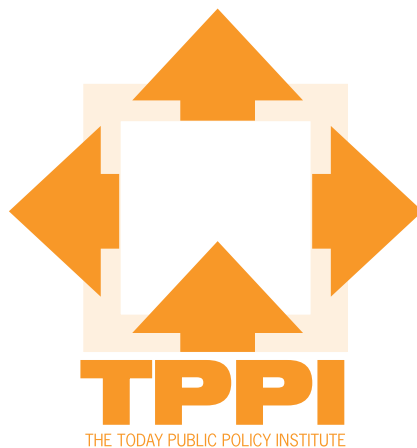# INTO THE FUTURE:
SOCIO-ECONOMIC OR SECURITY CHALLENGES FOR MALTA

TPPI

INTO THE FUTURE: SOCIO-ECONOMIC OR SECURITY CHALLENGES FOR MALTA

Report Published by The Today Public Policy Institute

Presented to the Prime Minister by The Today Public Policy Institute November 2011

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Into the Future: Socio-economic and Security Challenges for Malta

INTO THE FUTURE: SOCIO-ECONOMIC OR SECURITY CHALLENGES FOR MALTA

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THE TODAY PUBLIC POLICY INSTITUTE
CHARTER OF VALUES

As members of the Board of The Today Public Policy Institute, we resolve to adhere to the following values:

- To encourage the development of sound public policies, to raise public awareness, to stimulate public debate, to inform public opinion on issues of national importance in the interests of the many, not the few, and in the long term interests of the country as a whole, not sectoral interests within it;
- To address the public policy issues of Malta in a constructive, open-minded and tolerant manner;
- To maintain an independent, impartial, non-partisan and non-party political stance in advising on public policy issues;
- To seek consensus and cooperation, rather than confrontation, in the development of public policy;
- To be objective, balanced and free from prejudice in advising on public policy issues;
- To seek solutions which are just, fair, equitable and workable and for the common good of Maltese society, regardless of background, gender or political affiliation.

Into the Future: Socio-economic or Security Challenges for Malta

INTRODUCTION

This collection of essays by members of the Board of The Today Public Policy Institute brings together a number of disparate topics representing various socio-economic or security challenges which face Malta in the early 21st century. Their purpose is to stimulate discussion and to propose possible solutions on a range of subjects which normally do not catch the public eye, or in some cases are not perceived as a major policy priority by government.

Thus, the two opening essays in this compendium deal with two entirely different aspects of the internet. Father Peter Serracino Inglott talks about the exciting opportunity presented by Malta's Niche in Cyberspace, while Joe Tabone deals with an increasingly worrying global threat of Cyber Crime: The Internet's Long War.

We then move on to two more essays on the important subject of women in society. Clare Vassallo deals with the fundamental strategic issue of The Role of Women in the Construction of European Identity, while Marlene Mizzi examines whether the introduction of Quotas for Women in top posts or politics should be the solution to the problem.

Stephen Calleya writes a most timely essay on The Security Challenges and Opportunities in the Emerging Mediterranean in the wake of the Arab Spring. Martin Scicluna goes on to examine where Malta stands on Immigration Ten Years On and advocates a proactive policy of inclusion as the means of forestalling some of the socio-economic problems that may lie ahead.

Joseph Sammut, with his long experience as a public servant and, latterly, as Malta's first Ombudsman, writes a comprehensive essay on The Citizen's Right to Good Governance and the value of citizen's charters. George Debono makes a heartfelt and most persuasive case for A Comprehensive Harbour Ferry Service as a means of easing some of our intractable transport problems in Malta's densest urban areas.

In her essay on Evolving Environmental Challenges in Malta, Petra Bianchi gives a frank exposition of why it is no longer possible for Malta to treat its environment as something separate from its social and economic development as a country. Finally, Sina Bugeja writes an essay focusing on the important connection between Fertilty and Employment Rates: A Direct Correlation to Sustainable Financial Solutions.

We hope policy-makers, the business community, civil society and the public at large will find in these essays food for thought and a readiness to engage in a public debate on issues of importance to them and to Malta in the immediate years ahead.

MALTA'S NICHE IN CYBERSPACE
By
Father Peter Serracino Inglott

In 2010, a White Paper: "Open Source Vision – Nurturing the Proliferation of Open Source Software" compiled by the Malta Information Technology Agency (MITA) was published. It struck me as being potentially the most important policy document issued by the Government since that announcing the intention to apply for full membership of the European Union.

In the PN Electoral Programme of 2008, paragraph 351 said: "There will be created in Malta a centre to promote open access in the field of Information Technology and the renewal of Internet Governance. Systems of open access are in the world of Internet what Co-operatives are in the rural world and Workers' Councils in the Industrial." This definite commitment did not appear in the section that projected Malta as a centre for IT excellence according to the Prime Minister's Vision 2015 but in the section on International Relations. The idea that the most appropriate niche that Malta could find in cyberspace was that of a promotional centre of Open Source Systems had been mooted, but no such clearly stated and carefully thought-out presentation of the idea had come out until the 33 page document published last year by MITA.

Its title refers explicitly to Open Source Software but this is only one of a family of technologies that have in common a variety of features such as being freely available and produced by voluntary communities. The defining characteristic of these digital productions is perhaps that they can be appropriated by individuals or groups, in the sense that one can manipulate them so that while one produces a version of the original derived from it yet the user will have contributed something of his own to it.

For obvious reasons, the MITA Vision dwells on the technological and economic advantages of using Open Source software as compared to the other more normally commercial types. However, the moral and political implications of the choice of this family of technologies are equally important. Recognition that knowledge is the most important part of the Common Heritage of Mankind is bound to have a radical impact on the notion of and legal provisions for intellectual property in the age of cyberspace much more consequential than classifying and managing the resources of the seabed as Common Heritage of Mankind.

Besides introductory and conclusive sections, the substantial part of the MITA Document is divided into three chapters. The first discusses immediate aims. It first confirms the Government's Open Source software policy and related directives for its use by Government Departments that became effective on the 10th August 2010 and then it seeks to initiate a transition to the next phase of encouraging Open Source also in the private sector. This proposal is based on the indisputably solid ground that the best way for the Government to promote the desired preference in choice of IT technologies is by setting a good example.

The contribution which the Government can make towards what amounts to nothing short of a cultural revolution through the education system is perhaps equally important. The White Paper envisages "the local educational system acting as a major champion for nurturing concepts of openness in its wider sense both from a citizen as well as a business standpoint". Clearly for what MITA is proposing to be effective, there must be concerted action by all ministries but in particular by the educational system that also has an additional mission in the field of research.

The second and third sections outline medium term and longer term objectives that envisage the thorough transformation of our IT practices. The ultimate aim of the operation is in the words of the report "ensuring a nationwide Open Source Software Ecosystem." The underlying principle is that technologies are not morally or politically neutral. In fact the adoption of Open Source Systems is probably the greatest step in the direction of social justice and democratic equality that can be taken at the dawn of the knowledge society.

The report has a three-year timing framework for a list of nine initiatives that are proposed although it seems that what was planned for 2010 has not yet been achieved. The proposals for earliest implementation include: development of business applications, creation of Open Source permanent frameworks, consolidation of an Open Source Observatory and Repository, collaboration with EU Vendors and Communities. The White Paper itself admits that "the current limited degree of Open Source Software awareness amongst Public Administration and within Education limits the potential for increased acceleration for the adoption of Open Source Software considerably." But it also says that although "the transition towards adopting, endorsing and enforcement of openness is not a trivial task, with proper commitment, however, the long term benefits are huge."

The adoption and development of the Open Source Option is apparently the only viable alternative to continuing along the route at present being followed of allowing the new Electronic Age Economics System to be increasingly dominated by the late capitalist giant enterprises such as Microsoft, Apple, Google and Amazon. In order to understand the full significance of this option, a good way of starting would be to read the book by Yochai Benkler, Professor of Entrepreneurial Legal Studies at Harvard, entitled the Wealth of Networks: How Social Production Transforms Markets and Freedom. It is published by Harvard University Press, 2006, under the provisions of the creative Commons Non Commercial Sharealike License, which allows the on-line version of the book to be downloaded free. The title of the book plainly alludes to the work that is generally acknowledged to have laid the foundations of Economics, The Wealth of Nations by Adam Smith, Professor of Philosophy at Edinburgh University at the time of the Scottish Enlightenment. However, authoritative reviewers of Benkler's book have deemed it more comparable in status to the already classic 20th century study Idea of Justice by John Rawls. They say that what the Idea of Justice is to Neo-Liberal Political Theory, Benkler's book is to the so-called Communitarian Political Tendency, or perhaps more precisely to the Dialogue Society as originally pictured by Charles Taylor of Canada.

In the first and basic part of the book which is economic, Benkler shows that the "limits to growth" that the Club of Rome and the Greens in its wake had postulated can be overcome and productivity can continue to increase indefinitely if development takes place in the information and culture-production sectors of the economy, that is in other words in a "knowledge economy". In our age knowledge has more wealth-generating potentiality than gold or oil or land. This development needs to go hand in hand with precisely the "proliferation of Open Source Systems" spoken of in the Maltese Government's White paper. These systems in fact allow individuals to participate in many more diversely organized productive enterprises, both market-based and non-market-based, than was possible in the pre-cyberspace economy, structured upon the machine-industrial matrix.

The Electronic Revolution has given new viability to small scale enterprises, which is the most basic condition for the development of the creative co-operation that occurs in the operation of Open Source Systems. In mechanical-Industrial/Capitalist society, the organization of work called for specialization and complex hierarchies: blue and white collar workers, foremen and supervisors, middle and top managers, etc. Structures had to become large scale for cost efficiency. The electronic revolution tends to replace the organization of work that had become predominant over the last two centuries with a radically different system. The digital age works mainly through flat virtual networks within which practically everyone is of the same status.

