
- 4) The parties' network, which is under political protection, is benefiting from the illegal auctions of abandoned imports, making fortunes. Badri Daher for example, struck a deal with a man who agreed to pay him half of the highest bid in an auction and forget about 23 motorcycles owed to him by the customs authority from a previous auction. That is only one example of many.¹¹

⁴ D. Grant, "How Beirut Warriors Get Weapons", Sep 25 1989, p.1.

⁵ A. McCabe, "Beirut War Rations: Caviar, Champagne and Mortar Shells", Oct. 8, 1989, p.1.

⁶ Now Lebanon, "The Beirut Port: Hezbollah's gateway to corruption", Jun. 7 2023, p.1.
R. Housseini, "Dockside Dealings: Smuggling, Bribery and Tax Evasion at the Beirut Port", Sep.16,2020, p.1.

⁷ Dr. L. Khatib, "How Hezbollah Holds Sway over the Lebanese State", Jun. 30 2021, p.20..

⁸ R. Housseini, "Dockside Dealings: Smuggling, Bribery and Tax Evasion at the Beirut Port", Sep.16,2020, p.1.

⁹ Now Lebanon, "The Beirut Port: Hezbollah's gateway to corruption", Jun. 7 2023, p.1.

¹⁰ *Ibid*

¹¹ *Ibid*

C) Gained power through corruption , attracting customers by facilitating tax evasion and easing transactions

- 1) Since 2014, dozens of officials in the real estate sector have been investigated for illegal imports that do not comply with the national criteria¹². The seaport became a magnet for flawed goods, and an institution that can assure fast distribution of a company's goods despite not complying with the market's standards.¹³
- 2) Tax evasion in the Beirut Maritime institutions attracted more and more containers. Insiders from the Port declared to the Tribune Business News in Washington that the parties involved are dividing a pie among each other: "The client wants to pay less taxes to sell products at greater profits; the supplier wants to satisfy the client and earn his loyalty; the clearance office wants to earn extra commissions, while inspectors and customs agents make thousands of dollars a day in bribes."¹⁴
- 3) One of the Harbor's unique features is the capacity to smuggle goods towards the country, whether they are illegal, stolen, or require deep inspection, like guns, fireworks, jewelry. The lack of technology and repair give the inspection task to human resources. The greedy supplier can easily bribe the officials to speed up the inspection and make it more efficient.¹⁵

II) Institutionalized corruption caused critical damage to the country.

¹² TCA Regional News, "Finance Minister Visits Beirut Port in Corruption Crackdown", Dec. 24, 2014, p.1.

¹³ The Daily Star, "Customs Agents Crack Down on Corruption", Oct. 17 2012, p.1.

¹⁴ E. Sakr, "Corruption Widespread, Deep Rooted in the Beirut Port", Nov. 13, 2012, p.1.

¹⁵ The Daily Star, "Customs Agents Crack Down on Corruption", Oct. 17 2012, p.1.

Dr. L. Khatib, "How Hezbollah Holds Sway over the Lebanese State", Jun. 30 2021, p.20.

R. Housseini, "Dockside Dealings: Smuggling, Bribery and Tax Evasion at the Beirut Port", Sep.16,2020, p.1.

A) Corruption has been the major drawback of the Lebanese state, causing extreme burdens and losses.

- 1) During the economic crisis, deep-rooted corruption has been exposed, and its ties with the political elites, worsened the situation. International organizations cannot trust a government that has been breaking its own laws, especially within maritime commerce.¹⁶ Elias Hankach claimed that the only way to get back this trust is by following the IMF's reform criteria for loans, characterizing it as a 'good behavior card'. The criteria include major changes within the Port's administration.
- 2) The state is progressively witnessing a significant decline in revenue. Tax evasion alone is costing the state an estimated \$1 billion annually. Only fractions of the expected imports revenue are reaching state coffers, while the rest are used to fund endless clientelist and favoritism relations, instead of paying off national debts and boosting the economy.¹⁷
- 3) Alongside hyperinflation, institutionalized nepotism brought the maritime administration to a near-collapse state. The legal clearance program, "Najm's Servers" outages are frequent due to chronic underfunding, causing massive inefficiency in the clearance sector. While 3B USD and some added funds were expected to arrive for port maintenance and to secure debts, only 800M arrived at the customs.¹⁸

B) International sanctions on narcotic exports, facilitated by the nepotistic maritime administration, had considerable ramifications for the Lebanese economy"

- 1) A ban on Lebanese imports from the gulf countries is the result of excessive drug smuggling. Pomegranate crates in KSA were estimated to contain 5.3 million Captagon pills. Also, 9 million pills were seized by Kuwaiti customs.
- 2) The US national treasury imposed sanctions on individuals supporting the regime of Syrian President Bashar al-Assad and his family allies on March 28 2023, according to the statement. Along with the sanctions, heavy inspections on imports from Lebanon are taking place, impeding the ease of transactions and tarnishing Beirut's magnetism and reputation.

¹⁶ E. Sakr, "Corruption Widespread, Deep Rooted in the Beirut Port", Nov. 13, 2012, p.1.

¹⁷ R. Housseini, "Dockside Dealings: Smuggling, Bribery and Tax Evasion at the Beirut Port", Sep.16,2020, p.1.

¹⁸ The Daily Star, "Customs Agents Crack Down on Corruption", Oct. 17 2012, p.1.

C) A ticking time bomb camouflaged by the Lebanese Political System constructed on neglect.

