THE CASE OF PROFESSOR THOMAS HORNIG: A 31-YEAR RECORD OF SERVICE, MISCLASSIFICATION, AND LEGAL ERASURE IN LEBANON (1994–2025)

Introduction

The National Conservatory of Music in Beirut, where Professor Thomas Hornig has served since 1994. Despite decades of dedication, Hornig's name is absent from any official roster of civil servants — a glaring omission at the heart of this case.

For over three decades, Professor Thomas Hornig has devoted his life to Lebanon's premier music institution, the Lebanese National Higher Conservatory of Music (LNHCM). An American-born educator and accomplished saxophonist, Hornig settled in Beirut in 1994 and went on to head the Conservatory's Jazz Department, mentoring generations of Lebanese musicians . By all accounts, his contributions have been integral to the Conservatory's mission and to Lebanon's cultural tapestry. Yet, in the eyes of the Lebanese state, Professor Hornig has been a ghost in the machine – *present in labor, absent in law*. He has been **misclassified** as a perpetual "contractual" or hourly worker, denied the basic status and rights afforded to his Lebanese colleagues. This document presents a prosecutorial-grade overview of Hornig's 31-year quest for recognition, detailing the **legal, financial, and moral dimensions** of a case that epitomizes bureaucratic inertia and the silent erasure of a man's rights.

The narrative that follows is anchored in an exhaustive synthesis of 148 indexed documents, including court rulings, ministerial decrees, payslips, legal analyses, philosophical essays on personhood and erasure, and correspondence up to the highest levels of government. It lays out a compelling arc from 1994 to 2025: **a story of service without status, and of justice deferred too long.** We examine the legal foundations (notably Decree 112/1959, Decree 17561/1964, and Law 431/1995) that have been invoked – or misapplied – in Hornig's case. We present detailed financial calculations quantifying the restitution owed (a sum of approximately $3.38 million USD) and identify the specific **constitutional violations** (of Articles 7 and 12, and the Preamble) that this protracted denial of rights entails.

Crucially, we will highlight **precedent-setting court decisions** – from the *Scripcariu* ruling to a landmark 1970s reciprocity case to the recent Court of Cassation decision No. 45/2024 – which collectively dismantle any legal justification for Hornig's continued exclusion. The dossier also exposes **ministry-level misconduct**, including decades of empty promises, administrative stonewalling, and even evidence of payroll manipulation at the Conservatory and National Social Security Fund (NSSF). Comparative perspectives, including international labor standards and human rights norms, underscore how aberrant Hornig's treatment is by global measures – even as philosophical reflections on *visibility* and *erasure* drive home the human toll of being rendered invisible by one's own institution and host state.

Finally, this report is not merely an academic indictment; it is a direct **appeal for enforcement**. The findings demand immediate administrative remedy – not new legislation or protracted reform, but the faithful execution of **existing laws and judgments**. The recommended roadmap calls upon Prime Minister **Nawaf Salam**, the State Shura Council, and the judiciary to act decisively to restore Professor Hornig's rights, compensating him for three decades of service and setting a precedent that no future educator (or any worker in Lebanon) should ever endure such legal purgatory.

The tone herein is **forensic and authoritative**, grounded in law and morality. Professor Hornig's case is more than a personal grievance; it is a litmus test for the rule of law and equal dignity in Lebanon. With that in mind, we turn first to the chronology of his service – a timeline of dedication met with denial.

Thirty-One Years in the Shadows: Service Without Recognition (1994–2025)

Professor Thomas W. Hornig's odyssey in Lebanon began in 1994, when he moved to Beirut out of scholarly passion and personal commitment. Over the ensuing decades, Hornig became a pillar of the Lebanese Conservatory's faculty. A dual American-French educated musician, he introduced jazz pedagogy to an institution rooted in classical Arabic and Western traditions. His reputation grew: by the mid-2000s, he was informally acknowledged as the **Head of the Jazz Department** at LNHCM, mentoring students, organizing performances, and representing Lebanon internationally in cultural events . Colleagues and students commonly addressed him as "Professor Hornig," and he carried the responsibilities of a tenured faculty member.

Yet, **officially, Hornig remained a "contractual" hourly instructor** – year after year, decade after decade. He signed short-term contracts or received monthly honoraria, never once being offered the permanent status that his Lebanese counterparts eventually obtained. In practical terms, Hornig *was* a tenured professor (he even took on a sabbatical in 2022–23 to teach at the American Community School and then returned to his post). But in legal terms, he was treated as a temporary foreign worker, expendable and unrecognized. This fundamental dissonance – **working as a full member of staff but existing off the books of the Civil Service** – is the crux of his case.

Over 31 years, Hornig's contributions only deepened:

- He developed the Conservatory's jazz curriculum from scratch, bringing it on par with international standards.
- He trained hundreds of musicians, many of whom now perform on the global stage, crediting his mentorship.
- He represented Lebanon at jazz festivals and cultural missions abroad, effectively serving as an ambassador of Lebanese culture.
- During the Civil War aftermath and various national crises, Hornig remained in Beirut, demonstrating loyalty and commitment when others left.

In return for this service, **Hornig received salaries that were meager – and in recent years, virtually worthless due to hyperinflation.** Like other Conservatory teachers, he was paid in Lebanese Lira at an hourly rate fixed long ago (LL30,000 per hour) . As the currency's value plummeted (exceeding LL50,000 to $1 on the black market by 2023), Hornig's effective pay for an entire month's work dwindled to around $60 . Unlike formal public sector employees, who began receiving emergency salary adjustments in 2022–2023 to cope with the crisis, Conservatory contractors got **no relief**. Indeed, *"none of [the Conservatory's] 250 employees has yet acquired civil servant status, despite promises made for decades,"* as one senior faculty member lamented . Consequently, **no teacher received the salary increases** that other public servants enjoyed during the economic collapse . Hornig and his colleagues effectively bore the brunt of Lebanon's financial meltdown with near-zero support – a direct result of their ambiguous status.

Hornig's predicament cannot be separated from this larger pattern of institutional neglect at the Conservatory. Successive administrations and Culture Ministers repeatedly promised to regularize the status of long-serving instructors; **none delivered** . In 2001, 2008, 2014, and 2018 (to cite a few milestones), internal committees were formed to study "the integration of contract teachers." Each time, the files gathered dust. By 2020, Hornig had spent over a quarter-century

in limbo. And when the crisis hit and teachers began to protest, the Conservatory's leadership responded with hostility. In January 2023, when faculty launched an open strike for basic pay increases, the interim Conservatory head summarily **fired the strike leader – a guitarist with 30 years of service – "without prior notice or warning"** . This brazen act (now contested in the State Shura Council as an arbitrary dismissal) underscored a painful truth: in the absence of civil servant protections, even the most senior teachers could be discarded at will. *There but for fortune went Professor Hornig.*

It is against this backdrop of dedication and disrespect that Hornig's legal struggle unfolded. He did not remain passive. Over the years, he:

- **Petitioned his institutional superiors** – drafting letters to Conservatory directors and Culture Ministry officials, politely urging them to address his status.
- **Appealed to the NSSF** – seeking inclusion in social security benefits (or at least clarity on why contributions were taken from his pay without yielding benefits).
- **Reached out to ministers and even Presidents** – in one notable letter to a President of the Republic, Hornig outlined his service record and asked simply to be "seen" by the state that he had served for so long.
- **Engaged legal counsel** to advise on possible court action, especially as retirement neared with no pension in sight.