Two Management professors from the University of Toronto, Dan Tapscott and Anthony Williams, have published a textbook called Wikinomics for students and others to learn about the workings of the new economic model. They coined the term Wikinomics in obvious tribute to the best known example of the new type of 21st Century enterprise namely Wikipedia (wiki is Haiwain for quick). This online encyclopedia required neither the vast capital investment nor the complex organizational set-up that would have been previously necessary in order to produce its nine million constituent articles. It could now be produced by an extended family-sized team.

Many other examples of major enterprises that it has now become possible to set up with only the human and financial resources of what would be considered, by today's standards, a large family are given by the authors of Wikinomics. These include the Open Source computer operating system called Linux; banking services for poor people such KIVA, a website that connects individual lenders with small businesses in the developing world: globe-wide news reporting networks such as Slashdot and many other production and distribution enterprises, all with family-size basic units. Moreover, the most severe constraints on household-scale economic units in the declining Industrial-Capitalist society were the capital cost of production and the cost of communication. The electronic revolution and the introduction of Open Source Systems have reduced the cost of information production and high quality distribution so that they have now become possible on household unit scale.

Non-proprietary "peer production" is happening practically throughout the culture industries and has not remained restricted to the area (important in itself) of software development. "Peer production" has become an attractive alternative to the industrial production model that dominated the mass media no less than other economic enterprises in the 20th century. The greater the extent of cyberspace that is won over by Open Source rather than by mega-company operators, the more the "public domain is extended at the expense of private property", or more precisely the more expansion there is of what used to be called in the Middle Ages, the "Commons", i.e. resources that are freely available for general views, but which cannot be privatized.

The second part of Benkler's book considers the political arrangements that can enhance democracy in the situation in which the networked information economy does not limit practical possibilities because of productivity worries. In crude terms Benkler holds that our mass-media dominated environment allows only a caricature of authentic democracy. "Today's society is a thoroughly unattractive system for democratic communication where money talks and everybody who wants to speak must either raise vast sums of money or rely on a large endowment". This would change with the "proliferation of Open Source Systems" which automatically promotes genuine democracy.

Benkler is here referring to the aspect of democracy that is not citizen participation in formal governance, but rather the extent to which the members of a society participate in making sense of their lives. At present, "a small group of actors, focused on maintaining and shaping consumer demand, has tremendous power over the definition of meaning in society – what symbols are used and what they signify. Television sitcoms, Barbie Dolls and movies define the basic set of symbols with which most of us can work to understand our lives and our society".

On the contrary, Benkler argues that "in a pervasively networked environment, meaning can be produced collaboratively, by anyone, for anyone". This possibility supposes however the "proliferation of the Open Source Systems" promoted by the Maltese Government's White Paper. In that situation, public political discourse will not remain reduced to soundbites. "This will result in a more complicated and variegated, perhaps less coherent story about how we should live together as constituents of society. But it will be a picture that we made, not one given to us prepackaged and massively advertised as way cool".

Recently, there has been much discussion whether it makes much sense to speak of any basic political definition as being between right and left. If until quite recently right was associated with neo-liberal totally free market economics and left with some more or less extensive degree of state-control, today there seems to be consensus that a market-based economy subject to a minimum of ethical control by the State should be the norm. However, it seems to me that the option of an Open Source based system as against private enterprise oligopolies is the way in which a basic political choice between left and right is again being presented to us. We continue to tend to think in terms of left and right in politics perhaps because that division runs within us with its basis in the division of the brain into left and right segments.

CYBER CRIME - THE INTERNET'S LONG WAR
By
Joseph V. Tabone

The title of this paper is cribbed from a recent newspaper editorial that chronicles the increasing incidence and sophistication of criminal activity perpetrated on the Internet and the consequential hazards to all users.

The Internet is a commodity which we now take for granted. Not since the invention of the Gutenberg printing press in the 15th century has there been a development of such global impact in terms of social and economic development. We have come to be entirely dependent on it in our place or work, in the classroom, in hospitals and in the home. Its overarching benefits cannot be over stated. And yet few of us are mindful either of the perils associated with this or of responsible measures we can take at home or in our places of work to mitigate these in some measure. Using the analogy of the car, another commodity whose purpose we are all familiar with, it would render our travel much safer if we knew the rules of the road, had a vague idea on its workings, and most importantly knew how to drive.

The purpose of this paper is therefore as much about understanding a little about the nature of the Internet, how it evolved and how it operates, in order to help make our Internet experience more secure and rewarding. It is also intended to generate some debate on this most important public policy issue of Internet security.

While the Internet has now been around for decades, it was never intended to proliferate in the manner that it has. Its origins go back to the 60s and its intended purpose then was as a US academic network. It was not until the 90s that its evolution took a commercial turn as a network of networks. Until then all organisations, public and private, had their own discrete networks with very limited external controlled access provision. This all changed in the latter part of the 90s with a landmark political decision on the part of the US Government to open up the Internet to all comers. To this end the US Government set up the Internet Corporation of Assigned Names and Numbers (ICANN,) a not for profit organisation registered in California. ICANN's responsibility was for the maintenance of the Internet's architecture with particular emphasis on its universal access, reliability and security. What is different about ICANN from more traditional organisational models is that it is a bottom up multi-stakeholder set-up rather than a hierarchical top down. And this is significant. The purpose of the model of choice was to give vent to the creativity of the broadest spectrum of user communities, and the outcome is precisely what we have to-day.

But in order to get a sense of the success of this modality one has to look at the astonishing growth of the Internet. Soon after ICANN was formed in 1998, there were 20,000,000 users connected to the Internet. These were mostly based in North American and Western counties. This number had grown to one and a half billion by June 2010. Following prolonged deliberations with a view to broadening universal access, ICANN introduced a new measure that enabled the recognition of non Roman script in websites and e-mails with effect from July 2010. An additional policy change having a bearing on accessibility is the expansion of what are called generic top level domains (there are 22 of these) such as .com, org, .bus etc. and about 220 country top level domains - .mt. uk, .au etc. In the short space of a year these developments have yielded an additional billion users. Added to this if we factor in the increased use of smart phones, tablets and other intelligent devices, Internet connectivity is tracking towards five billion users by 2013.

Despite this phenomenal success the Internet is a mass of conflicting tensions which give it its dynamics, and as such not without its detractors. On the one hand it is premised on the fundamental value of openness and freedom of expression that drives it, and countering this there is the threat to privacy and intellectual property as well as a clamouring for censorship in other quarters. There are the traditional incumbent telecom service providers whose century old model of user pays connectivity has been turned on its head. Voices for regulation have so far been drowned by those against, citing the Internet's success as a manifestation of this. It is a cause for unquestionable good as evidenced by the role it plays in developments we have been witnessing in the Middle East in recent months. On the negative side, the Internet played a central role in fuelling the recent riots in Britain.

This centrality and universality of the Internet with its inherent democracy does not sit comfortably with many governments who are at odds with a medium which is at the heart of our global economy, over which they have little say, and which is perceived as an American instrument of influence and control.

This latter is the major threat of the Internet as we know it to-day. The movement is for the most part driven by China, Russia and Saudi Arabia who hold sway over what are termed the 77 non aligned countries most of which are lesser developed. These countries would like to have in place a supra national governmental body, possibly the UN, that will provide the oversight over the Internet's operations and be the arbiters on issues of public policy. In the opposite corner we have the consensus of most Western countries including the EU that this is a dynamic which is best left to the private sector driven by the wise dictum that "if it's working, don't fix it".

Governments are a vital Internet constituency represented by a government Advisory Committee to the ICANN Board whose mandate is to advise on public policy issues. In an effort to allay concerns about the latter the mandate of this Committee has been reinforced in recent years. And much of the concern of governments centres on the reliability, robustness and security of the Internet. To this end governments have advocated caution in the face of major policy changes having a bearing on any rapid expansion, pending the resolution of a number of associated issues, with security featuring prominently among these. The ICANN Board made some concessions but in the end it over-ruled government advice to hold back on the expansion of generic address space until all outstanding issues were resolved. The outcome of this action will be exponential growth of even greater proportions than previously experienced. A likely consequence of this is an exacerbation of already rampant criminal behaviour on the Internet.

But how serious is this problem? Just as a snapshot, trawling international media in the course of a week in August 2011, you have the American defence secretary talking of a digital "Pearl Harbour". In the same week the Prime Minister of the United Kingdom announced a budgetary appropriation of £650M to fight e-crime and its assistance in setting up the International Cybercrime

Security Protection Alliance, and this in the face of the country's most stringent austerity programme since World War 2. Citing the Australian Attorney General this week while announcing controversial new measures to combat cyber crime, "Cybercrime is a growing threat to individual, businesses and governments around the world and has already overtaken the drug trade as the most profitable form of all crimes. With more Australian families, business and government conducting all manner of activities every year, there are more opportunities for cyber criminals to steal money, identities and information form unsuspecting victims" on line

A Canadian editorial the same week reads "Put that website down, you don't know where it's been". A feature article in the Economist earlier this month provides an insight into the hacking underworld. "Online scammers, thieves and industrial spies are draining billions from the global economy. 60,000 new malicious software variants are detected every day", and stating that much of this activity can be stemmed as it is traceable to 50 ISPs out of a total of 5000 world-wide. Why this is not done or at least not done fast enough is down to a very complex set of factors, not the last of these being the borderless nature of the internet.

Quite apart from the challenge of tracking back and identifying the source of a criminal activity on the Internet, the investigation, prosecution and enforcement capabilities vary from country to country. Often these capabilities are worryingly scant in a large part of the globe.

The Australian Government is the first to be coming out with a public consultation document on cyber security in the coming weeks and the UK government is set to follow. The reason for this is that this is an issue that touches all of us. It is vitally important for us to be informed about the issue and alert to the threats because security and protection are a shared responsibility. The purpose of this paper is as much about drawing awareness to this issue. There are myriad players in the Internet chain – ICANN, Telecom service providers, ISPs, Registries, Internet exchanges, web domain owners, government, business, schools, banks, regulators, with the user at the end of the chain. Each and every level of this hierarchy has a corresponding share of responsibility for Internet security. Each and every one of these links in the chain have been targets of cyber attacks at some point in time with remarkable frequency. American defence data bases have been penetrated, the communications of a whole country have been blocked, the last few months have seen the largest heists of personal data from major corporations, governments and including banks.