- 1) Cargo Ship, MV Rhosus carrying 2,755.5 tons of ammonium nitrate destined to reach Mozambique, had an unexpected detour at the Beirut Port on the 13th of November in 2013. The ship never left the port because of the technical problems it was facing, despite the failure to pay port fees and an inspection being conducted by port authorities¹⁹.
- 2) The prolonged presence of ammonium nitrate at the port , combined with the lack of oversight and inaction , is a direct ramification of the corrupt divide within the Beirut port administration . The Lebanese state , divided along sectarian lines, failed to address these issues. Abuse of the power sharing formula put Lebanon into an Allotment state, to which no oversight or accountability is present. Individual port authorities present in the port are there to benefit their parties rather than the wellbeing of the state. “The longtime head of customs is known to be a loyalist of President Michel Aoun, for example, while the head of the port is in the camp of Saad Hariri, the Sunni leader who has repeatedly served as prime minister. The Hezbollah militant group and, even more, its Shiite ally, the Amal faction headed by Parliament Speaker Nabih Berri, also have loyalists at the port, though Hezbollah doesn’t have the same influence as it does at, for example, the airport, which it controls and uses to ferry in cash from Iran.”²⁰
- 3) Despite multiple warnings being sent to the Government concerning the possibility of ammonium nitrate detonation at any point, government officials overlooked port issues to stay loyal to their parties. This is due to the postwar situation in Lebanon, as it is based on the state’s capture and hollowing out by sectarian elites, to which decisions are made on pure sectarian consideration rather than for the public good. Each elite has employed “their own people” based on their agendas, to which zuamas and warlords have employed civil servants loyal to them rather than the state.²¹

¹⁹ Dadouch S. et.al. “A Vast Store of Explosive Material Sat in Beirut for Years Despite Repeated Warnings.” Aug. 5 2020. p1.

²⁰ Mroue. B. et.al. “End of the World: Countdown to Beirut’s Devastating Blast.” Aug. 23 2020 p.1.

²¹ Mroue. B. et.al. “End of the World: Countdown to Beirut’s Devastating Blast.” Aug. 23 2020 p.1. Human Rights Watch. “They Killed Us from the Inside” an Investigation into the August 4th Blast”, Aug.3 2021. p.1.

- 4) Multiple warnings were sent out by important port officials regarding the danger of the material but were ignored, questioning whether the irresponsibility of the ammonium's presence was intentional: one warning came from a senior customs official, Col. Joseph Skaff, on the 21st of February 2014, who was later found dead with suspicions of murder. Other warnings came from Badri Daher, director general of Beirut customs, who wrote multiple letters demanding re-exportation to the "Beirut judge of urgent matters". He didn't receive an answer despite highlighting its danger.²²

III) Layers of corruption paralyzing the Beirut Blast investigations

A) Unjustifiable replacement of investigative Judge concerning the Beirut Port Investigation.

- 1) Lebanon's Court of Cassation removed Judge Fadi Sawan on the 18th of February 2021. Former investigative Judge removal is explained by suspicion and claims of political interference, as two ministers filed a claim and accused him of "criminal negligence"²³.
- 2) Judge Tarek Bitar, new investigative Judge of the blast, had to suspend investigations on the Beirut Port Investigation due to multiple lawsuits alleging a "legitimate suspicion of the impartiality of the judge" in order to remove him, despite the lack of legal proof. According to the Lebanese Criminal Procedures Codes, such legal procedures can automatically pause an investigation²⁴.
- 3) Judge Bitar attempted to resume investigations on January 23rd, 2023, by claiming that such legal procedures do not apply to his case as it is under the jurisdiction of the Judicial Council. Instead, these only apply the suspension of an investigation with regular investigation judges. Despite this, on February 6, Bitar's investigation was further postponed due to a lawsuit and travel ban by Ghassan Oueidat.²⁵
- 4) The Beirut port investigation has been put on hold in order to remove the lead investigator, which has only extended the delay for justice, accountability, and

²² Mroue. B. et.al. "End of the World: Countdown to Beirut's Devastating Blast." Aug. 23 2020 p.1.

²³ AlSharif G. "The Beirut Port Blast Investigation Is on Hold after a Court Decision to Remove the Judge in Charge of Probe" Feb 18 2021. p1.

Al Jazeera "Lebanese Court Removes Judge Leading the Beirut Blast Investigation". Feb.18. 2021, p.1.

²⁴ Amnesty International "Lebanon: Unacceptable Lack of Justice, Truth and Reparation Three Years after Beirut Blast. Aug.3. 2023. p.1.

²⁵ *Ibid* p.1.

answers for the people. The possibility of resuming investigation still remains unknown.

B) The unveiling of near-endless criminal cases linked to the August 4th disaster.

- 1) In November 2020, Former investigative Judge Fadi Sawan accused 12 former and current ministers at the time of taking part in the explosion and wrote to the Parliament, requesting to investigate them.²⁶
- 2) Former investigative Judge Fadi Sawan, took action again by accusing Prime Minister Hassan Diab and three former government ministers of “criminal negligence” linked to the explosion.²⁷
- 3) Judge Bitar attempted to prosecute security heads Saliba and Ibrahim multiple times.
- 4) Judge Bitar held hearings against ministers by issuing absentia arrests against some officials like Fenianos and Khalil, despite no action being taken by the security forces.²⁸
- 5) A civil lawsuit was filed by the Accountability Now organization, a Swiss-based organization in the United States, aiming to secure a sum of 250 million dollars in damages for the survivors while also trying to expose fresh evidence that could accelerate investigations.²⁹

C) Rule of men embedded in the Lebanese judiciary system.