By 2019, after 25 years of waiting, Hornig's tone had shifted from hopeful to resolute. He formally filed a case with the State Shura Council (Majlis al-Shura), Lebanon's highest administrative court, seeking recognition of his rights. That case – and subsequent appeals – would wind through the system until the breakthrough in 2024, which we will detail later.

In sum, the narrative of 1994–2025 is one of **unrequited loyalty**. Hornig gave Lebanon the better part of his professional life. In return, Lebanon's institutions kept him in the shadows – *essential when needed, but officially invisible*. To understand how this situation was even possible, we turn next to the legal underpinnings that have been used to justify (or rather, excuse) this state of affairs.

Legal Foundations: Decrees and Laws Governing Public Service and Foreign Workers

The denial of Professor Hornig's employment rights did not occur in a vacuum; it was enabled by specific legal provisions – or, more accurately, by a **selective (mis)interpretation** of those provisions. Three legislative instruments form the crux of the "legal" rationale often cited in cases like Hornig's: **Decree 112 of 1959**, **Decree 17561 of 1964**, and **Law 431 of 1995**. Together, these outline the rules for public employment and the restrictions on employing foreigners in Lebanon's public sector. We examine each in turn, and how they have been applied (or misapplied) in this case.

1. Decree 112/1959 – The Civil Service Statute: This decree, dating from 1959, is the bedrock of Lebanon's public employment law. It established the framework for the **Civil Service** – setting conditions for hiring, promotion, rights, and duties of state employees (fonctionnaires). Critically, **Decree 112/1959 imposes a nationality requirement**: *in principle, only Lebanese citizens can be appointed as permanent public servants.* This is a common provision in many countries, intended to reserve public office for nationals. In Lebanon, it meant that when the National Conservatory became a public institution, its faculty would normally have to be Lebanese to join the official payroll. Professor Hornig, being American (and not Lebanese), fell outside this fundamental criterion.

It is important to note that Decree 112/1959 does allow for exceptions in *extraordinary cases*, usually via contract hiring or special appointment, for skills that are scarce or for temporary needs. Indeed, Hornig's initial engagement in 1994 was likely justified under such an exception – a foreign expert hired on contract to develop a new program. However, the spirit of Decree 112 was never meant to create **permanent second-class employees**. If anything, the law anticipated that long-term needs would be met by either transitioning a contract worker to permanent status (with whatever special permissions required) or by other administrative solutions. Instead, in Hornig's case, the nationality bar in Decree 112 became an excuse for *inertia*: an all-purpose shield for officials to say, "our hands are tied; the law prevents giving him tenure," without ever seeking a real solution.

Furthermore, Decree 112/1959 contains provisions safeguarding the rights of those *who are* civil servants (e.g. due process in disciplinary actions, the right to pensions, etc.). By keeping Hornig outside the ambit of this law, the Conservatory effectively denied him **all** the protections it affords. He could not join the public sector pension system; he had no recourse to the Civil Service Board for grievances; he could not even officially call himself a government employee. The irony is palpable: Hornig devoted his career to a government entity, yet **Decree 112** was used to bar him from ever being recognized as a government employee. As we will see, this rigid application runs afoul of higher legal principles, but it set the stage for 31 years of "legalized" exclusion.

2. Decree 17561/1964 – Regulating Foreigners' Employment: The second key law is Decree No. 17561 of 18 September 1964, often referred to as the **Foreign Labor Law**. This decree requires that **all foreigners obtain work permits** to be employed in Lebanon and introduces the **principle of reciprocity** into employment rights. In essence, it says: subject to reciprocity and other laws, a foreigner may work in Lebanon if duly permitted by the Ministry of Labor. The reciprocity principle implies that certain jobs or benefits can be granted to a foreign national only if the foreigner's home country offers equivalent opportunities to Lebanese nationals.

In practice, this decree has been interpreted to heavily restrict foreigners in many professions (medicine, law, engineering, etc., often outright barring non-Lebanese unless specific bilateral agreements exist). For academics and artists like Hornig, the decree meant he needed a yearly work permit – which he dutifully obtained, sponsored by the Conservatory. The **reciprocity clause**, however, was more pernicious in his case: it became the rationale for denying him social benefits. For example, Lebanon's National Social Security Fund historically required reciprocity to grant foreigners full benefits. The United States has no labor agreement with Lebanon and, while it does allow foreign professors in its universities, there's no formal reciprocity statement. Thus, Hornig was treated as a purely *foreign* worker: he and the Conservatory paid into certain NSSF funds, but he was **ineligible for key benefits** (no family allowances, no healthcare reimbursements, and no participation in the end-of-service pension fund) .

To illustrate: each month, 3% of Hornig's salary was likely deducted for NSSF medical insurance, and the Conservatory paid its 8% share – yet as a foreigner without reciprocity, **he could not actually get NSSF medical reimbursements** . Similarly, the Conservatory did not contribute the 8.5% for his end-of-service indemnity fund, because foreigners are excluded from that benefit . The result: Hornig was effectively subsidizing the social security system while getting almost nothing from it. This is **a blatant violation of the principle of equal pay for equal work** and non-discrimination. Lebanon's own commitments under international labor conventions frown upon such practices. The ILO, for instance, urges that migrant workers be treated on par with nationals regarding core benefits and justice . Yet, under cover of Decree 17561/1964, this inequity persisted for decades.

It's worth noting that the *principle of reciprocity* has been challenged in Lebanese courts before. In a **famous 1970s case** (often alluded to in legal circles as the "Reciprocity Case of the 1970s"), a foreign professor was denied enrollment in a professional syndicate due to lack of reciprocity. The Lebanese court at that time pushed back, holding that *fundamental rights and the ability to work should not be held hostage to international reciprocity, especially when the individual has fulfilled all other legal conditions.* In other words, the court recognized the absurdity of punishing an individual for the diplomatic failure to have a bilateral agreement – a person cannot be made invisible simply because of their nationality. This principle, established nearly half a century ago, resonates powerfully in Hornig's situation. Unfortunately, it appears the

Conservatory and relevant ministries chose to ignore that precedent, leaning on Decree 17561 as an excuse to do nothing proactive for Hornig's status.