Malta's last decade of relative prosperity and economic stability may have lulled us into a state of relative ambivalence about happenings beyond our shores. It is interesting to note that while the subject of cyber crime is the focus of so much media attention, the Malta media have not had much to say on the matter. We show symptoms of an incipient malady which pre-conditions us to assume that all unpleasant things happen elsewhere, often giving us cause to gloat on our good fortune. Another form of denial when faced with a problem of this magnitude is to assume it is somebody else's responsibility to do something about it – government most of the time.

But we all have a part to play in this. Governments have to have in place the appropriate legal infrastructure, national critical infrastructure contingency plans, and suitable forensic capability to investigate criminal activities, to prosecute and take appropriate measures. Telecom service providers need to have suitable redundancy built into their networks together with contingency plans. The judiciary has to be suitably enlightened about this form of criminal activity to render appropriate judgements swiftly. Businesses have a responsibility to ensure secure environments to protect their data and ensure the security of financial transactions. Schools have a responsibility to protect children from certain harmful content and to teach them about the perils of the Internet. The University and MCAST have the responsibility to turn out Internet savvy graduates and others with the skills to ensure we have secure networks and systems. And parents have a responsibility to have a better understanding of the Internet's benefits and potential hazards in order to afford their families the appropriate protection.

I think our government ticks a lot of the boxes in terms of policies, legislation and good practice while no doubt more needs to be done. It is also active in European and global Internet and security circles. Our Ministers and diplomats have punched above their weight in the political contest relating to operating Internet modalities that allow for multi-stakeholder inputs but with a premium on reliability and security. Malta is a major player in a Commonwealth initiative on cyber crime aimed at providing developing countries with assistance in having in place the capacity to fight cyber crime. The Malta Communications Authority has recently launched "Smart Online", the first of many such initiatives aimed at addressing this issue and focused on child protection.

In recognition of the important role of the Internet in our lives and on development in general, the United Nations launched an annual Internet Governance Forum in 2005 with the objective of giving stakeholders a platform to facilitate policy inputs on the Internet's development having to do with access, content, security, openness etc. This has in turn spawned regional and national Internet governance groups or fora with similar objectives and which in turn feed into the global Internet Governance Forum. These national bodies perform an important role in disseminating information and raising awareness which in turn serve to inform national policies relating to the internet.

Malta is now following this example with the recent formation of an informal group led by the Malta Communications Authority drawing on representation from the Attorney General's Department, Ministry of Education, University, Chamber of Commerce, Telecom and IT industry, civil society, law enforcement, consumer agency, banks etc. The group which is in its early stages will be taking stock of relevant issues which need to be addressed with a view to formulating a plan of action on a variety of fronts including initiatives aimed at improving cyber security. This is a promising development affording the many constituencies opportunities to provide inputs into the manner of addressing these very important public policy issues. There is also the benefit at every level, from citizen to government in sharing best practice.

The nature of think tanks such as TPPI is to raise awareness about important public policy issues and in the course of this to generate an open and constructive debate aimed at addressing these. The issue of cyber security which is the subject of this paper is a complex one which is beyond the scope of a single country, entity or individual to address. This notwithstanding, there is a relative contribution that all can make towards rendering the cyber environment more secure and it is in this latter spirit that this paper has been put together. Its purpose is to raise awareness, generate debate and hopefully catalyse action where this is required. The paper is also a departure from the norm of other TPPI contributions in that it is not setting out to define the issue exhaustively and posit the complete solution. The latter is an aspiration well beyond the competence of this lead writer.

THE ROLE OF WOMEN IN THE CONSTRUCTION OF EUROPEAN IDENTITY: PRESENCE, PLURALITY AND BORDERS

By
Clare Vassallo

"Europa, the daughter of a legendary king of Tyre and sister of Cadmus. Carried away by Zeus, who appeared in the form of a bull. She bore him three sons, Minos, Rhadamanthys and Sarpedon. Identified with a Cretan goddess and worshipped on the island, and her story may well be a Greek interpretation of the bull-leaping and bull-riding ceremonies found there." **Betty Radice, Who's Who in the Ancient World.**

Introduction:

Wife, mother and rider of the bull. The bull that was Zeus, who whisked her away, is a powerful image. But Europa, the mythological namesake of modern Europe, is imagined as riding the bull and making him leap, not as being ridden or downtrodden by him. This is a positive image, if positive means a myth that makes Europa feminine and protagonist, Europa the singular goddess, and Europe a modern territory, plural in its pasts, its cultures and its citizens.

Constructing Europe: Cultural Invisible Borders

Another image, that of culture as a shared blood-stream circulating through the body of Europe, keeping it alive and vital, was created by the American poet T. S. Eliot in the dark days of 1944. He referred to the circulation of shared culture, and a system of shared common references that take us back to our classical roots. [1]

It is an interesting analogy comparing the body with its centrally beating heart pushing blood to all its extremities, and the essence of that blood is culture. Culture is a notoriously broad term with many aspects and definitions. In this paper the notion of culture discussed is less in terms of artistic creativity and more in the way of participation and visibility in a social and political frame. For what is the culture of Europe if not the presence of its people, past, present and future, and the structures within which they live, work, travel, love and create?

Europe has been a force for change. Anyone writing during the 1940s would have witnessed a very different Europe to the one we live in today. One at war within itself, within its cultures, between neighbours, and religions turned against one another. Europe today is in many ways a dream realized against such a backdrop. We have seen a large territory expanding its borders without wars, and growing economically into a world force to be reckoned with. Multifaceted Europe, constructed on its many pasts, on both shared and diverse roots, has arrived at a point, not of destination, but of actively manipulating new manners of belonging which are not the results of post-war treaties and aggressive shifting of borders, but rather of peaceful democratic decision making processes which have led countries to weaken national differences and to embrace a constructed unity built on a long and shared past towards common goals.

This practical vision of Europe has shown how possible it is to change habits and perceptions. Who would have believed, in the 1940s that countries then at war with each other, such as France and Germany, would renounce their currencies and embrace a common one? Europe, we are reminded, is under construction. And nothing could be more positive than to believe that change can be effected, that seemingly monolithic structures in place for decades, can be re-envisaged and new ways of doing things, ways that better suit the citizens, can be created anew. Such structures include those that organize and determine the working, social and cultural lives of its citizens.

In order to speculate on the role of women in the construction European culture and identity, attention must be turned to the real frameworks in which women and men live and work. For to comment on women's role is to see where women are within Europe's structures, which positions are occupied by women, and what percentage of women are involved in decision making process that shape and create the Europe of the future. The fact that many working practices are remnants of time when the majority of the workforce was made up of men, when the schedules and timetables of working life were still firmly set around older gender biased patterns of work and life, constitutes one of the less visible borders that continue to keep women away from the cultural and public sphere of work.

Europe Central vs. Europe Local

Are women present and visible? On both local and European central stages? Malta, part of the E.U. since 2004, brings its own culture of work practices and home balance to play. To speak about the role of women is to identify the visibility of women, and in Malta today, we have more women than ever before in various roles including positions of decision making. But although on the rise, statistically speaking a very small minority of Maltese women make it into culturally significant arenas. For Sweden's 48% of female Ministers in the National Parliament, we have 9%, and there are no female European Members of Parliament at all. [2] Reasons for low female participation in local national parliament seems to depend less on the presence or absence of a quota system and far more on the simple fact that Parliamentary sessions are held mainly in the evenings. A schedule which is generally incompatible with the lives of those women who are also bringing up young children reduces the attraction of

women to the central political arena. Locally, many female graduates, put off by incompatible work and school times, gradually leave the work-force, only to return later, when their children have grown, to take up jobs in less influential positions as a result of juggling a difficult home and work balance.

To speak about the social, cultural, political and artistic role of women in Malta, as in any other country, is to look for visible evidence of women in these spheres. If women are to partake in the construction of Europe then they have to be present in the fora in which decisions are taken and debates held. In preparing for this discussion I held meetings with the Executive Direc-tor for the National Commission for the Promotion of Equality in Malta[3] , and with the Head of Representation of the European Commission in Malta.[4] In both discussions the absence of significant numbers of women in visible positions was noted. The reasons for such significant absence seems to be significantly cultural, and significantly local.

Issues concerning gender and the representation of women at all levels of decision making have been high on the agenda of the European Commission, European Parliament and the various Committees for many years now. The High Level Working Group on Gender Mainstreaming is a most important development which stems from the importance assigned to the issue of gender and equal opportunities. The Gender Mainstreaming strategy of having one of its members on each of the twelve parliamentary committees studying proposals and ideas from a gender, specifically female citizen's, point of view, is innovative and effective over a broad range of issues that touch on our lives. Anything from public transport modifications to medical screening pass through a focused angle to see how they impact the lives of real women living in Europe. These various issues are further presented at the FEMM Committee for further scrutiny and discussion.

Such political priorities within the European framework are having an impact on cultures of countries, such as Malta, where gender and the presence of women have traditionally not been high on the political agenda. If there is no mandatory gender sensitive presence on the various committees governing the country, then the lack of gender perspective is not noticed or felt by those involved in drafting laws, such as income tax returns or rates of unemployment benefits, which impact the potential working lives of women. Perhaps the time has come for the practices created by the Gender Mainstreaming Committee to be applied to national as well as E.U. level parliamentary committees.