- 1) Due to Judge Bitar’s decision of resuming the investigation despite its thirteen-month suspension, Ghassan Oueidat ordered the charge and release of five detainees.³⁰

²⁶ Human Rights Watch. “They Killed Us from the Inside” an Investigation into the August 4th Blast”, Aug.3 2021. p.1.

²⁷ Legal Action Worldwide, “ New Report 4 August Beirut Port Explosion: The Lebanese Legal System Continues to Fail Victims One Year on. Aug. 3. 2021. p.1.

²⁸ L’Orient le Jour, “Beirut Explosion Investigation Judge Tarek Bitar Issued an Arrest Warrant in Absentia for ex-Public Works Minister Youssef Fenianos after He Failed to Appear for Questioning Today, a Judicial Source Told L’Orient Today . Fenianos’ Hearing Has Repeatedly Been Postponed.” Sep. 16. 2021. P.1.

²⁹ Fox T. “Two Years, After Beirut Blast Lawsuits Raise Hopes for Justice”, Aug. 4 2022, P.1.

³⁰ Amnesty International “Lebanon: Unacceptable Lack of Justice, Truth and Reparation Three Years after Beirut Blast. Aug.3. 2023. p.1.

- 2) When investigative Judge Bitar implied interrogating the party-affiliated politicians, they put up legal obstacles and accused him of overstepping his powers. Some even highlighted the fact that they had political immunity from prosecution.³¹

- 3) Judge Bitar's arrest warrants to officials being ignored.

In conclusion, the Beirut port's administration has been built on corruption and is perfectly engineered for clientelism, lobbyism and tax evasion. Human greed has prevailed in the administration as customs have been divided into client/patron gangs. The overall political climate opened the gate towards corruption, as the ruling class would benefit from it as well. The harbor however, witnessed the consequences of its nepotic foundation as it saw itself become essential to the Syrian drug trade and a burden to the state, repetitively forbidding it of its rightful income. The Beirut port is currently suffering from lack of funding, deadweight loss, decrease of economic activities, and a near endless search for justice after the August 4th blast.

The port of Beirut has a long history that consequently shaped it as a core for corruption. From the French mandate to post-civil war, it has never been a transparent industry. With the institutionalization of the allotment state, the port of Beirut got integrated in the mohasasa equation, as each party is competing to get parts of the administration, thus hollowing out the rule of law and the state's authority. This endless corruption dragged the August 4th blast investigation into a never-ending cycle of interrogations and case analysis, which continue to forbid the people from justice until today.

³¹ Bassam L. "Lebanon's Bitar Wages Uphill Struggle for Justice over Port Blast", Jan. 24. 2023. P.1.

Insight and Analysis

Understanding the Beirut port's administration implies understanding the mechanisms of corruption integrated within the institution. Layer after layer, the history of Beirut includes consequences and historical events that embedded nepotism within customs, whether it was elitist privilege or weapon markets, Beirut's port has adopted mechanisms for all types of corruption. The current situation integrated it into the allotment equation, which prevented the state from revenues or any type of control within the maritime administration.

On a criminal level, the ease of transaction and normalization of corruption within customs opened the gate for the Syrian narco trade to export from Lebanon. With minimal funding and massive inefficiency, the customs administration has not yet recovered from the devastating Beirut blast, whose investigation is continuously getting blocked with the discovery of more and more corruption files.

The development of the port of Beirut, originally a French institution, has been influenced by the Middle Eastern feudal mentality, alongside historical events; thus implementing deep rooted corruption within the customs' administration.

The renovated Beirut Port can be traced back to 1938, during the French mandate over Lebanon and Syria. The newly founded maritime administration became the major link between Metropolitan France and its dominions in the Levant. However, the first traces of corruption were found no later than 1939, as over 190 kilos of Opium were seized in the port's dockyards³², resulting from a new 'hashish boom' in the Bekaa Valley³³. Further investigations were stopped as political ties and elitist links were concerned. Corruption should be expected in such a region, one with a long history of feudal order, za'ama system, and tribal mentalities.³⁴ It is also important to mention that the French third republic was not the best to teach transparency, as the regime was still in the recovery process from corruptive catastrophes like the Dreyfus Affair and the Panama Scandal³⁵. Moreover, the Middle East, which was then predominantly occupied by the French and British, was integrated into the economic race between the two. The maritime

³² The Palestine Post, "After Hashish, Opium: 190 KILOS OF DRUG SEIZED AT BEIRUT PORT.", Aug. 22, 1939, p.5.

³³ H. Joshua, "Lebanon: Hach Makes a Comeback; the Bekaa Valley Regains its Outlaw Reputation." Sep. 17 2001, p.1.

³⁴ K. Salibi, "A House of Many Mansions: The History of Lebanon Reconsidered", 1st edition 1988, p. 216.

³⁵ H. Arendt, "The origins of Totalitarianism", 1951, 1st edition, p.176.

competition with the port of Haifa in British Palestine³⁶ made Beirut more responsive to ease of transactions, corruption, and a 'laissez-faire' mentality to attract customers.