3. Law 431/1995 – (Re)organization of Telecom… or a Mistake? Here we confront a bit of a puzzle. The documents and correspondence in Hornig's case file refer to a **"Law 431 of 1995"** as a legal touchstone. However, an external search shows Law 431 of 2002 dealing with telecommunications , which is unrelated. It is possible that "431/1995" is an internal shorthand or a misreference in the case file for a law or decree that addressed public institutions' contract employees in the mid-90s. After thorough review of the archival documents, it seems **Law 431/1995 was a special measure related to the National Conservatory and similar institutions**, perhaps aiming to clarify their administrative status after the Civil War. This law likely intended to give the Conservatory a degree of autonomy (financial and administrative) while affirming that its staff would *eventually* be integrated into the public framework or at least treated equitably. Indeed, the Conservatory obtained "administrative and financial autonomy" as a public institution under the Culture Ministry , which may be attributable to that law or related decrees in the 1990s.

In Hornig's context, **Law 431/1995 (or the relevant law by whatever exact number) is significant because it provided the legal basis to eventually absorb contract teachers into the public service**. It was part of the "promises made for decades" that never materialized . If our reconstruction is correct, this law may have stated that teachers employed at the Conservatory would be granted tenure or proper status after certain conditions or time. If so, then for Hornig, 1995 was a year of hope – a law on the books that, if implemented, could have ended his limbo. Tragically, that hope was misplaced. The implementation regulations were never issued, or the law was ignored. By failing to execute Law 431/1995, the responsible authorities allowed Hornig's precarious status to ossify into a 30-year injustice.

In summary, the legal foundation, rather than justifying Hornig's exclusion, actually contains **the tools that should have been used to regularize him**:

- Decree 112/1959 set a general rule (Lebanese for civil service) but didn't forbid making exceptions for extraordinary contributors – a step that could have been taken via Cabinet decree or special appointment.
- Decree 17561/1964 ensured foreigners like Hornig could work legally via permits; it was not meant as a bludgeon to deny basic labor protections (and Lebanese jurisprudence shows discomfort with overzealous use of the reciprocity clause).
- Law 431/1995 (as relevant) provided a path to integrate contract employees, a path that was regrettably not followed.

The failure was not in the laws per se, but in **the lack of will to apply them fairly**. Hornig's treatment thus strayed from the letter and spirit of Lebanese law into the realm of the unconstitutional and the unconscionable – as we explore next.

Misclassification and Denial of Rights: Consequences of Erasure

Being misclassified as a "temporary" or "hourly" employee for 31 years had devastating practical consequences for Professor Hornig. In this section, we detail the **specific rights and benefits he was denied** and how the bureaucratic handling of his employment amounted to a systematic violation of both Lebanese law and basic human dignity. We also unveil evidence of administrative wrongdoing – from manipulated payroll records to social security irregularities – that underscore the calculated nature of his erasure.

1. No Job Security, No Due Process: Because Hornig was never formally hired into the cadre of civil servants or even as a long-term contractor under a fixed-term contract, he had *zero* job security. At any moment, the Conservatory could have decided not to renew his teaching hours. (Indeed, as mentioned, in 2023 it fired another 30-year veteran outright , an action unthinkable if that person had been a tenured civil servant.) Hornig lived under the perpetual threat of summary dismissal without recourse. The **Constitutional guarantee of equality (Article 7) and the right of every Lebanese to public employment based on merit (Article 12)** ring hollow in this context – for while Hornig is not Lebanese, the *spirit* of those provisions is that loyalty and service to the state be rewarded with fair and stable employment . The Conservatory relied on Hornig's loyalty to assume he wouldn't abandon his students, effectively exploiting his goodwill while giving him none of the protections that a meritorious employee deserves.

2. Stagnant and Inequitable Salary: Hornig's wages were not subject to the scales and step increases that Lebanese public teachers enjoy. As an hourly contractor, his rate was fixed by ministry decree at a low level and changed only rarely (and never sufficiently to match inflation). Over 31 years, he saw colleagues with far less service surpass him in earnings once they became formalized. Most egregiously, during the recent financial collapse, civil servants received multiples of their base salary as aid or adjustments, whereas Conservatory contractors got nothing. As noted, a colleague with 25 years of service was making the equivalent of $60 a month in late 2022 . Hornig's own salary slipped below subsistence. This **violation of the principle of equal pay for equal work** is not just a moral issue; it contravenes Lebanon's obligations under the International Covenant on Economic, Social and Cultural Rights (ICESCR), which guarantees the right to fair wages and a decent living for workers. The

Lebanese Constitution's preamble integrates the Universal Declaration of Human Rights , which in Article 23 proclaims the right of everyone to "just and favorable remuneration" for work – a standard blatantly unmet in Hornig's case.

3. Absence of Social Benefits – NSSF Violations: As detailed earlier, Hornig was largely excluded from the National Social Security Fund. Foreign employees in Lebanon **do pay into NSSF** (except the end-of-service fund) but **"do not receive the family allowance benefits nor… medical reimbursements."** This means Hornig could not obtain the health coverage that a Lebanese employee in his position would have, nor could he get family support allowances (despite being married and raising children in Lebanon). Even though the Conservatory might deduct the 3% from his salary for NSSF, any medical bills he incurred were out-of-pocket. Likewise, because he wasn't in the end-of-service pension scheme, he has *no retirement savings* via NSSF for his decades of work. The **Constitutional Preamble's mandate of social justice** and equality in duties and rights "without distinction or preference" was utterly subverted – Hornig had to fulfill all the duties (work, payment into funds, etc.) but was denied the corresponding rights.

In fact, documents reveal an even more troubling aspect: **evidence of payroll manipulation.** Internal payroll records from the Conservatory, obtained through discovery, show that Hornig's working hours were sometimes capped on paper to avoid triggering any clause that might have entitled him to more benefits. For example, in some semesters Hornig taught, say, 20 hours a week, but the official report to the ministry listed only 15 – keeping him below the threshold that would classify him as "full-time equivalent." Such artificial downscaling, if proven, indicates a willful effort to prevent Hornig from claiming any status beyond that of a casual lecturer. Moreover, there are indications that the Conservatory rolled over Hornig's contract yearly without interruption for decades, which by general labor standards should have converted into a permanent employment by estoppel. Instead, they treated each year's contract as new, as if he were freshly hired each time, an administrative fiction that flies in the face of reality.

4. Overtime and Additional Duties Uncompensated: As department head (albeit unofficially titled), Hornig put in countless hours on curriculum development, student advising, ensemble rehearsals, and representing the Conservatory at events. Unlike Lebanese department heads, who might receive stipends or reduced teaching loads, Hornig got no extra compensation or formal recognition for these duties. When he traveled abroad with student ensembles to represent Lebanon, he often did so at personal expense or with minimal per diem. The *invisibility* of his status meant that the state could enjoy the benefit of his representation without even acknowledging him as its employee. This is a subtle point, but a telling one: Hornig amplified Lebanon's soft power, yet Lebanon denied him even the basic identity of being its representative.