Plural Identity / Plural Femininity

In her Introduction to 'Le Deuxieme Sexe', (1949), Simone de Beauvoir asks provocatively, "One wonders if women still exist, if they will always exist, whether or not it is desirable that they should, what place they occupy in this world, what their place should be" .[5] In 1974, Julia Kristeva goes further along this road and refuses to define woman at all. She said, "To believe that one "is a woman" is almost as absurd and obscurantist as to believe that one "is a man". A woman exists in her refusal to be that which is given, in names and in definitions, she goes on to say, "I therefore understand by "woman" that which cannot be represented, that which is not spoken, that which remains outside thinking and ideologies." [6]

The facile answer to de Beauvoir's question is obvious and affirmative: of course women exist, they make up at least one half of the population of the world, of Europe, of each country. But that which de Beauvoir enquires about is not physical woman but a classification or a definition of what woman is, the boundaries within which she is defined and within which she acts: these have changed. Kristeva's resistance draws attention to linguistic boundaries that define 'woman', the way 'woman' has been used in language is to differentiate her, to locate her at the margin. Femininity became equated with a marginal position.

The power of language, in any culture, cannot be overestimated, and yet it is often ignored as it presents itself as a transparent means to carry meaning, to communicate. Language determines the way we perceive the world – both natural and cultural, and the manner in which we are defined within it.

It is not that particular languages are sexist[7] , but that language being dynamic, reflects the power positions and power strug-gles within the speaking communities that use that language. If language determines the way we perceive the world, and ourselves within that world, then to modify language is also to modify perception. Language is conservative by nature, like legal systems it codifies aspects in existence in society and is revised accordingly. Language can also be revolutionary and subversive, aspects which are highlighted in literary use, specifically in poetry where it can be made to subvert, suggest, attack and revolutionize.[8]

Identity is itself a complex and problematic concept located in language. We have traditionally been misled by language to consider identity as singular, to talk of the individual as a whole, as a defined person. There is no such thing as a single, coher-ent identity – as a female or a male. What, we may ask, are we first – our nationality? our gender? our age? If notions and labels, classifications and definitions of nationality and belonging are being re-defined in a multicultural Europe, should not defini-tions of the subject change too? If identity is plural, then who determines which aspect is hierarchically more important? Or do we perhaps make use of a shifting scale of priorities changing and adapting to diverse contexts? Sometimes it is relevant to highlight that one is speaking as a woman, other times this is an unnecessary piece of information.

Multicultural Europe is the result of a multi-faceted construction in terms of identity. Europe's catchphrase "Unity in Diversity' is itself testament to the various identities that form the whole. Multiculturalism carries in its wake notions of multi-identity: the recognition that we are plural, as individuals, groups, races, nations – as Europe itself.

Women are caught in a situation in which we would like to present ourselves, in certain contexts such as work, not as women first, not as 'a woman judge' but 'a competent judge', not 'a female lawyer' but 'an effective lawyer', and so forth. And yet, we cannot afford not to make use of structures such as Gender Mainstreaming as a way of making the changes necessary for women to become more visible and thereby to partake in the cultural structure of this country, and consequently to play an active role in the construction of a present and future complex European identity.

Notes:

[1] T. S. Eliot, in a presentation to the Virgil society in 1944, printed as, What is a Classic?. He said, "We need to remind ourselves that, as Europe as a whole (and still, in its progressive mutilation and disfigurement, the organism out of which any greater world in harmony must develop), so European literature is a whole, the several members of which cannot flourish, if the same blood-stream does not circulate throughout the whole body. The blood-stream of European literature is Latin and Greek – not as two systems of circulation, but one, for it is through Rome that our parentage in Greece must be traced."

[2] Many relevant statistics about Maltese women and work are available from the website for the National Commission for the Promotion of equality, www.equality.gov.mt .

[3] Sina Bugeja, Executive Director, National Commission for the Promotion of Equality (NCPE).

[4] Dr. Joanna Drake, Head of European Commission Representation in Malta.

[5] Simone de Beauvoir, The Second Sex, 1986 (1949), Penguin Modern Classics, Harmondsworth,, p. 13.

[6] Julia Kristeva, in an interview with women from the 'psychanlyse et politique' group published in 'La Femme', 20, 1974, in Toril Moi, Sexual / Textual Politics, Routledge, London, 2002, (1985) p. 162.

[7] See Dale Spender's insightful work Man Made Language for a perspective on sexist perspective historically embedded in language, Routledge, London, 1980.

[8] See Julia Kristeva La Revolution du langage poetique, Seuil, Paris, 1974, Jacques Lacan, Ecrits, A selection trans. Alan Sheridan, Tavistock, London, 1977, (Seuil, Paris, 1966), and Umberto Eco Semiotics and the Philosophy of Language, Macmillan Press, London, 1984, among other works on the relation between the structure of language, the construction of the self and the role of classification and definition in language.

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A QUOTA SYSTEM FOR WOMEN: IS IT A SOLUTION?
By
Marlene Mizzi

Introduction

The subject of quotas for women is one which often raises its head in academic, political and social fora. Notwithstanding the fact that this is not a novel topic, but one that has been discussed ad nauseam, it is still considered by many as one of the hot potatoes of strategy planning and policy drafting   - not least because of the diverse and controversial opinions the topics of gender equality and gender balance tend to attract.

The concept of quotas basically addresses the lack of women in decision making positions. The quota system is usually, but not exclusively, applied to the political and corporate arenas where decisions are taken , and where real influence is exercised.

According to the Global Database of Quotas for Women, half of the countries of the world use some form of electoral quota for their Parliament. Yet, only 19% of the members of parliament around the world are women – which may be a reason why those who believe that this gender imbalance should be corrected endorse the concept of introducing quotas as a mechanism to address this issue.

 Although we are living in the 21st Century, and notwithstanding that women have made great strides in their achievements, it is a fact that the female gender is still a minority as far as decision making positions are concerned, both on a national and international level, in the political and corporate world.

Let's face it. This is still a man's world - hackneyed as this expression may sound! Should this statement not sound right, one may wish to take a look at the news reports and reportage of European and global meetings, as well as the reporting of local business and political news.

The absence of women sitting around the tables taking those important decisions, which may affect all of us, is glaring.

The women in these meetings are usually behind the glass screens wearing headphones busy translating what the men need to understand; or behind their computers typing out the speeches to be delivered by the decision makers. A look at the composition of parliaments across Europe – except for Scandinavia – indicates that women are prominent by their scarce representation. Check out the composition of business associations, both locally and internationally, and again, one would be lucky to spot a female presence. The women involved with these associations would be in their offices typing the next press release, and sending out the next news letters.

Callous as this analysis might sound, I am afraid that this is the stark reality of the situation. Women in leadership and decision making/influential positions are still far behind what they should be, particularly when one considers that we are talking of roughly 50% of the population in any given country.

Suffice it to say, that according to a United Nations report,
• 	women constitute half of the world's population,
• 	perform nearly two- thirds of its work hours,
• 	receive one tenth of the world's income, and
• 	own less than one hundredth of the worlds property.

From a   rational business point of view, excluding women from leadership positions is simply a waste of talent. Many would argue against this principle, yet it seems still necessary to sell this elementary notion to most corporations, business and political organisations. This leads the argument to the million euro question:

Would Introducing Quotas Solve this Imbalance?

There are pros and cons to the mandatory/statutory presence of a woman or women within a group of persons – usually expressed as a percentage of total membership. The school of thought in favour of quotas for women, believes that increasing numbers of women in the group is beneficial to the advancement of the female gender. On the other hand, those who oppose this concept seem to think that women worthy of advancement would proceed irrespective of artificial pushing and shoving. Briefly, the major arguments brought for, and against, the concept are as follows:

Arguments Against

- 	Quotas are by definition discriminatory, as women are preferred to men. Women have been fighting against discrimination for many years. It is therefore ironic that this same unfairness is being resorted to by those who have fought it so vehemently. Dressing the concept up as 'positive action' does not change the unfairness of the concept.
- 	Quotas are undemocratic because it is not the electorate or shareholders who are deciding who should be elected, but an artificially devised system. Many argue that the will of the electorate must not be hindered or warped in any way.
- 	Quotas give importance to gender, not to qualifications and/or the capabilities of the person. They defeat the concept of meritocracy. This could back-fire on the many capable women whose capability would be tainted by the system. Many women oppose the quota system for precisely this reason. The 'token woman' label is shunned by women who believe that it is the quality of the member which should be sought , not quantity according to gender.

- Women elected through the quota system may face lack of respect from their peers, as they are not perceived to be as competent as their elected male counterparts. They could even alienate other women members who had worked their way up the hard way having been elected on their own merits. In Norway, quota candidates on boards were soon given the title of "golden skirts!"
- Quotas warp the concept of representation and may actually hinder women in the long run. The concept seems to suggest that women are there to represent women, while men are capable of representing both men and women. This in turn suggests that women's presence is not based on ideas, qualifications and capabilities and vision, but on gender.
- Quotas pose a risk to the female gender as a whole. Whilst there may be merit in having a quota system in order to increase numbers -- a system which has worked in some countries - this may back-fire on the very gender it is trying to promote. A woman appointed through the quota system who does not perform due to her incompetence for the position – just as many men are incompetent and do not perform – gives a bad name to her gender, not only to herself. Her incompetence will be attributed to the fact that she is a female, and not to her personal capabilities, as it should be. Unfortunately, this is not the case with incompetent, non-performing, incapable males. As unfair as this is, we all know that this is the situation and that is why positive discrimination is dangerous, and the quota system all the more so. The American diplomat and playwright, Clare Booth Luce, stated 'Because I am a woman, I must make unusual efforts to succeed. If I fail, no one will say – she doesn't have what it takes. They will say – women don't have what it takes."

Arguments in Favour

- Quotas are not discriminatory, but a compensation for the time women have been disadvantaged by society and culture. For centuries, women have had to accept rejection from occupying their rightful place in decision making positions be they political, corporate or any other sphere from which they were practically barred.
- As society is made up of both men and women, the correct representation in any group is one which consists of both sexes. It is argued that women can represent women's interests better than men and that therefore the absence of women in decision making positions is detrimental to society in general. Mixed representation is the best formula for any group achievement.
- Women bring a different baggage of experience to that brought by men, analyse issues differently leading to a more complete picture in any situation. Women are equal to men but different, and this difference is an important input.
- Voters' or shareholders' rights are not violated by the quota system since nominations are usually monitored, controlled and manipulated anyway.
- The adverse reaction to quotas may be understandable and even acceptable, but considered to be of a temporary nature and overshadowed by the long-term benefits of a more equal and fair gender representation.
- Scandinavian countries have proven that the quota system does address gender imbalance. In 2010, the World Competitiveness Yearbook showed Norway in 7th place – four positions up from its pre-quota period.