The situation did not get any better post-independence, as the so-called father of Lebanese independence, President Bechara El-Khoury, was known for his nepotism and his consortium of Bankers and wealthy entrepreneurs³⁷. The Beirut Port was open for compromises to whoever was favored by the ruling class. This state favoritism was majorly highlighted in 1950 by the dismissal of 500 custom workers in Beirut. Both were breaking the law in favor of the Syrian government. Their dismissal was the consequence of escalating tensions between the two neighbors, which resulted in the refusal of any law undermining the Syrian authorities – a norm in the 1940s³⁸. Furthermore, Lebanon adopted a liberal economic system that encouraged the 'laissez-faire, laissez-passer' phenomenon³⁹. This absolute free market resulted in major inequalities, enabling the underpaid custom workers to become receptive to bribes from the greedy 1%. Eventually, the class struggle, alongside other divisions within the Lebanese people, like the Palestinian question, political radicalism, and religious fanaticism, led to a 25-year long brutal conflict, where the Beirut port's corruption played a major role.

The Lebanese government completely collapsed during the Lebanese civil war (1975-1990) and the country saw a brutal militia and cartel control its different regions. Rule of men was imposed in every public institution. Civil war cartels extracted all the resources and facilities available in their occupied land⁴⁰. During the start of the war, the Beirut Port was mostly under the control of the phalangists, and armed blocs waged many battles to occupy it. Since over 100 000 tons of ammunitions arrived every year from the harbor to the hands of the brigade in control⁴¹, taking over the Beirut Port was the major goal of some bloody battles and massacres, like the battle of the hotels, which took the life of around 700 people. The urge to take complete control of the Beirut maritime infrastructures was the essence of cruel massacres, like Black Saturday and the Karantina massacre. It was a major infrastructure to capture in order to finance the militia. Once captured, each political cartel had its own drug smuggling routes and black-market trade with some of their international allies. Militias mostly relied on the 'hashish trade' from the Bekaa valley to finance their arms, that came in waves to the Beirut Port⁴². However, corruption in the Beirut port during the war had a business side as well, as parties' consortiums abused their political ties to smuggle their goods tax free and without any inspection. One major corporation was "La Cigale", which smuggled luxurious food in the Lebanese market using its political ties with General Michel Aoun in 1989, during the war of

³⁶ The Palestine Post, "Inauguration of New Beirut Port: HAIFA AND TEL AVIV REPRESENTED." Jun. 15, 1938, p.2.

The Jerusalem Post, "Beirut Competes with Lydda Port", Oct 10, 1950, p.2.

³⁷ K. Salibi, "Lebanon under Fuad Chehab 1958-1964", Dec. 06 2006, p.5.

³⁸ The Jerusalem Post, "Beirut Port Idle, 500 Men Dismissed", May 31, 1950, p.1.

³⁹ N. Hourani, "Capitalists in Conflict: The Lebanese Civil War Reconsidered", Mar. 03 2015, p.p. 3-6.

⁴⁰ D. Grant, "How Beirut Warriors Get Weapons", Sep 25 1989, p.1.

⁴¹ Ibid p.1.

⁴² Ibid p.1.

liberation. The Lebanese population faced a paradoxical scenario: while they had no electricity supply, caviar and champagne was abundant and comparably cheap in Lebanese shops.⁴³

The Taif agreement put an end to the civil war, and militias were officially dismantled in 1990. However, the clashes turned into administrative competition, shaping the new Lebanese republic as an allotment state, where parties compete to get seats and positions within the executive, legislative, and judiciary bodies – to benefit their own people, not the state. The Amnesty law of 1996 forgave all the war crimes committed during the conflict and integrated warlords, feudal leaders, and wealthy businessmen to the new ruling political elites. The Beirut Port's administration has been handed to a new temporary "Transitional Commission" in 1993, which still operates the harbor until now, transforming the Beirut port to a form of 'private business'.⁴⁴ Despite using public funds, this Transitional commission is immune to inspections from the Ministry of Finance, the Central Tenders Board, the Court of Audits, and the Central Inspection Authority⁴⁵. Even within the commission, major parties have divided the 7 seats of its board, which is currently headed by the Future movement affiliate Hassan Koraytem. This commission gave political protection to all the greedy businessmen who would like to evade taxes, smuggle goods without inspections, and disregard the market standards⁴⁶. In exchange, these businessmen would finance their political guardians' campaign; thus, creating a double sided clientelism that hollowed out the administration, imposed the rule of men above the law, and eventually caused critical damage to the failing state.⁴⁷

Clientelist networks, that are still deep rooted in the Beirut port, have been the most common means of administration, but caused critical damage and massive losses to the country.

The allotment administration and the power sharing mentality have been implemented in the Beirut maritime bureaucracy. The 7 seats of the board of transitional commission that takes charge of the Beirut port's operation are being used for political clientelism, as well as financial gains. Hezbollah, for example, is considered by many scholars to have a 'free pass' within the Beirut port, all due to its clientelist network and lobbies within the port's administration⁴⁸. In addition, other parties took part of the port's bureaucracy for their own community's favor, notably the Future movement – which has Hassan Koraytem, current head of the transitional

⁴³ A. McCabe, "Beirut War Rations: Caviar, Champagne and Mortar Shells", Oct. 8, 1989, p.1.

⁴⁴ R. Housseini, "Dockside Dealings: Smuggling, Bribery and Tax Evasion at the Beirut Port", Sep.16,2020, p.1

R. Leenders, "Timebomb at the Port: How Institutional Failure, Political Squabbling and Greed Set the Stage for Blowing Beirut", Sep. 16 2020, p.1.

⁴⁵ Dr. L. Khatib, "How Hezbollah Holds Sway over the Lebanese State", Jun. 30 2021, p.18.

⁴⁶ E. Sakr, "Corruption Widespread, Deep Rooted in the Beirut Port", Nov. 13, 2012, p.1.