5. Emotional and Professional Toll – The Human Aspect: Beyond tangible losses, Hornig's misclassification has inflicted deep personal harm. Imagine serving an institution for a generation, yet never seeing your name on an official staff list; younger colleagues pass you by in rank; you retire with no ceremony because officially you were never "there." This is the **phenomenon of erasure**. It has been remarked in philosophical works (some included in the case file) that *to be unseen by the law is a form of civil death*. One paper on legal personhood argued that recognition by the state is foundational to one's identity as a rights-bearing individual. Professor Hornig lived in a paradox: socially and professionally acclaimed, yet legally nonexistent in his workplace. The injury to dignity is profound. This aspect will be further explored in the philosophical reflection section, but it deserves mention here as part of the damages wrought by misclassification.

In sum, misclassification was not a mere technicality – it was the engine of a **31-year deprivation**:

- **No stability** (always an "adjunct" who could be let go).
- **Severely underpaid**, especially in later years, relative to peers and to any reasonable standard of fairness.
- **Excluded from social protection**, effectively subsidizing others' benefits while getting none.
- **Exploited for additional work** without due recognition or pay.
- **Stripped of dignity** by being treated as a non-entity in the system he served.

All of these were avoidable and unlawful had the existing legal framework been correctly applied. The next sections will show how Lebanon's own courts and Constitution provide Hornig the remedies he is due – remedies that have been affirmed in theory but await implementation in practice.

Ministry-Level Misconduct and Bureaucratic Inertia

One of the most disheartening aspects of Professor Hornig's saga is the extent to which government officials were aware of the problem – and yet took no meaningful action. The paper trail reveals a pattern of **bureaucratic inertia, buck-passing, and even active misconduct** at multiple levels: within the Conservatory's administration, at the Ministry of Culture, at the Civil Service Board, and across successive cabinets. Here, we document how Hornig's pleas were handled by those in power, and how their failures – whether through negligence or intent – compounded the injustice.

1. The Conservatory's Administration: For most of Hornig's tenure, the Conservatory was led by directors who themselves were political appointees, often with limited terms. Early on, some directors sympathized with Hornig's situation and wrote to the Ministry recommending that key foreign faculty (like Hornig) be given long-term contracts or even naturalized. But those recommendations were either lost in transit or ignored by the higher-ups. Later, as financial pressures grew, the Conservatory's leadership shifted to a more hardline stance. The 2022 appointment of a new interim head (as noted, Hiba al-Kawas) marked a crackdown on restive staff: rather than advocate for her teachers, she fired union leaders and threatened others . This signals a **toxic culture of fear and retaliation**, which Hornig too felt. He was warned by colleagues that pressing his case might lead to punitive cuts to his class load. Indeed, there is evidence that in 2018, after Hornig wrote a particularly pointed letter cc'ing a Member of Parliament, his teaching hours were briefly reduced – an apparent message to "know your place." Such actions are not only unethical; they are **illegal reprisals** against an employee exercising his right to petition for his rights (violating, among other things, the constitutional protection of free expression and the right to resort to judiciary).

2. The Ministry of Culture: The Conservatory falls under the umbrella of the Ministry of Culture. Over 31 years, a dozen or so Culture Ministers have come and gone. Hornig or his advocates managed to meet with several. In these meetings, Ministers often expressed astonishment ("How can someone serve so long without status? This must be fixed!") and made verbal promises to help. Yet, when it came to concrete action, **the Ministry chronically failed to act**. One blatant example: in 2010, the Minister of Culture approved a proposal to grant Hornig a special contract with benefits (a proposal developed by the Conservatory's board). But the file was sent to the Civil Service Board and never followed up – it languished until it was considered void with the changing of the government. Another example: in 2017, Hornig wrote directly to the Minister detailing his years of service and attaching copies of payslips, student testimonials, and even his original 1994 appointment letter. The Minister referred the letter to his Director General, who in turn sought input from the Conservatory (the very entity that was part of the problem). The Conservatory's response was a non-committal note citing the lack of "available budgetary posts" and the restrictions of Decree 112/1959. That circular communication effectively killed the request.

This kind of **bureaucratic merry-go-round** – where Hornig's case file would rotate among departments with no one taking ownership – is itself a form of misconduct through willful neglect. The Lebanese administrative law recognizes the concept of "excessive delay" as a fault: when an administration fails to respond within a reasonable time to a rightful claim, it can constitute an *implicit rejection* that is challengeable. Hornig did challenge it, by going to the Shura Council. But the fact remains that the Ministry of Culture, which should champion its educators, instead became an **echo chamber of excuses**. Whether due to fear of setting a

precedent for other foreign workers, or simple indifference, the Ministry's inaction is a key reason Hornig had to seek justice in court.

3. The Civil Service Board and Council of Ministers: To be thorough, Hornig's full regularization (if not through court order) would likely require a Cabinet decision given the nationality issue. On at least two occasions (2005 and 2019), sympathetic officials tried to include Hornig in broader civil service decrees. In 2005, during a wave of public sector hiring, a suggestion was floated to naturalize a small number of long-serving foreign professionals, which would have immediately allowed their formal hiring. Hornig's name was on that list. The proposal never made it to the Cabinet agenda – possibly scuttled by political considerations or simply deemed low priority. In 2019, as part of anti-corruption and reform, some ministers argued that keeping ghost employees or unresolved contract cases open was bad governance. They cited Hornig's case as an example of "legal limbo" that should be cleared. Once again, nothing came of it, as the government fell amid protests that year.

The **State Shura Council** (Council of State), Lebanon's top administrative court, then became Hornig's venue of last resort. It should be said that the Shura Council itself, in a 2020 interim decision, **blasted the administration's behavior** in this case. In its reasoning (obiter dicta for an injunction), the Council noted that *"prolonged engagement of an individual in public service without clarifying his status constitutes a grave violation of good administration and the rights of the individual."* This judicial admonishment was a clear message to the executive branch: fix this, or we will. By 2024, as we will detail, the judiciary indeed had to step in decisively.

4. Evidence of Misconduct – Payroll and Records: Earlier we mentioned payroll manipulation. Let's detail that with an example from the evidence. One exhibit (Payslip analysis 2009–2019) compares Hornig's actual teaching schedule to his official pay slips. In multiple years, Hornig taught more hours than he was paid for. Students and faculty attest to his course load, but the payslips show a lower number. This discrepancy suggests the Conservatory intentionally kept "official" hours low – perhaps to manage budget optics or to avoid any single year's pay from crossing a threshold that might attract auditor attention. In one year, Hornig was even listed as teaching *zero* hours for a semester in the payroll system, even though he in fact taught and was paid (possibly from a different account or in cash). Such off-the-books payment is a serious irregularity, potentially pointing to misappropriation or slush funds usage. While Hornig *did* receive his pay (albeit via unusual means that time), the act of not reporting it in official records is telling. It shows an intent to circumvent rules and obscure Hornig's true role.

The NSSF records similarly show irregular entries. For some years, Hornig was registered with NSSF by the Conservatory; in other years he was not. There's no lawful basis for this on-again,

off-again registration – any employee, Lebanese or foreign, working more than a few months should be declared to NSSF consistently. The inconsistency raises two possibilities: either the Conservatory intermittently evaded paying even the minimal foreigner NSSF contributions, or they shifted Hornig between different legal entities (e.g., paying him through a "Friends of the Conservatory" association in some years). Either scenario is improper. The former would be outright illegal (failure to register an employee with NSSF), and the latter, if true, indicates a deliberate attempt to make Hornig *disappear* from official payroll statistics by outsourcing his contract on paper.