I have personally never subscribed to the concept of quotas for women, and although I can appreciate the arguments of those in favour, I am a firm believer that the arguments against quotas are far stronger, and nurture the interest of the female gender better than do arguments in favour. Something must certainly be done to encourage more women to participate in decision making and influential posts, but this cannot be through the artificial pressure of the quota system. My fear is, that introducing the quota system, would eclipse the real reason why women representation world-wide is still so lacking, even in the 21st century. In fact, I am also a firm believer that women are as capable as men and the main culprits behind the slow advancement of women in the world of politics and business is society, tradition and culture.

Had culture, tradition and society allowed the free-wheeling of capabilities, women would certainly have achieved much more than they have achieved to date in all levels of political, economic and social development. In the past, the standard advice to women who wanted to make it in a male dominated world was - 'Look like a woman, act like a lady, think like a man and work like a horse.' Unfortunately this might still be the case. Women have been held back by prevailing social mores, cultures and traditions which have favored the male gender, particularly in leadership and decision making roles, more than it has favored women.

So What Can be Done?

The main culprit in this situation is culture. Culture moulds people's minds, their thoughts and their attitudes to just about everything. Yet culture is inbuilt, and as such it is most resistant to change. One of the solutions may lie in our children and our education system.

Co-educational schooling - right up to secondary levels - will go a long way into changing the culture that has dictated that: men decide, women execute; and that men lead, and women follow.

Empirical studies show that children who have grown up within a co-educational system show less evident sexist attitudes than students who have grown up within exclusive boys' or girls' schools. This is also because it is proven that females fare as well, if not better, academically than the boys. Since at school, the measuring rod is intellectual capability and academic results, it naturally follows that the boys will certainly not look down on the girls, but regard them as natural equals and in certain instances, even superior. A co-educational system does not allow gender inequalities and imbalances to develop. It is this attitude and mentality that the boys will take with them into society and work-place later on. Likewise, girls will grow up with the knowledge that there is nothing inferior about belonging to the female gender - and they will also carry this attitude into society later on.

This is what real gender equality is all about. It is an attitude first and foremost.

And while on the subject of academics, one cannot help but wonder what happens to the 51% of female graduates from the University of Malta, a proportion which does not seem to be reflected in the career world of business, politics, management, industry and leadership - although the professions seem to fare better. There seems to be a Bermuda triangle, where Malta's female graduates disappear from the radar somewhere between university and working life. Hopefully, they are not all turning into desperate housewives!

But the establishment of co-educational system for our children - which already exists in some private schools in Malta - is the long-term vision for addressing gender imbalance and the development of leaders and decision makers of both genders .

What Can be Done Now?

One thing worth copying from the male gender is networking. Men have an outstanding networking set up – something which still appears alien to women. Networking plays a prominent role in all facets of public and professional lives - particularly in the business, social and political environment. The awareness that advancement of the female gender is also down to networking amongst themselves, will help towards increasing the critical mass of women in the upper echelons of the decision making ranks. Networking comes easier to some than to others of course, but once the benefits of contacts are established the effort becomes worth it.

No doubt, some women have the added responsibility of being wives and mothers, roles which are also important to some though not to all. Those who choose to fulfill these roles, have a great juggling act to handle -- an act which many of us know, is not easy - particularly when one has reached decision making levels which tend to carry great responsibilities and are time-consuming. This situation no doubt makes some women shy of going after leadership positions - which may also explain the fewer number of women occupying these posts. If the state really believes in the advancement of women it must ensure that the necessary structures are put in place in order to facilitate their participation. This assistance includes the establishment of child-minding facilities, the introduction of flexi-time, amongst many others. A quota system on its own would simply be a red herring and, if introduced at all, it must be part of a more holistic solution to increasing women's participation in influential roles, if it is to be effective.

This essay has sought to highlight the various aspects of the quota system and its advantages and disadvantages. This controversial topic arises from the fact that that there are not enough women in decision making and leadership posts, particularly in the higher echelons of business, management, industry as well as the military, the judiciary and politics. The balance needs to be redressed.

 It also sought to highlight the belief that women - who form approximately half of any society - are just as competent as their male counterparts and have a valuable input to contribute to all spheres of life. Any society which does not endeavour to encourage women to participate in its corporate, political and economic life, and does not provide the necessary assistance for this to happen, will be wasting a great deal of talent and human capital – and no modern, forward looking society or country can afford to do so.

References: The Debate Room : Business week
*   Global Database of Quotas for Women*

SECURITY CHALLENGES AND OPPORTUNITIES IN THE EMERGING MEDITERRANEAN

By
Stephen Calleya

The winds of change that have swept across the southern shores of the Mediterranean in 2011 have resulted in a fundamental geopolitical paradigm shift that will result in a completely different political landscape in this region of the world.

The grass roots revolutions in Tunisia, Egypt, and Libya to date and rumblings elsewhere in the Arab world offer us a glimpse of the immediate urgency to address the challenge of political paralysis and economic deprivation common throughout the southern shore of the Mediterranean. The Arab street has spoken. Either their legitimate demands are gradually met by serious action, or an orderly transition will soon give way to a more chaotic if not anarchic future.

As we navigate through the uncharted waters of Euro-Mediterranean regional dynamics in the weeks and months ahead it is essential that we bear in mind what larger picture is at stake. If the process of democratic reform based on the rule of law and inclusion of all legitimate political movements is not successful it will create a power vacuum where the failed state syndrome experienced in other parts of the world will be able to emerge.

When contacted in August 2010 to comment on calls demanding a moratorium on deepwater drilling as a result of British Petroleum's (BP) decision to start deep sea drilling off the coast of Libya following the human and environmental disaster that occurred in the Gulf of Mexico, a BP spokesperson shrugged off such a call answering "who is the authority for the Mediterranean?" [1]

The absence of a security arrangement in the Mediterranean has resulted in a security vacuum in this geo-strategically sensitive part of the world as highlighted by the BP's attitude towards efforts to suppress its operations in the Mediterranean immediately after being responsible for one of the world's most serious environmental disasters when the Macondo well exploded on April 20th 2010.

The security vacuum that exists in the Mediterranean is further highlighted by the actions of Colonel Muammar Gaddafi in Libya during his military campaign against revolutionaries in March 2011. Despite numerous resolutions by different international organizations including the United Nations, the European Union and the League of Arab States, no Mediterranean security mechanism exists to enforce such resolutions. It was thus left to a coalition of the willing, that has been extremely difficult to coordinate, to enforce UN Security Council Resolution 1973.

As Henry Kissinger pointed out during an international lecture, nature is against vacuums and will seek to correct such a situation. [2]
A security vacuum in the Mediterranean provides a conducive context within which forces of instability can upset co-operative relations and enhance power shifts that could trigger further rounds of arms races in an area where military procurement is already one of the highest in the world.

The post Cold War Mediterranean is a geographical area where the majority of contemporary soft and hard security challenges are present. These include ongoing conflicts in each sub region of the basin primarily over territorial claims, the proliferation of weapons, terrorist activities, illegal migration, ethnic tensions, human rights abuses, climate change, natural resources disputes especially concerning energy and water, and environmental degradation.

The long list of threats and risks that need to be addressed and managed in a coherent manner requires an institutional design than can cope with such serious demands. The absence of a regional security arrangement in the Mediterranean that includes all riparian states continues to be a major handicap prohibiting the effective management of contemporary security challenges. With no Mediterranean regional security arrangement on the horizon, better coordination between the multitude of sub regional groupings across the basin is a prerequisite to achieving a more stable security situation across the Mediterranean.

What is necessary, but is largely lacking in the Mediterranean when it comes to addressing security challenges, is a more creative approach to diplomacy. Institutional mandates seeking to resolve ongoing conflicts, such as those of Cyprus or the Israeli-Palestinian conflict, must be more proactive and flexible in their approach if they are to stand a chance of improving the situation on the ground. Malta is already playing an important foreign policy role in this regard as demonstrated in the conflict in Libya by offering to help reach a negotiated end to the conflict through diplomacy. Offering a platform of 'good offices' provides the protagonists in Libya with a credible alternative to a continued escalation of hostilities.

The 2011 "Arab Spring" provides the EU with an excellent opportunity to re-assess its policy towards its southern neighbours. The EU must unveil a new strategic frame work that seeks to consolidate transition towards democracy, the respect of basic freedoms, the rule of law and market economy.

The EU has been engaged with its southern neighbours for more than 30 years, focusing attention on trade and cooperation without daring to tackle the core issues of political governance. It has opened its market for manufactured products, which has helped boost exports, but failed to create a comprehensive Euro-Mediterranean free-trade area, largely because of the regimes` unwillingness to engage with each other and the EU. The most impressive success story has been Turkey and not Egypt or Morocco.

In order to support the winds of change in the Mediterranean the EU should focus on those countries that are fully determined to undertake essential political and economic reforms, but without intervening in their affairs. When it comes to specific practical policy recommendations several measures can be introduced in the short-term.

First, the EU should focus on those countries that are fully determined to undertake essential political and economic reforms, but without intervening in their affairs. With these countries it should enter into a quasi-permanent reform dialogue and make available the necessary funding. Effectiveness should be the name of the game. That is only possible in a bilateral framework that allows tailor-made solutions.

Second, the region must also address the dire need for a qualified labour force, especially in the field of basic and vocational education and teacher training. Education should be a priority for future cooperation. To be effective the EU should engage in a multi-annual programme for primary, vocational and teacher training that should include teaching methods and curricula. The task is gigantic. The EU should not hesitate to invest one third of the total funding available until 2013, say some € 2 billion. Here too it should call upon the World Bank to participate.