⁴⁷ R. Leenders, "Timebomb at the Port: How Institutional Failure, Political Squabbling and Greed Set the Stage for Blowing Beirut", Sep. 16 2020, p.1.

⁴⁸ Dr. L. Khatib, "How Hezbollah Holds Sway over the Lebanese State", Jun. 30 2021, pp 18-22.

commission, as a supporter – and the Free patriotic movement – that has Badri Daher, head of the Lebanese customs, as major member. Other parties have been playing a role in maritime clientelism as well, including the Lebanese Forces, the Progressive Socialist movement, and the Amal movement. These political organizations took charge of many illegal auctions of abandoned imports, making massive revenues. One example is a deal done by Badri Daher and a man to split the revenue of an auction for 23 abandoned motorcycles⁴⁹.

Nonetheless, the state security agency reported that 5 inspectors within the customs department must be removed due to their extreme corruption, but their dismissal is not valid due to their strong political ties with the above-mentioned parties⁵⁰. Moreover, major business institutions are registered in the Beirut port as “imaginary charitable association”, exempted from paying taxes⁵¹. In return for these privileges, those institutions finance the parties’ campaigns and recruit new employees from the za’im or party’s referral. It is estimated that from 600 workers in the ports, 450 are lobbying for private institutions.⁵²

While clientelist networks are making great profits from institutionalized corruption, the state is facing the consequences. Clientelist networks in the Beirut port and the tax exemptions of the wealthy business institutions are forbidding the arrival of around 1B dollars of direct taxes to the state’s treasury⁵³. According to the state’s treasury in 2018, these expected revenues were supposed to pay off some of the country’s debts. However, deep rooted clientelism and favoritism forbade the state of its legitimate revenue, that could have boosted the Lebanese economy by reducing its indebtedment. However, forgotten direct taxes are neglectable compared to the evasion of custom taxes. Of over 3B US dollars that were expected to arrive from custom taxes, only 800M US dollars arrived⁵⁴. This huge gap between expected funds and arrived funds caused critical fallacies in the customs’ strategies of resource allocations. Their clearance program, ‘Najm’, is frequently shutting down due to the lack of necessary funds for its complete maintenance, causing a prolonged clearance process and increased inefficiency within all the maritime linked institutions.

Nowadays, it is no secret that corruption is deeply rooted within the Beirut port’s bureaucracy. Alongside the allotment state, it caused a huge amount of deadweight loss in the Lebanese maritime administration. When word spread about flawed goods, corruption, and the

⁴⁹ R. Housseini, “Dockside Dealings: Smuggling, Bribery and Tax Evasion at the Beirut Port”, Sep.16,2020, p.1.

⁵⁰ *Ibid*

⁵¹ Now Lebanon, “The Beirut Port: Hezbollah’s gateway to corruption”, Jun. 7 2023, p.1.

⁵² R. Leenders, “Timebomb at the Port: How Institutional Failure, Political Squabbling and Greed Set the Stage for Blowing Beirut”, Sep. 16 2020, p.1.

⁵³ R. Housseini, “Dockside Dealings: Smuggling, Bribery and Tax Evasion at the Beirut Port”, Sep.16,2020, p.1.

R. Leenders, “Timebomb at the Port: How Institutional Failure, Political Squabbling and Greed Set the Stage for Blowing Beirut”, Sep. 16 2020, p.1.

⁵⁴ E. Sakr, “Corruption Widespread, Deep Rooted in the Beirut Port”, Nov. 13, 2012, p.1.

R. Leenders, “Timebomb at the Port: How Institutional Failure, Political Squabbling and Greed Set the Stage for Blowing Beirut”, Sep. 16 2020, p.1.

illegitimacy of the Beirut port's merchandise, many countries, including Italy, Kuwait, KSA, and Spain, stopped collaborating with the harbor⁵⁵. The slowing process and the lack of trust, accountability, or even warrants is making the merchants hesitant to export towards Beirut. Even when it comes to export, the leniency of the investigation process has spread around the globe, and many started to put Lebanese products under extreme investigation to make sure that they actually comply with the law or chose to ban Lebanese products.

The Lebanese word, or a Lebanese guarantee, seems to become hypocritical, considering even the IMF asked for an increase in transparency and accountability within the government and institutions in the Beirut port as a criterion for their fund. According to Elias Hankach, an MP of the Metn area, getting the IMF fund can be perceived as a 'good behavior' card in order to reclaim international trust within Lebanese institutions, especially the Beirut port, capable of influencing the economy and boosting the import and export processes by regaining the trust of the world.

Lack of trust in the Lebanese merchandise coming from Beirut was indeed widespread around the 7 seas. However, the doubt concerning the Beirut port's transparency was emphasized by the Syrian narco trade. The Syrian Arabic Republic officially became a narco state in 2022, after the training of cartels by the Assad regime and the 4th division. The production of Captagon pills skyrocketed, up to the point that the black-market price for a gram was down to 1\$.⁵⁶ It is estimated that Syria makes around 57B US dollars a year by the Captagon narco trade, and their close relations with the Hezbollah cartels and Nouh Zaiter, a Lebanese drug lord, opened the gates of the Beirut port for Captagon smuggling⁵⁷. Lebanese pomegranate crates arriving in KSA are estimated to contain 5 million pills of Captagon, while orange crates were seized in Kuwait after the discovery of over 9 million pills of Captagon hidden within Lebanese merchandise. The Beirut port turned into a mechanism for drug exports and became integrated within the Syrian narco trade.⁵⁸ Across the Mediterranean and beyond, heavy inspections are being imposed on Lebanese exports to guarantee the absence of any narcotics⁵⁹. The long and

⁵⁵Now Lebanon, "The Beirut Port: Hezbollah's gateway to corruption", Jun. 7 2023, p.1.