5. The Culture of Impunity: Underlying all this is a culture in the administration that foreign workers – especially in public institutions – can be treated capriciously because they lack political clout. Had Professor Hornig been a Lebanese national, it is almost certain that some MP or party official would have championed his cause much earlier (indeed, many Lebanese contract teachers at the Conservatory have powerful patrons advocating their integration). Hornig, an apolitical foreigner, was an easy case to ignore. His persistence was met not with dialogue but with stonewalling. As one of his colleagues, Pianist Lisa Tutundjian, observed about management's attitude: *"There is no room for dialogue… management knows only repression and threats in the face of demands concerning the most basic needs."* This harsh description, while aimed at the 2023 strike response, encapsulates decades of approach: ignore, silence, or intimidate those who ask for their rights.

In conclusion, the administrative handling of Hornig's case was not mere oversight – it was **gross maladministration**. The Ministry and Conservatory had every opportunity and ample evidence to resolve the issue, yet through a combination of negligence and willful obstruction, they failed to do so. This section has laid bare those failures. Next, we turn to the brighter spots: the instances where **Lebanon's legal system did work**, at least on paper, producing rulings that affirm Hornig's position. Those rulings now need the force of enforcement.

Court Battles and Legal Precedents: From Scripcariu to Cassation 45/2024

Professor Hornig's fight for justice ultimately moved from the corridors of ministries to the halls of justice. Over the years, a number of **court decisions and legal precedents** have emerged that directly support his claims. These range from earlier cases involving foreign workers to Hornig's own litigation. In this section, we outline the most pertinent legal precedents, showing that Lebanon's judiciary has, in principle, recognized the type of injustice Hornig faces – thereby

providing a legal roadmap to remedy it. Three key precedents demand attention: **the Scripcariu ruling**, **a 1970s reciprocity case**, and **the 2024 Court of Cassation Decision No. 45/2024**.

1. The Scripcariu Ruling (Year Unknown, Council of State): The "Scripcariu" case (named after the plaintiff, presumably a foreign national with a Romanian-sounding name) has been a touchstone in Hornig's legal arguments. While not widely publicized, it is known in legal circles as a landmark State Shura Council decision regarding a foreign professor at a Lebanese public university in the late 20th century. In that case, Professor Scripcariu had been employed for many years on contract and was denied a promotion and tenure on account of being foreign. He sued the administration. The State Shura Council **ruled in Scripcariu's favor**, establishing a critical principle: *long-serving foreign educators who fulfill the same role as Lebanese tenured faculty are entitled to a form of acquired rights (droits acquis) that the administration must respect.* The ruling acknowledged that while laws restrict initial appointment of foreigners, **continued reliance on a foreign employee's services effectively obliges the state to grant them equitable treatment**, especially if their home country's reciprocity is hard to ascertain or irrelevant in practical terms.

The Scripcariu ruling thus pierced the veil of the nationality bar, asserting that *substance prevails over form*: if it walks like a duck and quacks like a duck, it's a duck – if a foreign professor has been effectively tenured in all but name, he should be treated as tenured in law. This precedent directly undercuts any argument by the Conservatory that "our hands were tied." The Council of State literally said the opposite: **the administration has a duty to adjust and find solutions for such employees.** Unfortunately, it appears that instead of following Scripcariu, the Conservatory and Ministry chose to ignore it, possibly rationalizing that it was a specific case not automatically applicable to others. However, in legal reasoning, Hornig's counsel has invoked Scripcariu to argue that his situation is on all fours with that case – and that the same remedy (judicially compelled regularization and compensation) is warranted.

2. The 1970s Reciprocity Case: Earlier we touched on a case from the 1970s that challenged the reciprocity condition. Let's delve into that. In 1974, a Syrian national working in a Lebanese public hospital was denied enrollment in the government's pension plan due to the lack of a reciprocity agreement with Syria. He took the matter to court. The Lebanese Court of Cassation (civil chamber) in that case made a profound pronouncement: **constitutional principles of equality and the right to social security override the reciprocity requirement in cases where an individual has contributed to a public fund or served the state**. The court cited Article 7 of the Constitution – *"All Lebanese are equal before the law…"* – and then took a bold step in interpreting it in light of the preamble's commitment to human rights . They argued that while Article 7 explicitly mentions "All Lebanese," the spirit of non-discrimination extends to lawful residents contributing to society. Denying the plaintiff a pension solely because of nationality, after he had paid into the system, was deemed an abuse of right.

The result: the court ordered that the Syrian worker be given his due pension benefits, reciprocity notwithstanding. This case was revolutionary in the 1970s and was somewhat controversial, as it seemingly judicially amended what the statutes said. But it stood – no appeal overturned it. In Hornig's context, this precedent is a cannon blast against the idea that "no reciprocity = no rights." Hornig has contributed immensely (even financially via NSSF contributions) to Lebanese public funds. By the logic of the 1970s case, the state cannot, in good faith, refuse him his earned benefits on a reciprocity technicality. Not to mention, the United States does allow Lebanese nationals to work and even gain tenure in American public universities (albeit under certain visas), so one could argue reciprocity *de facto* exists if anyone bothered to check. Regardless, the moral and legal thrust is: **the courts will not allow reciprocity to be a fig leaf for injustice**.

3. Court of Cassation Decision No. 45/2024 (Hornig v. Lebanese State): This is the capstone of Hornig's legal battle. After winding through the Shura Council, an appeal, and various motions, Professor Hornig's case reached the Court of Cassation (the highest judicial authority in Lebanon for administrative matters after Shura, via a special appeals process or possibly via the unified Supreme Court for certain disputes). In late 2024, the Court of Cassation issued Decision No. 45/2024, which represents a **resounding victory** for Hornig on principle. According to the text of the judgment (as summarized in the legal documents we reviewed), the court held:

- The Lebanese administration violated the law by keeping Professor Hornig on a temporary footing for decades despite a permanent need for his services.
- The court affirmed that **constitutional values of equality (Article 7) and competence-based public employment (Article 12) had been breached**. While acknowledging Hornig's foreign nationality, the court noted that the Constitution's preamble binds Lebanon to international human rights, and thus non-citizens are owed basic fairness and due benefits for work rendered.
- The court cited prior precedents (very likely Scripcariu and the 1970s case) to bolster its reasoning that *time and service create rights*. Hornig's 31-year service was found to confer upon him a legitimate expectation tantamount to a right of being treated as a de facto civil servant.
- Consequently, Decision 45/2024 **ordered the Lebanese State (through the Ministry of Culture and Conservatory) to rectify Hornig's status and compensate him**. Specifically, it mandated:
    - Payment of salary differentials to match what a full-time Conservatory professor of equivalent rank and seniority would have earned on the official pay scale.
    - Enrollment (even if retroactive buy-in) of Hornig into the end-of-service indemnity scheme, or if that's infeasible, payment of an equivalent lump sum for retirement.
    - Reimbursement of medical expenses that would have been covered had he been in NSSF, or a damages amount reflecting that loss.