The region will need substantially more technically and scientifically trained young people. Under its "Erasmus Mundi Programme" the EU should offer up to 4000 scholarships to students from Algeria, Egypt, Jordan, Morocco and Tunisia in forthcoming years. Malta can play a very important capacity building role during the transition to democracy by offering scholarships in numerous educational sectors offering training in crucial basic skills.

Third, to give a boost to agricultural employment the EU should conclude the ongoing negotiations for agricultural free trade and temporarily exempt restrictions (duties and quotas) for agricultural products imported from Egypt, Morocco and Tunisia.
Fourth, in the perspective of 2050, North Africa will become Europe's major supplier of solar energy. The EU should immediately offer support to those countries interested in engaging in future solar-energy cooperation. The three Maghreb countries of Tunisia, Egypt and Libya are the most likely candidates for such links.

Fifth, for socio-economic reasons the EU will not be able to open its floodgates to millions of Arabs from the southern shores of the Mediterranean. It must make this point clear. But the EU should show itself more flexible when it comes to granting visas for business people, researchers and scientists.

Political and economic reform on such a large scale will require an extremely significant amount of resources and coordination. In the short-term a multi-billion Euro Mediterranean Development Fund that is open to all donors should be set up. Such a Fund would provide assistance to those championing serious democratic reform in areas that have regularly been highlighted in the United Nations Arab Human Development Reports including the building of law based institutions, education and the empowerment of women. [3]

A thriving new democratic and economically open North Africa would offer immense potential when it comes to joint business ventures in all sectors including that of tourism, information technology outsourcing, energy security projects, and niche manufacturing to the EU. With the right strategy Maltese entrepreneurs are excellently positioned to enter this market and take advantage of the much larger economies of scale that our economy cannot offer. In the interdependent economic system we now live in it is essential not to perceive positive developments in a neighbouring country as automatically being detrimental to your situation. We no longer live in a zero sum game situation.

Just as this historic episode may be a harbinger of much needed social reform and peaceful change it could also usher in a period of continuous instability that would thwart the actual political support and economic investment that the region desperately requires to improve its outlook.

At this critical juncture in Mediterranean relations the European Union together with others should launch a Mediterranean policy initiative that supports and seeks to sustain long term the wave of political reform across the Mediterranean. Such a policy must be formulated after listening carefully and understanding clearly the aspirations of the people in the different countries that have risked everything to have a better future. [4]

Geographic proximity and geopolitical interests dictate that the European Union must revise its approach towards the Mediterranean and put forward a more practical diplomatic agenda that demonstrates its serious commitment to a more open and free Mediterranean area. The mission statement outlined in the Barcelona Declaration of November 1995 that focuses on the political and security, economic and financial, and socio-cultural and human dimension of relations is a framework upon which future comprehensive relations can be mapped out.

Having championed the concept of partnership for the past fifteen years, now is the time for the European Union to demonstrate its credibility when it comes to championing political reform, democratic institutions, economic development, and the respect for universal human rights. If a future European Union Mediterranean policy review is to be successful it must balance realpolitik interests with the principles and values that we all cherish. Otherwise we will not be judged as being on the correct side of history.

Malta's active participation in Euro-Mediterranean initiatives since becoming independent positions it favorably to progressively further the overriding objectives of increasing stability and promoting prosperity in the Mediterranean. Enhancing pan-Mediterranean co-operation is a fundamental necessity if intra-regional intergovernmental and transnational opportunities are to be nurtured and strengthened.

At this critical stage in Euro-Mediterranean relations it is essential to identify a set of practical confidence building measures that would create the necessary conducive environment within which a secure, stable and prosperous Mediterranean region can be established. Once the situation settles in each country and stability returns there will be enormous economic opportunities for everyone committed to building a new more modern infrastructure. At this stage preparing a well thought out medium to long term economic investment strategy towards the region is essential if one wants to be a serious player in the new North Africa.

A sea change is taking place across the Mediterranean. It is essential that the geopolitical paradigm shift does not result in a new Cold War between the Arab world and the West. There are no political gimmicks or quick fixes for turning North Africa into democracies, fully respecting the rule of law with functioning market economies. It will be a challenge for the next few decades. Europe has a vital interest in a smooth transition. It will need to invest all the political, economic and human capital possible to ensure this venture is a successful one.

Notes:

[1] Financial Times, August 2nd 2010, p.4.
[2] Henry Kissinger, "A Balancing Act", December 2010, International Institute of Strategic Studies, London.
[3] "How to Embrace the Arab World", Philip Stephens, Financial Times, Friday March 11th 2011, p. 11.
[4] "A European Date With Arab History", Financial Times, Monday February 7th 2011, p. 8.

IMMIGRATION TEN YEARS ON: INCLUSION OR EXCLUSION?

by
Martin Scicluna

In the ten years since 2002, Malta has had to cope with the arrival of over 14,000 irregular, often illegal, immigrants to its shores. This essay addresses two questions: how well has Malta coped; and what happens next?

How has Malta coped? Adequately must be the short answer. The initial influx through the central Mediterranean, stemming essentially from sub-Saharan African migrants in transit through Libya, caught Malta flat-footed. This was a broadly similar reaction throughout Europe, the key difference being that most major European countries had already had decades-long experience of dealing with (black) immigrants and, in most cases, the manpower and financial resources to respond.

In Malta's case, there was no such infrastructure in place and the human and financial capacity to cope was inevitably extremely limited. Nor were there the policy and institutional tools available. The government had to create all these from scratch, while simultaneously trying to deal with the influx of hundreds of dispossessed Africans fleeing their country for a better life in Europe – none of whom wished to be in Malta, but had landed here inadvertently while heading for the richer pastures of mainland Europe.

Slowly – perhaps too slowly at the beginning – the organisational, legal and resource structures were put in place. Today, Malta has all the building blocks to deal with the situation. This is not to say that they cannot be improved. They can. But the major elements for handling the level of immigration, averaging about 1200 to 1400 a year, which Malta has experienced, are in place and work relatively efficiently.

The Office of the Commissioner for Refugees, including the Appeals Board, has made huge strides in its ability to handle all the applications for asylum that it receives – over 92% of arrivals have applied for protection – expeditiously, fairly and in a humane manner. The figures of the last ten years are instructive: almost 300 have been given refugee status, almost 6000 have been given some form of 'subsidiary protection' and about 4600 have had their cases rejected. Other cases are still pending.

In the logistical and physical infrastructure fields the challenges have been even greater. Police and military barracks, including tentage, had to be pressed into service as Closed Accommodation Centres for those initially placed into detention. Space or buildings had also to be found for Open Accommodation Centres for those leaving detention as the first step before taking their places independently in the community.

The conditions under which asylum-seekers are held have gradually improved over the years with the use of mobile homes and purpose-built accommodation. Despite efforts to raise standards, however, conditions have been no more than adequate. At peak times, when influxes of immigrants into Malta have been heavy, they have become over-crowded and conditions have left much to be desired. This unsatisfactory situation still remains the case. More needs to be done to alleviate over-crowding and to improve facilities.

The policy of detention, which was instituted from the start is, on balance, the only sensible way for the government to handle and control the heavy (relative to Malta's population) influx into this small, extremely densely populated country. While there has been some pressure for Malta to amend this policy, the weight of argument in favour of retaining it is, on balance, unanswerable. It would be both impolitic and impractical to alter the current arrangements. The key lies in ensuring that the period spent in detention is as brief as possible, that applications for asylum are handled expeditiously (at an average of five or six months overall, with very many being released even more quickly, this is not unreasonable), and that conditions in the Closed Accommodation Centres are more than, as now, just adequate. The upper limit of 18 months' detention for those whose applications have been rejected should however be reviewed with a view to making it shorter.

The human resources to police the immigrants placed in the Closed and Open Accommodation Centres and to supervise and oversee every aspect of their security and well-being has proved perhaps Malta's greatest challenge. In the initial stages, as Malta scrambled to cope with the first large arrivals of boat people, the weight of responsibility to provide the manpower fell on the shoulders of the Armed Forces of Malta and the Malta Police Force. It was strongly recognised, however, that soldiers and policemen were not the right people for this task. A new force, designed specifically to deal with the immigrants in the Closed Accommodation Centres was therefore created. The Detention Service, made up of civilians, mostly retired military and police personnel, was therefore formed. Although the force is still under command of mainly military and police officers, and the quality of some of the staff and their training could undoubtedly be improved, it does an adequate job in relieving the AFM and Police manpower of this guarding task.

As to the organisation to provide for the welfare of immigrants in the Closed Accommodation Centres, and, when they leave them after their cases have been considered by the Commissioner for Refugees, in the Open Accommodation Centres, this responsibility falls on the small but extremely hard-working Agency for the Welfare of Asylum-Seekers, known as AWAS. This organisation developed as a result of the need – foreseen from the start - for the welfare support of refugees to be continued once their cases had been decided and while they settled into the community. Their social welfare is a complex issue, covering a range of benefits: food and shelter, financial entitlements, education, job opportunities and medical and health entitlements.

These are the structures now in place. They have evolved in response to the developing pressures as each year saw a fresh influx of irregular immigrants arriving in Malta and as the enormity of the potential social and other challenges dawned on politicians and population alike. But over this period Malta also had to develop its own national policy tools to cope with the changing situation.

Given the stark challenges, the government has developed its policies sensibly, constructively and realistically. It has built these on five key components. First, it wanted to ensure that the paramount national interest was safe-guarded and that there were enhanced security and border control measures put in place, on both a national and an EU-wide basis. It focused its efforts unremittingly – with mixed success – on persuading its European partners to deliver on their promises of solidarity and burden-sharing. Malta is now recognised as a special case and a number of countries have offered specific support. More, much more, remains to be done in this field.