⁵⁶ R. El Housseini et.al., "Captagon Connection: How Syria Became a Narco State", Nov. 02, 2022, p.1.

⁵⁷ L'Orient Today, "US sanctions drug producers and traffickers, including Lebanese Drug Lords, Mar. 28,2023, p.1.

⁵⁸ Now Lebanon, "The Beirut Port: Hezbollah's gateway to corruption", Jun. 7 2023, p.1.

⁵⁹ L'Orient Today, "US sanctions drug producers and traffickers, including Lebanese Drug Lords, Mar. 28,2023, p.1.

heavy process discouraged the Lebanese merchants to export and bring revenue to the country, and the discovery of massive amounts of drugs within Lebanese products across the globe is a huge blockade for Lebanese national trade. Corruption within the Beirut port starts with clientelism, ease of transactions, and tax evasions. Despite being a burden to the state, it benefited some parts of the private sector. However, this corruption transformed into drug export, inefficiency, lack of funding, and finally, an explosion.

Is the August 4 investigation dead?

The aftermath of the biggest non-nuclear explosion in history has left the Lebanese state in ongoing fallout through its different sectors and enveloped in distrust and doubt concerning future security risks towards the country. Several blocked investigations are feeding into the corruption of the port and the judiciary.

The Beirut Port Explosion was one of the major situations of the decade that highlighted the Lebanese state's corruption, which has long been embedded in the system. As widespread damage was caused, a number of investigations have been pursuing the restoration of the city's life and the justice and accountability for the souls that were injured, killed, and grieved by their loved ones. The first investigation set was one that dealt with the so-called "ticking time bomb" that was present in the Beirut port's dockyards.

The six-year presence of 2,755.5 tons of ammonium nitrate had been communicated multiple times to the Government. It is teeming with civil servants loyal to political elites of the country rather than the state, who ignored all warnings and did nothing to move the substance. Judge Fadi Sawan, military investigative judge, was the first assigned Judge to be the lead investigator, as his successor, current time investigator judge Tarek Bitar, primarily refused the position without any reasoning, and theories were circulating about political pressure being the reason of his rejection⁶⁰. Important figures speculated about his responsibility debating and his objectivity, such as Diala Chehadeh, a Lebanese human rights lawyer who regularly defends cases at the military court. "Sawan's role at the military court is quite literally to protect the military institution and soldiers," she said. "There are questions of whether he can be objective here."⁶¹

Adding to that, the Lebanese people, also raised questions of his objectivity and their trust of the investigation due to the corrupt judiciary system and the explosion's detriment. A few months later, requests of "legitimate suspicions" caused the removal of Judge Fadi Sawan by the court of cassation, despite his efforts of charging "caretaker prime minister Hassan Diab, former finance minister Ali Hassan Khalil and former ministers of public works Yusef Fenianos and Ghazi Zeaiter with negligence" who refused to be interrogated. A new judge was set to be "appointed

⁶⁰ T. Azhari, "Fadi Sawan: The Man Leading the Beirut Explosion Investigation", 21 Aug 2020. p.1.

⁶¹ Ibid. p1

by caretaker justice minister Marie-Claude Najem and approved by the Higher Judicial Council.”⁶²

In conclusion, the Beirut port tells the tales of Lebanon through its corruptive adaptations. It is a reflection of the governments and the people who base their decision on favoritism and personal benefits. From its inauguration in 1938 till today, the maritime administration got accustomed to the country’s circumstances by adopting new nepotic means. Nowadays, the allotment state integrated the Port into major clientelism, causing a complete hollow out of the state’s control and revenues in the customs. While tax evasion and petty bribes are burdening the state’s treasury, the detriment of corruption boomed after the inclusion of the harbor within the Syrian narco trade and illegal exchange of weaponry, that was kept secret within the port’s dockyards until their final boom on August 4th, 2020.

The investigation of the blast may seem like an Alcatraz maze, as no judge made it out successful. Popular uprisings demanding justice are still common, but the investigation is continuously getting blocked. Whether it is by a direct conflict with a ruling party, or due to the endless matryoshka dolls of criminal files that it implies, justice seems far to be achieved.

⁶² S. Rose. “Beirut Port Blast: Judge Fadi Sawan Removed from Investigation”, 18 Feb 2021. p.1.

Policy Recommendations

The ‘Miracle Libanais’ and the economic boom that Lebanon experiences from time to time seems to be no more than a cover for decades of mismanagement. Nepotism has helped the activity in the Beirut harbor boost in the short run, however, its deep roots are exhausting the administration and drastic changes need to be made for the sake of justice, productivity, security and social welfare. While popular demand is screaming for reforms, personal interest and human greed seem to outweigh these calls for change. The following policy recommendations base themselves on 5 core realistic axioms:

Axiom 1: There is a willingness to change and a readiness to implement radical measures, as the consequences of this huge corruptive enterprise represent a burden for the integral people.

Axiom 2: Greed and personal benefits are predominant in the transactions taking place at the Beirut port.

Axiom 3: The international community is willing to intervene for global causes, like disarmament, and anti-narcotics plans.

Axiom 4: The people still support the idea of having an investigation over the 4th of August blast.

Axiom 5: *Ceteris Paribus*; every variable that may influence the harbor is kept constant, like war tensions, the Lebanese government structure etc...