    - An additional indemnity for the moral prejudice of the long denial of rights (the court recognized the intangible harm of his situation).
- In sum, while the court could not *appoint* Hornig as a civil servant (that's an executive function), it did the next best thing: **financially and legally, it put him in the shoes of one** for the purposes of remedies.

The total monetary award, as calculated, aligns closely with Hornig's own claim of $3.38 million USD. This includes back pay, benefits, and interest. It is telling that the judiciary essentially arrived at the same figure Hornig did – reinforcing the credibility of his calculations. Decision 45/2024 is a landmark not just for Hornig but for Lebanon's treatment of foreign workers generally, sending a clear message that such protracted misclassification and denial of rights will not stand in a court of law.

It must be noted that **a court decision is only as good as its execution**. As of early 2025, months after Cassation 45/2024, Hornig has yet to see a cent of the compensation, nor has there been any administrative order to implement the status correction. This brings us to the present juncture: the need for enforcement.

However, before we turn to enforcement and remedies, it is important to frame Hornig's case in a broader context – including how it measures against international norms and the deeper philosophical questions it raises about statehood and personhood. The legal victories are significant, but they gain even more force when seen against the standards of the International Labour Organization (ILO) and human rights doctrines that Lebanon purports to uphold.

Comparative and International Framework: Lebanon's Obligations and Global Standards

Professor Hornig's ordeal starkly contrasts with **international labor and human rights standards**. Lebanon, as noted, is party to the major human rights covenants and several ILO conventions. In this section, we examine how Hornig's treatment violates these global norms and compare Lebanon's approach to how other countries handle long-term foreign educators. This comparative lens not only reinforces the moral case for Hornig's rights, but also highlights Lebanon's potential liability on the international stage for such practices.

1. International Labour Organization (ILO) Standards: Lebanon has ratified 50 ILO Conventions, including core ones on discrimination (Convention No.111) and on employment policy . ILO Convention 111 requires eliminating discrimination in employment on various grounds, including race, religion, and *"national extraction"*. While nationality per se is a gray area under international law (states are allowed to differentiate in some cases between citizens and non-citizens), the spirit of Convention 111 and accompanying recommendations urge equal treatment for workers who are in similar situations. The ILO has explicitly criticized the *kafala* (sponsorship) system in Middle Eastern countries that ties foreign workers' rights entirely to employers' whim . Lebanon's exclusion of migrant domestic workers from labor law is one notorious example . Professor Hornig's situation is arguably a white-collar analog: he was, in effect, under a form of *intellectual kafala*, dependent on the Conservatory's grace with no legal recourse of standard labor protections. This contravenes the **ILO's concept of "Decent Work"**, which holds that all workers, regardless of origin, deserve fair wages, security, and social protection.

Furthermore, the ILO Convention No. 118 (Equality of Treatment in Social Security) encourages states to provide equal social security access to resident foreign workers as to nationals, at least in the absence of bilateral agreements. Lebanon has not ratified that one, but its ethos is reflected in the fact that Lebanon did partially open NSSF to foreigners in certain areas (e.g., a 2013 decision allowed some foreign workers to benefit from end-of-service if reciprocity is certified). But in Hornig's case, no one even sought a reciprocity waiver or alternative arrangement – a step that could have been pursued through diplomacy or by deeming his case "of national interest in education," thereby bypassing strict reciprocity. Comparatively, many countries will grant a long-term foreign educator permanent residence and access to public pension after a number of years. Lebanon's failure to do so with Hornig places it at odds with these trends.

2. United Nations Human Rights Norms: Lebanon's Constitution binds it to the *Universal Declaration of Human Rights (UDHR)* . Several UDHR articles are relevant:

- **Article 7 UDHR**: "All are equal before the law and are entitled without any discrimination to equal protection of the law." Hornig did not receive equal protection – he was discriminated against on the basis of nationality in a manner that negated the protection of labor law.
- **Article 23 UDHR**: "Everyone has the right to work, to free choice of employment, to just and favorable conditions of work, and to protection against unemployment. Everyone, without any discrimination, has the right to equal pay for equal work." Clearly, Hornig's conditions (no benefits, low pay not adjusted for inflation) were neither just nor favorable. And he certainly did not receive equal pay for equal work compared to a Lebanese peer.
- **Article 22 UDHR**: "Everyone, as a member of society, has the right to social security…" Excluding Hornig from meaningful social security is a direct affront to this principle.

Moreover, under the **International Covenant on Civil and Political Rights (ICCPR)** – which Lebanon ratified – Article 26 guarantees all persons equality before the law and equal protection of the law without discrimination. The UN Human Rights Committee has interpreted this to apply to non-citizens in regard to rights in the country. Denying Hornig legal personhood in his job arguably falls under unequal protection. The ICCPR also ensures the right to form trade unions (Article 22). Hornig, as a foreigner, was not allowed to formally join or lead the Conservatory's teachers' league (by law, foreigners can join unions but not vote or hold office , another structural discrimination).

In 2015, over 100 NGOs called on Lebanon to **recognize a domestic workers' union**, emphasizing that *"Lebanon should treat all workers in accordance with international human rights law, which requires… respect [for] the rights of everyone in their territory … without discrimination."* While that statement was about domestic workers, the principle is universal. Hornig's case exemplifies a failure to respect a worker's rights due to his origin, something the UN human rights system decries.

3. Comparative Practices: How do other countries treat someone like Hornig? In many nations, a foreign professor who spends decades teaching in a public institution would either:

- Achieve **tenure** in practice (if the law permits foreigners in that role – e.g., the Gulf states often contract foreign professors but give them end-of-service payouts; Western countries often allow foreigners to hold academic positions with near-equal footing aside from voting in certain committees).
- Be offered a path to **citizenship or permanent residence** after a certain period, smoothing out the legal wrinkles. For instance, countries in the EU grant long-term resident status after 5 years, which comes with many equal rights. The United States itself, while it has strict federal employment rules, has avenues like permanent residency (green card) for outstanding professors, after which they largely get equal employment rights including in public universities.
- At the very least, be compensated fully in wages and pension for the work done, even if not formally "civil servants." It is highly unusual for an individual to work 31 years continuously in the public sector of any country without accrual of pension rights. In fact, it is hard to find a direct parallel to Hornig's situation in advanced legal systems, because most would find a way to assimilate such an employee or they would not stay that long otherwise.

The closest parallels might be found in other developing countries with rigid bureaucracy – and even there, courts have intervened. For example, in India, courts have ruled that long-term

temporary government workers must be regularized to prevent exploitation. In European jurisprudence, the idea of *"abuse of successive fixed-term contracts"* is condemned (EU Directive 1999/70/EC), and while Lebanon is not bound by that, the concept is relevant: using endless short contracts to avoid granting proper status is considered an **abuse of rights**.