Secondly, the government ensured that there was fair, just and humane treatment of irregular immigrants when they arrived in Malta. Thirdly, standard procedures and practices when dealing with asylum-seekers were established. Fourth, the social inclusion of asylum-seekers and the subsequent integration of those eligible for international protection was encouraged. As will be discussed below, this is still very much work in progress. Last, but not least, it wanted to ensure that the orderly removal of irregular immigrants who were ineligible for international protection was implemented expeditiously, effectively and in a fair manner. Although progress has been made, this last has proved an extremely difficult objective to fulfil not only because Malta's diplomatic reach is limited, but also because countries of origin are often reluctant to accept the return of their own citizens. Repatriation has proved – and will continue to prove - a hard nut to crack.

In brief, the last ten years of unplanned-for contingencies arising from irregular immigration have inevitably placed considerable strains on Malta's financial and human resources. The social, economic, demographic, cultural and security impact on Malta has raised inescapable concerns, which the government has had to address responsibly. Malta has recognised its international and moral responsibilities to provide international protection to those who genuinely need it and, in most major respects, has risen manfully to the occasion.

The fact of the matter, however, is that the problem of irregular immigration to Malta is a long-term one. There is a need for politicians on both sides of the political divide to acknowledge that the influx is unlikely to abate. It will wax and wane, as it has done over the last ten years. But such is the state of the global economy and the future effects of climate change that it is likely to be unstoppable. Malta must be prepared for this and continue to hone its ability to cope not only with a continuing influx, but also, perhaps more importantly, with a sizeable core of asylum-seekers who will settle in Malta and will become an integral part of the community – whether we like it or not.

What happens next? At any one time about 2000 immigrants are housed in Open Accommodation Centres in Marsa and Hal Far, about 1000 or more in Closed Accommodation Centres, and about 1,500 to 2,000 (the Police do not have reliable figures) living in the community – mostly in St Paul's Bay, Birzebbugia, Valletta, Floriana, Msida and Gzira. For planning purposes it would be wise to assume that, despite continuing efforts at resettlement in EU countries or the United States, there will probably be a core of about 4,500 to 5000 refugees living in Malta at any one time. The key question for policy-makers is: how should Malta organise itself to cope with the relatively new phenomenon of black Africans living and working among us?

A study by two NGOs working with asylum-seekers in Malta highlighted that very few immigrants had developed any form of meaningful relationship with the Maltese community. Few immigrants or Maltese participated in inter-cultural or multi-cultural activities. Very few of the immigrants interviewed had developed a meaningful relationship with a Maltese person. Moreover, most of the immigrants interviewed felt discriminated against at work as they felt they were doing work the Maltese did not want, and were paid less for doing so. Most said they only got to know Maltese at work. The main thrust of the study was to highlight that the Maltese and immigrant communities were not mingling and that there was a need for the proper development of an 'integration' policy which would address such matters as employment, education, housing and similar issues in a holistic manner.

Regrettably, 'integration' has become a dirty word politically as both government and opposition pander to the concerns – invariably ill-informed and racially prejudiced – of some sections of the electorate. This reluctance to face the issue should be seen not as political prudence as the two political parties jockey for votes, but as moral cowardice. On a matter of such social importance, it is utterly invidious of the parties to play political games. The political consensus and bi-partisan approach that existed when the crisis first broke need to be restored. Politicians, and the Church, have a duty to give a lead. The lesson to be learnt from the mistakes committed by other countries, which failed to tackle the issue of integration at the very beginning, is that the longer proactive steps to develop policies in the fields of employment, education, housing and social security are postponed, the more difficult will be the consequences.

It is in Malta's long-term interests, socially as well as economically, to adopt a firm, well-ordered and structured policy of inclusion, not exclusion, of those who are already living among us. At its most basic, a policy of inclusion means that all those who have been granted asylum or some form of protected status should receive equal treatment under our laws and benefit socially equally for employment, housing, education, health and social security purposes. They should enter the 'main-stream' of government administration and not be placed on the side-lines in a special category all their own - with all the inevitable anomalies that this entails. This will mean, inter alia, over-due action to ensure immigrants' entitlement to social and other benefits are formalised and enacted under the relevant laws. This makes sense not only administratively, but also socially and economically. In an ageing population the sooner we mobilise this largely untapped source of (young) legitimate labour the better.

Politically also, the benefits will be significant. As a civilised, democratic country with a long tradition of absorbing different nationalities, we should not tolerate the treatment of anybody – of whatever race, colour or creed – any differently from the way we treat our own country-men. More importantly, however, there is already a risk of a ghetto-isation occurring in our community, with particular parts of the country becoming the homes of immigrants and placing more pressures on housing, educational, health and other amenities. This development cannot bode well for future social harmony. It is essential to institute a policy of inclusion now, while matters are relatively stable, than have to act precipitately when the crisis occurs.

There is also a need to institute organisational changes to the way the implementation of immigration policy is handled in future. At present, both policy and its implementation are handled at the ministerial level, with the Minister for Justice and Home Affairs getting involved not only in setting the policy, as he should, but also in the minutiae of implementing it. This is neither practical nor efficient. There should be a distance between policy and implementation.

It is therefore proposed that a 'National Immigration Agency' should be established charged with responsibility for the reception, accommodation, administration, repatriation and resettlement of all immigrants in Malta. It would have five main tasks. First, it would be responsible for the reception, accommodation, security and safety of all immigrants from the time of their arrival in Malta until their release from Open Accommodation Centres. Secondly, it would command, manage, administer and control all Closed and Open accommodation Centres, which would incorporate the work and manpower done by both AWAS and the Detention Service. Third, it would be responsible for the programmes of rehabilitation and education in Closed and Open Accommodation Centres. Fourth, it would develop and implement the programme of inclusion of all those entitled to stay in Malta in conjunction with the other relevant government departments concerned – principally health, housing, employment, social security and education. And fifth, it would oversee the resettlement and repatriation of all rejected asylum-seekers in close collaboration with those entities (the Ministry of Foreign Affairs and the Police) directly involved.

A unified and coordinated organisation, under a high grade Head of National Immigration Agency (it is for consideration that he should replace the Commissioner of Police as the 'Principal Immigration Officer'), with responsibility for the management of all aspects of immigration in Malta and with a clear chain of command over both Closed and Open Accommodation Centres (which would be inter-changeable and adaptable to the needs at the time), would provide a more cost-effective use of resources than the current somewhat looser and more diffuse set-up.

To sum up, Malta has coped adequately with a massive immigration challenge not of its making. The main ingredients to handle all aspects of irregular immigration are now well in place. More can be done, both organisationally and to raise standards of accommodation and care. The establishment of a dedicated, unified National Immigration Agency would provide the right structure to make the necessary improvements.

It is vital, however, that a policy of inclusion for those who will inevitably settle here in the long term is developed, funded and instituted. For this to succeed there must be a bi-partisan political approach adopted and the political will and leadership to take the necessary steps to implement it. The lesson to be learnt from every other country in Europe is that Malta would only be storing up problems for itself if it did not tackle this issue head-on as soon as possible.

THE CITIZENS' RIGHT TO GOOD GOVERNANCE
By
Joseph Sammut

Introduction

Over the last two decades several western democratic countries felt the need to reform, and in many cases transform, their administration. Long standing attitudes and practices were challenged and changed under the impact of the need for change to face economic realities in a globalised world. Reforms entail changes in administrative structures, policies and attitudes to compete and survive in the changing international environment. The process to remove protection and regulations that was aimed at higher efficiency and improved competitiveness, also brought about changes in codes of conduct and in the relationship between public authorities and citizens. The need to safeguard the rights of citizens as clients of public administration led to the launching of new codes and charters to give a stronger voice to citizens and put this relationship on a sounder footing.

In Malta the modernization of public administration was necessary not only to make it more attuned and responsive to the 21st century but also, and perhaps more importantly, in view of EU membership. There were several change models which one could draw upon given that this process of change was already experienced in many countries as well as in European Union Member States. However, local peculiarities, and especially the size of the economy, required meaningful – and at times painful - adjustments to policies adopted in much larger countries. Reforms involving radical policy changes have inherent difficulties and varying degrees of success. No formula can be applied universally and with a broad brush without an eye on conditions that prevail in a country that undergoes this process.

The subject of this paper is to review policy changes which took place in Malta that have affected local public administration and impacted on the quality of life of citizens and on standards of conduct in public administration. This analysis covers two broad areas, namely, standards in quality service delivery and standards of conduct in public administration as they affect Maltese individuals both as citizens of Malta and as European citizens.

Rights as EU citizens

The Charter of Fundamental Rights of the European Union was proclaimed at the Nice Summit in December 2000 and became part of the Treaty of Lisbon that entered into force on 1 December 2009. The Charter includes the right of good administration (art.41) and the right to complain to the European Ombudsman against bad administration by the Union's institutions and bodies (art.43) as fundamental rights of Union citizenship. The Code explains in detail what the Charter's right to good administration should mean in practice.

On 6 September 2001, the European Parliament adopted a resolution approving the Code of Good Administrative Behaviour which European institutions and bodies, their administrations and their officials should respect in their relations with the public. The Code takes account of the principles of European administrative law contained in the case law of the Court of Justice and also draws inspiration from national laws.

In January 2005 the European Ombudsman issued The European Code of Good Administrative Behaviour which is an important tool for Ombudsmen to examine whether bad administration has occurred, relying on the Code's provisions for their control function. The Code also serves as a useful guide and a resource for civil servants and is meant to promote the highest standard of service delivery which European citizens deserve and which they have now come to expect as of right. The Code tells citizens what the right to good administration means in practice and what they can expect from the European administration. The ultimate goal is to improve the service provided across the various stages of the delivery process.

Rights of Maltese Nationals

Although the rights and obligations in the European Code relate to administration by EU institutions and bodies, the provisions should be equally applicable to services provided by Maltese government authorities and, indeed, by all bodies which provide an essential public service, even if such bodies are not directly controlled by the government or in which the government does not have a controlling interest but which are considered to provide an essential public service.