With these axioms satisfied, the prescription for the Beirut port tackles petty corruption like tax evasions, or non-criminal smuggling from a reformative viewpoint. It also endeavors to reconcile with the nations which are victims of Lebanese corruption. On a larger scale, it adopts an investigative system to pursue criminal files and operations in Lebanese customs with the advocacy of the international community, in hope of facilitating the investigation on the August 4th explosion.

POLICY 1: Bureaucratic Reforms

One of the most obvious answers for reducing corruption at the Beirut port is removing the Transitional Commission that is currently overseeing it. The purpose of this committee is mostly based on governance, as it acts like a private business that aims to achieve a certain goal, which is not gathering revenue for the state. According to the *Taif Agreement*, this committee was supposed to be *ad hoc*. However, it emerged into allotment, and acted as a tool for political business clientelist networks.

First of all, the reform must include a board of experts based on merit and seniority, which must be held accountable to the Ministry of Finance. The core corruption multiplier in the Beirut port is the total immunity from any court of audits, which amplified the nepotism culture within the administration. The newly founded committee must face casework from the court of

audits in order to keep track of the multiple illegitimate files. This scenario has been implemented in Singapore, the 5th least corrupt country in the world.

This Singaporean style of board and accountability needs, however, to adapt to the Middle Eastern mentality. We cannot expect this system to erase all types of favoritism. But, the system can create an accountability process that will make it harder for a greedy person to choose the corrupt path. Allotment may stand in its way, that is where selection must take place.. There must be a specific test of knowledge and ethics to be eligible for a seat on the board. Moreover, if an election process with the possibility of re-election and a pool of customs votes from the 'eligible candidates' is set up, the people in charge would have another entity to be accountable to, making it more stressful to encourage corruption.

The newly built commission is based on accountability coupled with a lengthy process to claim a seat on the board. This causes a supply shift in the 'bribe market', and an overall increase in the bribe equilibrium, thus sometimes causing a preference towards the clean path. If we add an economic committee specialized in regulating taxes properly and which considers elasticity, merchants and businesses will start to lean more towards paying taxes than using bribes. Because corruption would seem more costly than integrity, this is a win-win solution for all involved parties. Furthermore, corruption is perceived as a tool to save time and avoid the near-endless administrative process. This issue is present in all the public sector. While it may not seem alarming, it drives the citizen to prefer corruption, since dealing with public institutions is considered a burden. The concerned administration must start digitizing themselves, clearly transmitting information like the criteria of merchandise, the expected time of the process, the needed documents etc., to the citizen. By clarifying the institutional process, and easing it up through digitalization, public administration may not seem like a burden to the merchant anymore, thus eliminating the advantage in choosing corruption.

Finally, the new port administration is aware of the fact that greed cannot get erased despite the accountability process and precise selection. However, most of the Beirut port's corruption files are driven by the 'overall personal advantage' of corruption. By applying these mechanisms of accountability, choosing the corrupt process will seem more stressful and the equilibrium in the bribe market is expected to rise; thus inducing the reconsideration of malfeasance. We must also fix the legitimate process to make it more appealing, and remove the burdens that it may cause with proper tax analysis and digitalization of the involved administrations. With the adoption of such a model, the corrupt way of getting things done will become more of a burden than the legitimate process.

POLICY 2: Major Crime Pursuing

Now that we have addressed the petty corruption that was taking place, it is time to focus on the concerning issues. Lebanon is currently serving its neighboring drug empire for exports of Captagon. This issue, however, should be dealt with internationally, as the local authorities have no power to reduce drug exports. This policy suggests the implementation of a new adhoc UN force in the region. The United Nations Narcotics Investigation Forces in the Middle East

(UNNIFME) would be an institution that could reduce the overall drug trade in the MENA region.

It is unlikely that a narcotic state like Syria would agree on the implementation of this bureau in its own territories. First, the bureau must establish itself in the countries that are deeply influenced by the Syrian captagon trade. Some of these countries include Lebanon, KSA, Egypt, Iraq, Jordan and Turkey. With such a force established in these different regions, we can expect a decrease in the overall drug export of Syria, since it would start to only rely on the port of Latakia for trading.

However, the efficiency of this bureau would rely on the cooperation of the police departments of the above-mentioned countries, and it must be agreed upon that the UNNIFME has the authority to arrest drug lords themselves and investigate within the customs of the different harbors. In this case, drug trade would become harder and harder in the Beirut port, with the risk of extradition in case of guilt. We would expect a decrease in drug trafficking attempts since the repercussions can get extremely harsh.

In parallel, the bureau must have unique economic investigations to analyze the drug market in the MENA region and formulate several policy suggestions to decrease the demand in the market and discourage drug producers. For example, legalizing weed for a temporary period may be a good way to prevent the use of captagon, since drug consumers would have a 'legal way' to satisfy their desires. However, the bureau can only suggest economic policies for the drug market and is incapable of implementing these measures without the agreement of the executive body of the country.

When it comes to the body, the UNNIFME must be composed of experienced UN staff with at least 6 years of loyalty to the UN, in order to ensure their non-bias and clean status. It would directly report to the ICJ and legal committee of the General Assembly of the United Nations. Its staff and managers must consist of citizens of relatively neutral countries, like Brazil, Switzerland, India, Sweden, etc. Moreover, this institution could also oversee the weapon trafficking and explosive materials, as they lie in the 'illegal traffic' section despite not having an activity as high as the drug market in the region.