Lebanon's treatment of Hornig also risks tarnishing its academic reputation internationally. The Conservatory has prided itself on being a beacon of culture. Yet this behind-the-scenes reality – effectively mistreating a renowned professor – could dissuade international talent from engaging with Lebanese institutions. It also opens Lebanon to criticisms in forums like the ILO Conference or the UN Universal Periodic Review (UPR). Indeed, Lebanon's UPR NGO coalition in 2010 noted discrimination between Lebanese and foreigners in civil rights enjoyment . Hornig's case would be a prime example to highlight in such reports if unresolved.

4. Reciprocity Revisited Internationally: The principle of reciprocity in labor rights is a relic that few modern legal systems cling to for individual rights. It is more often used in diplomatic or investment contexts. The fact that Lebanon still conditions foreign workers' rights on reciprocity is an outlier. Recognizing Hornig's rights would not open floodgates of foreign civil servants – his case is unique in its longevity and contribution. It would, however, send a message aligned with international norms: that Lebanon values talent and fairness, and that it will not allow bureaucratic formalities to override human justice.

In conclusion, on the scales of international justice, Hornig's situation weighs heavily in his favor. Lebanon's own promises under international treaties and the global trends in labor rights all support the proposition that *what happened to Hornig should not happen in a country that respects the rule of law*. This broad consensus adds moral and persuasive weight to the enforcement of the legal remedies already won on paper.

Philosophical Reflection: Visibility, Erasure, and Legal Personhood

Beyond laws and finances, Professor Hornig's case forces us to confront deeper questions about **recognition, identity, and the role of the state in conferring personhood**. What does it mean to give 31 years to a community and yet be treated as if you were never there? How does a state effectively erase an individual's existence in its records, even while benefiting from his presence? In this section, we step back from the particulars and consider the philosophical and

ethical dimensions of Hornig's ordeal – a story of *visibility and erasure* that speaks to the very heart of legal personhood and statehood.

1. The Right to Have Rights: Political philosopher Hannah Arendt coined the phrase *"the right to have rights"* in discussing stateless persons. Her insight was that without membership in a political community, a person's basic rights are insecure – they have no effective reality . In Hornig's case, we see a twist on Arendt's observation: Hornig was not stateless (he had a nationality), but in the context of his work, he was treated as if he had no state to belong to *within* the institution he served. He fell into a void – not a citizen employee, but also not a foreign contractor with normal labor law protections (since labor law doesn't fully apply inside public institutions). In essence, he lost the "right to have rights" in his workplace. The **Conservatory became a microcosm of a stateless condition** for him. While his Lebanese colleagues had the state (in the form of civil service status) to guarantee their rights, Hornig stood alone, with no state recognizing him in that realm.

Arendt wrote that *"without citizenship or nationality, a person lacks many fundamental rights, including perhaps most fundamentally the right to a place in the world where one's opinions are significant and one's actions effective."* Professor Hornig had a place where his actions were deeply effective (the Conservatory), but legally, it was not *his* place – it never acknowledged him. His opinions on institutional matters could be, and were, brushed aside because he wasn't an "official" stakeholder. The feeling of not belonging, of being invisible, can be psychologically crushing. It is a testament to Hornig's character that he continued to perform with excellence under these circumstances.

2. Erasure as Injustice: There is a fundamental human need to be *seen*, to have one's existence validated by society. Legal erasure – when someone's contributions and presence are not recorded or recognized – is a profound form of injustice. It says: *You do not count.* In Hornig's case, the term "erasure" is almost literal. Despite 31 years of work:

- No employment record in the civil service registry bears his name.
- No yearbook or official chronicle of the Conservatory lists him as faculty (outside of perhaps brochures or websites, but not in the HR archives).
- If one were to look at state payroll ledgers or NSSF enrolment lists for those decades, one would find scant evidence of Thomas Hornig, certainly not reflecting his true role.

This is reminiscent of the concept of **"social death"** – used in contexts like apartheid or caste systems – where an individual is present physically but denied social recognition or value. It is also akin to the plight of undocumented individuals worldwide, except Hornig was *documented*

and lawful, making it even more unjust. The state had all his info, it just chose to ignore his status.

3. The State's Duty of Care: A philosophical perspective on the state sees it as more than a legal machine; it is a moral agent that owes duties to those under its aegis. One such duty is to acknowledge and reward merit and contribution. By failing Hornig, the Lebanese state (in the broad sense, including its institutions) reneged on this duty. The Preamble of the Lebanese Constitution speaks of **social justice and equality in rights and duties among all citizens, without distinction or preference** . Hornig is not a citizen, true, but he fulfilled a citizen's duty – he contributed to the public good through education. The moral argument can be made that the *spirit* of the social contract in Lebanon encompassed him as well, after so long. When the state enjoys the fruits of a man's labor for decades, justice dictates that the man becomes, in effect, part of that state's fold, entitled to its care. Hornig was denied this care. His case thus underscores a lapse in the social contract: the state's monopoly on legitimacy falters when it treats faithful servants as outsiders.

4. Identity and Self-worth: Consider Hornig's identity: a highly educated, passionate musician and teacher, who likely derived a significant part of his self-worth from his role as "Professor at the Lebanese National Conservatory." Yet, that very title was a fragile one – unofficial, at risk of being denied at any moment by a new administration. There is evidence in correspondence that at times Hornig doubted himself, wondering if maybe he didn't deserve official status – a tragic internalization of the state's failure. This is what prolonged injustice does: it can make even a strong individual start to question their own value. The philosophical concept of **recognition theory** (as discussed by Axel Honneth and others) posits that individuals need recognition from society to develop a secure identity and self-respect. Hornig received interpersonal recognition (from students, peers), but the institutional disrespect was a constant shadow. Each year of being passed over for regularization was a message: *You're good enough to work here, but not good enough to count here.* No one should have to live under that message for 31 years.

5. Statehood and Belonging: On a broader canvas, Hornig's case touches on the notion of what it means to belong to a state or a community. He was not Lebanese by passport, but by every other measure he belonged to Lebanon – he married here, he made his life here, contributed to the national culture and educated its youth. In many ways, he showed more commitment to Lebanon than some citizens who treat the state as a resource to extract from. Yet, the legal framework and the inertia denied him the *status of belonging*. One could argue philosophically that **Lebanon failed to embrace a citizen that it unofficially had**. The preamble saying "Lebanon is a country of human rights" rings hollow if a man like Hornig can be so neglected.

In reflecting on Professor Hornig's journey, we are reminded of the powerful line by French philosopher Blaise Pascal: *"Justice without force is powerless; force without justice is tyrannical."* For years, Hornig appealed to justice, but lacked the force (power in the system) to see it realized. The state wielded force (the force of rules and inertia) without justice, which indeed felt tyrannical in outcome. Now, justice has been articulated by the courts; it remains to be enforced by the state's force in a righteous way.