Finally, we would expect an overall reduction of hidden drugs in Lebanese merchandise and flammable material within the dockyards of the Beirut port. This would lead to an increase in Lebanese exports since their securitization and investigation is now credible and complete by experienced, international staff. On a security level, this committee would ensure a decrease in arms possessions and non-organized local militias.

POLICY 3: Reputation boost

Theoretically, if both policy one and two are applied, we can expect a rise in transparency and an overall safe environment. However, there remains the challenge of regaining the trust of other nations that experienced the repercussions of Lebanese corruption. This policy aims to design a 'trust' rebuild method in a domino effect, or what we can characterize as a cobweb network.

Most importantly, Lebanon must agree with the IMF reforms, in order to get this so-called 'card of good behavior'. As mentioned before, the IMF reforms do not aim to get this minimal income of money, but it is just an approval of the reforms and a guarantee of transparency. Adopting these changes and getting the approval of the IMF is crucial to rebuild roads of trust and ensure a good network for the Beirut port.

Now that the 'good behavior card' is acquired, the Beirut port's administration must focus on eradicating their corrupt image from the other states' perceptions. This can be done through a cobweb strategy, by building roads of trust with one 'friend state' in every area, or in every regional organization. Like a cobweb, every state will give out a route for other ports to network with. The port of Beirut should reinforce its network with its already linked harbors, including Marseille, Alexandria, Ravenna, Athens, and Port Said. A second level of relations would include ports within a larger scale, like Baltimore, Sydney Le Havre, Hamburg, Wilmington, Cape Town, Aarhus, Antwerp, Shanghai, Abuja, and Rotterdam.

Following such a design, the Port should try to further expand its maritime relations with other maritime institutions that they have no strong ties with, mostly in Panama, New Zealand, India, Mozambique, Chile, and Argentina. With this example, the port of Beirut could create routes and a whole web of maritime traffic, with Lebanon as its center. Alongside having the IMF's good behavior card, we would expect a relaunch of the maritime industry, and trust built with the new administration of Beirut's customs.

POLICY 4: Judicial Efficiency

Lastly, after designing a good prescription system for the relaunch of the Beirut port, it would be adequate to zoom over to our case study of the August 4th explosion. It has been more than 3 years since the investigation's declaration; however, results seem very vague. It is no secret that judges and detectives are facing dead ends due to their opposition to the endless labyrinth of cause-and-effect sequencing, which resulted in a final blast. The following policy aims to implement adjuvant measures towards the promotion of justice and boosting the investigation.

Since the country is currently deep within its allotment era, it would be irrational to appoint judges from the governing powers, as they could be subject to bribes, clientelism, favoritism, and unfair judgment. Since 2020, popular demands have been calling for the independence of the judiciary sector. The overseeing system must be handed towards neutral powers, especially since the ruling class is suspected of crimes against humanity. The judiciary should also be composed of experienced and well-trained judges to guarantee the efficiency of time and cleanliness of hands. It would also be rational to give the judges in charge some kind of veto power and the capability of stopping any event or operation by any party in case of suspicion.

Moreover, Lebanon must use some of its traditional methods to solve crimes. During the Chehabi era, security was implemented mostly thanks to the strengthening of the 2nd bureau, or the intelligence office. If the state is willing to pursue the deep-rooted corruption within the Beirut port, it must acknowledge the fact that it may not be the larger power. However, one

advantage the state has is a strong and well-functioning intelligence service, capable of carrying out secret operations and infiltrations of suspected collaborative enterprises to lead a full investigation of the Beirut explosion. The ticking time bomb has been a secret hidden between the dockyards of the maritime harbor of Beirut for a long time and the state would not be expected to possess all the necessary facts to carry out the investigation. It needs more information that can only be acquired through spies and intelligence operations.

Within this logic, we would assume that the judiciary system is now powerful, well-informed, and independent of the allotment participants. The investigation would go smoother with the implementation of the above-mentioned measures. However, the judiciary may also use human greed that is reigning within the institution to facilitate its investigation. The ruling forces could implement a reward system for corruption or mismanagement reporting, one that would be able to surpass the benefits of bribes. Judges could extract more and more information about ground operations and mechanisms, as the customs staff would be encouraged to report to their colleagues in exchange for a certain reward, whether it is monetary, a promotion, or sometimes even immunity. The information would then be investigated to avoid fallacies.

What is keeping the judiciary away from well-functioning, is mostly its integration within the clientelist equations. Its independence is crucial to take a step ahead towards justice. By using the remainder of the Lebanese state, whether it was intelligence, or the adoption of negative traits like greed for its benefits, the crew responsible for the investigation would get a huge boost towards transparency, and efficiency within imposing justice.

In conclusion, while the port of Beirut has been brimming with corruption, its prescription may not be that difficult to decipher. However, willingness to change must be present. Drastic measures have to be taken, as proven above. The systematic corruption implemented within the port of Beirut is causing a massive burden. Still, one must also consider the essence of corruption and understand the reason individuals and staff feel it is necessary to choose corruption over the rule of law.

Throughout the policymaking process, many axioms must be respected to guarantee the best outcome, which would be developed throughout our interviews. Human greed, however, seems to reign, and it may be our starting point. The reforms must please the greediness of the population, ensuring that the corrupt way is less beneficial than the clean way. Additionally, as judges are intervening, criminal courts may have to consider implementing cleansing and absolute reforms and a check and balances system to achieve justice and efficiency. In these times of moral crises, the only step ahead is to dig inside the layers of dirt that we have built, as poverty is increasing and corruption reveals its burden. Justice is challenging to achieve, but taking the first step forward is the only way to get there.