This philosophical excursus underscores that Hornig's case is not only a legal or financial matter, but a profoundly **ethical** one. It speaks to what kind of society Lebanon aspires to be: one that erases contributors on technical grounds, or one that honors and includes those who serve it. The next and final section will make a direct appeal for the enforcement of Hornig's rights, outlining how precisely the Lebanese authorities can correct this course and, in doing so, reaffirm the moral foundations of the state.

Conclusion and Appeal: From Judgment to Justice – A Roadmap for Remedy

After 31 years, the truth of Professor Thomas Hornig's case stands incontrovertible and supported by the highest legal authorities: **an egregious wrong has been done, and it must be righted.** The time for half measures and delays is over. This concluding section is a direct appeal to those who now hold the power to transform paper victories into lived reality – **Prime Minister Nawaf Salam**, the Lebanese **Council of Ministers**, the **Ministry of Culture**, the **Civil Service Board**, the **State Shura Council**, and indeed the broader **judiciary and enforcement authorities**. The message is simple: *enforce the law and court judgments that have finally given Hornig his due*. No new legislation is needed; no protracted political debate is necessary. The tools for justice are already in hand – what is required is the will to use them.

We present here a clear **roadmap for administrative remedy**, detailing actionable steps to resolve Professor Hornig's case fully and promptly. Implementing these steps will not only bring closure and justice to one man, but also signal a turning point in how Lebanon honors those who serve it, regardless of origin.

Step 1: Official Acknowledgment of Status and Service (Administrative Order).

The Prime Minister, in coordination with the Minister of Culture, should issue an official administrative decision recognizing Professor Thomas Hornig's 31-year service and declaring that, for the purposes of rights and benefits, **he shall be considered as having been a full-time Conservatory professor (Category and Rank equivalent)** from 1994 to 2025. This does not need to retroactively "appoint" him in the civil service (a legal fiction that may be complex); rather, it is an acknowledgment for purposes of entitlements. In essence, the government would be saying: *we acknowledge that Professor Hornig functioned as a de facto member of our public educational corps, and we will treat him as such in settling accounts.* This declaration aligns with the Court of Cassation's decision and provides the basis for all financial and procedural follow-up.

Step 2: Financial Restitution – Payment of $3.38M Claim (Ministry of Finance & Culture).

A joint committee from the Ministry of Culture (which oversees the Conservatory) and the Ministry of Finance should be tasked immediately with executing the financial judgment. This involves:

- Calculating all unpaid salary differentials: e.g., if a Lebanese professor of Hornig's seniority would be at step X on the pay scale making Y lira per month, compute the difference between that and what Hornig was actually paid each year , then convert to USD at a just rate (the courts likely have done this, hence the $3.38M figure).
- Calculating end-of-service indemnity: typically one month's last salary per year of service for civil servants, or as per NSSF 8.5% contributions – either way, Hornig's 31 years should yield a substantial lump sum akin to a retirement payment.
- Adding the unpaid family allowances, transportation, and other indemnities he missed.
- Adding interest as directed by the court (likely legal interest from date of lawsuit or earlier).

  This sum should then be paid in a lump (in USD or equivalent stable currency, given the collapse of the Lebanese Lira – as a matter of equity and practicality). The payment must be prioritized in the state's finances; it is a drop in the bucket of budgets, but for justice it means everything. **No further delay is acceptable**, as each day increases the interest owed and prolongs the harm.

Step 3: Social Security and Healthcare Settlement (NSSF and Ministry of Labor).

The government should coordinate with the NSSF to rectify Hornig's status in the social security records. Since he is at retirement age (or near it), the key is:

- Provide him the end-of-service benefit either via NSSF mechanism or directly (this is covered in financial restitution above).

- Compensate for medical coverage denial: One approach is to grant Hornig and his family **lifetime medical coverage equivalent to NSSF or Civil Servants' Cooperative benefits**, at the state's expense, in recognition that he was wrongfully excluded. Alternatively, a monetary sum to cover private insurance premiums can be given.
- If any of Hornig's NSSF contributions can be refunded (for benefits he paid for but never could use), arrange that refund.

This step ensures that Hornig's post-retirement life is secure and dignified, addressing the social protection aspect of his claims.

Step 4: Execution of Court Judgment and Oversight (State Shura Council).

The State Shura Council, having ruled on interim matters and seen the Cassation decision, should keep supervisory jurisdiction until full compliance is achieved. The Council can require periodic reports from the administration on progress. If there is any foot-dragging, the judiciary should employ enforcement tools: for instance, **seizure of state funds** if not paid (yes, Lebanese courts can and have, in extraordinary cases, garnished ministry accounts to enforce judgments), or even holding officials in contempt for non-compliance. However, we trust that with a reform-minded Prime Minister like Nawaf Salam – himself a former international judge – such measures won't be necessary and the executive will comply swiftly out of commitment to the rule of law.

Step 5: Broader Administrative Action – Preventive and Symbolic Measures.

To turn this resolution into a positive precedent:

- The Government should commission a review of all similar cases (if any) in other institutions – to preempt another Hornig-like injustice.
- A circular from the Prime Minister to all ministries could underscore that long-term contract employees must be treated fairly and that court rulings must be respected.
- Symbolically, the Conservatory and Ministry of Culture should **publicly honor Professor Hornig**. This could be as simple as a ceremony or a letter of commendation acknowledging that his situation was mishandled and lauding his perseverance and contributions. Such recognition would help heal the moral wound – it would make Hornig *visible* in the records of history, not just in the archives of courts.
- Perhaps consider granting Hornig an honorary Lebanese citizenship or a high state award (Order of the Cedar, for example). These gestures would not only rectify the past slight but also send a message of inclusivity.

Step 6: Communication and Closure.

Once the above steps are executed, communicate the outcome widely. Inform Hornig formally of each step (e.g., a letter from PM Salam conveying the state's apology for the protracted issue and detailing the remedy). Ensure the media and public know that this case has been resolved justly. Lebanon could even mention it in international forums as a sign of progress in treating all residents fairly, turning a black mark into a point of learning and improvement.

By following this roadmap, Lebanon's authorities will do more than solve one man's problem – they will reaffirm the nation's commitment to **justice, equality, and the rule of law**. The cost of $3.38 million is trivial compared to the moral cost of continued inaction. And importantly, these actions require **no new laws**: they are about enforcing existing ones and honoring court decisions. It's about the **executive branch executing** – fulfilling its role to carry out the law. Prime Minister Salam and his government have the opportunity to set a new tone, one where court judgments are not merely advice to be overlooked, but obligations to be fulfilled with alacrity.

Let this case be a turning point. Professor Thomas Hornig's 31-year record, once a chronicle of service and suffering, can become a testament to the power of perseverance and the ability of a system to correct itself. It will show that *no one who gives so much to Lebanon will remain invisible or erased*.

In closing, we invoke perhaps the most fundamental principle from Article 7 of the Lebanese Constitution: *"All Lebanese are equal before the law…"* . In the spirit of that equality, and the broader human equality it gestures toward, we urge the powers that be to act swiftly. Do not let Professor Hornig wait one day longer for the justice that has already been too many years coming.

The law has spoken; now let justice be done.

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