When the Office of the Parliamentary Ombudsman was established in Malta way back in July 1995, the law was based on the classical model and limited the Ombudsman's jurisdiction to bodies in which the government had a controlling interest. Twelve years later, in view of developments in local economic management and in public administration, the need was felt to extend the Ombudsman's jurisdiction to administrative acts by bodies that are no longer government controlled or in which the government no longer has a controlling interest but which are considered to provide a public service. This important step in the interest of citizens is in line with the trend in other EU Member States that seeks to contain the possible impact of privatisation on the quality of service and the measure of accountability to which citizens are entitled in areas that are more properly in the domain of public administration. This is more relevant in respect of the provision of essential services.

Maltese citizens are fully entitled to the right of good public administration. They are entitled to be informed of their legitimate expectations and aspirations under this right. They are entitled to stand up for this right and to demand compliance. By way of acknowledgement of this fundamental right, in April 2004 the Maltese Ombudsman compiled a checklist with standards of best practice for good administrative behaviour. This was intended to promote a steady, balanced and fair relationship between public bodies and their clients for the provision of a better service and of high standards of administration in the way in which public employees deal with citizens. It was also intended to urge public officers to ensure that the public be treated properly, fairly, openly and impartially.

The Ombudsman's guide to standards of best practice for good public administration issued eight months prior to the publication of the European Code by the European Ombudsman was widely diffused in the local public sector. It spells out in detail and in plain language what is meant by public administration and gave several instances of actions and decisions that indicate how public officials are to deal with people properly, fairly, openly and impartially. It reflected the provisions of the EU Code and addressed directly the local situation and circumstances which Maltese public officials face on a daily basis.

Commercialisation of Services

Traditionally, citizens were accustomed to a wide range of public service provision from government departments, including water, electricity

and gas, postage, social security, drainage, roads and traffic management, port and airport facilities, transport and communications, civil protection, maintenance of law and order, gardens and recreational areas, health, education, housing and other services. Since the late eighties public service reform and changes in administrative structures have seen the hiving off of a number of activities from traditional government departments to public corporations, agencies, authorities, foundations, companies and other public entities, free to recruit their own staff and more often than not led by politically appointed boards of directors.

Spurred by economic change and new policies, and the need to rein in their expenditure, governments all over the world moved away from traditional tasks and activities which in their view no longer needed to fall under their domain. Instead, several commercial functions were hived off with consumers rather than taxpayers now expected to finance these activities. Guided by domestic social and political considerations, organizations with a commercial orientation were either sold to the private sector or retained by the government but expected to run without any further tax funding. Another guiding rule was for monopolies, especially of essential services, to be retained by government in order to ensure fair practice for consumers with an eye to their social wellbeing since if passed to the private sector these activities run the risk of being unduly exploited.

The involvement of autonomous agencies in certain areas of service provision for which the government was formerly responsible and the privatization of these activities were based on the belief that such moves would enable these sectors to be managed on more efficient lines and with a bolder business-like approach that are known to underpin private sector operations. The underlying principles were that the State should not undertake activities that can best be handled by private operators and that in turn this would lead to improved quality standards and wider choice.

Another practice that is increasingly resorted to consists in the outsourcing of certain functions since in many cases this is considered more effective as it tests the delivery of public services in the market with contracts of service delivery based on criteria of efficiency, effectiveness and best practice. The public interest however, needs to be served further by service delivery that pays due homage to transparency and accountability.

Contracting out of public services should not result in a loss or in the shrinkage of government accountability, or of the ability of members of the public to seek redress when they feel adversely affected by actions of a contractor. In any outsourcing arrangement, the interest of the agency concerned and of citizens should at all times be properly safeguarded.
Citizens' Charters

Although all citizens use public services, it is usually the most vulnerable who depend on them for most of their basic needs. Public services should be a springboard to a better life; they should widen choice and empower people. This is one of the underlying motives behind a citizens' charter which upholds traditional values, common sense and a concern for citizens.

While public services should provide first and foremost what the taxpayer needs, the quality of service delivery has also an international dimension as it has a direct impact on the country's competitiveness. At the same time although the objective to raise standards and to achieve higher value for money may require privatization or contracting out of certain services and may also require the devolution of responsibilities to local councils or the delegation of functions to agencies with greater freedom to manage and to set high targets for better performance, citizens' charters should ensure that public interest always comes first.

The launching of citizens' charters is considered as an important component of public service reform. This was a British political initiative by Prime Minister John Major in July 1991 and sought to make the administration accountable and citizen friendly; to ensure transparency and the right to information; to launch measures designed to motivate the civil service and in the process achieve higher efficiency and competitiveness. A feature of this programme was the granting of Charter Marks to public bodies meeting defined standards.

Citizens' Charters marked a significant shift of thinking about public service provision as they served to put users of public services at the heart of public service delivery. In 2008, the House of Commons Public Administration Select Committee proposed the creation of a set of Public Service Guarantees to allow people to claim their rights to agreed standards of public service provision. It was necessary to have a clear and precise statement of entitlements to minimum standards of public services that would be publicized widely and gain awareness of the public. To be effective a robust enforcement system and redress arrangements must be in place. The Ombudsman was considered well placed to deal with complaints and recommend redress for those who feel aggrieved by bad administration.

Following the introduction of the charter in Britain, other countries in Europe and elsewhere followed suit. Evidently there was a strong impetus for change right across the world.

Quality service charters were launched in Malta at the start of 1999. In his address to senior officials at the launch of the Quality Service Charter, the Prime Minister outlined the public service reform programme that envisaged the further development of the capacity of the public service to provide a model of adaptation to present and future international trends. He referred to the need to differentiate between public service entities that have a regulatory and policy development mandate and those that act as service providers. The need was felt to consider whether the public would be better served if service providers are constituted as special operating agencies with operational autonomy.

The introduction of quality service charters in government departments that interface with the public was intended to be the motor of change within the public service. A Charter Unit was set up within the Prime Minister's Office to assist, guide and maintain charters and to carry out sample audits to validate service against standards set out in these charters. Subsequently, the Charter Unit was absorbed within the Management Efficiency Unit and commitments under the Quality Service Charters were incorporated in Directive No. 4 issued on 17 March 2010 in terms of the Public Administration Act.

Service Reform and its Effects on Codes of Conduct

Removal of regulatory restraints and the introduction of competitive operations in the interest of higher efficiency can threaten well established codes of conduct and ethical behavior. In pursuit of change, change agents can become detached from personal sensitivity to the consequences of their actions. In this regard, it is important to consider the extent to which Parliament and Officers of Parliament, such as the Auditor General and the Ombudsman, can check and hold accountable the moral and ethical standards of those administering changes and imposing them on the citizen.

Compared with other countries that served as colonies for hundreds of years, the Maltese public sector has never been associated with wide-spread endemic corruption. Credit for this goes to the career civil service which emerged especially after World War II. It was a professional service free from political patronage and dedicated to serving the public. It was a unified service with formal methods of recruitment where every recruit could aspire to a career that could see him reach the top according to merit. It was protected against entry from outsiders. The government took advice on policy and operations from trusted non-political public officers. Ministers were served by permanent civil servants and their private secretaries, who were also permanent public officers, refrained from contesting the advice as it was processed for their minister.

This environment produced its own culture of public service that concerned itself with very traditional conventions of service. It was resolute and incorruptible. Yet, these strengths had inherent weaknesses. The system of government tended to become the end objective. Public service managers were strong on organization but untrained in effective management of resources to achieve set objectives, outputs and outcomes. Clearly this was adequate so long as the economy was dependent on a colonial or quasi-colonial system but would come under strain in a different political and economic scenario.

This new management style in the public service gained ground as the national process to establish a viable economic structure able to compete in the international market gathered pace. Further restructuring in the public service was needed later with the decentralization of functions and deregulation of the private sector. The need to prepare the administration to fulfill the objective of joining the European Union further stressed the need for change. Gradually, non-career advisors and consultants infiltrated the civil servant's domain. Political appointees were taken on in ministerial offices in increasing numbers. Although legally without executive authority, it is widely known that consultants within ministries and departments wield greater power and influence and command greater respect than top career civil servants.

Reform brings about change and change can also produce pain. There is, however, consensus that change in the Maltese public administration was inevitable for the country to be competitive in a globalized environment and to attain a quality of life which will be different to the past but more relevant to the reality of the future.

Opinions on the process of change which has taken place may vary from good or bad or acceptable, possibly forged by the political opinion of the commentator who is involved. The correct approach to certain ethical and administrative issues should however be clear. Removal of regulatory restraints can give rise to competitive behaviour which can in turn threaten well established codes of conduct and ethical standards. Transparency and contestability of decisions are essential if decision makers are to remain sensitive to the administrative consequences of their actions. This is why Parliament and other regulatory authorities should check and hold accountable the moral and ethical standards of those who administer changes and impose them on citizens.

The changes which have taken and continue to take place in Malta's public administration need careful scrutiny. New standards of conduct and administrative practice are allowed to be introduced more often than not by players who keep themselves aloof from the traditional ethical standards of the public service or who are allowed to believe that they can operate outside the "old fashioned" notions of public service and public interest. The emphasis on cost effectiveness and outputs is then used as a pretext to justify the lack of sensitivity to citizens' expectations of justice and fairness from public officials that these new management styles are often associated with.

Through their substantial power and in their service provision public sector organizations play a pivotal role in driving sustainable development. As the autonomy and diversity of these organizations grew, their regulators gained a correspondingly stronger influence over the way public services are run. Major public service regulators should be leading exponents of sustainable development and encourage the bodies they regulate to do likewise.

In recent years several corporations and other public authorities were given by statute a large dose of administrative independence and discretion where the means of enforcing accountability for their actions are not always effective or obvious. Hence, the crucial responsibility of independent, efficient and proactive regulators, particularly in the provision of essential services.

When Malta joined the European Union and EU law was transposed in the Maltese statute book, some people were of the view that this was mainly a bureaucratic process that contributed towards the emergence of a deficient regulatory regime that yielded more costs than benefits due to lack of proper implementation and enforcement. Regulation should not be an accounting exercise but should serve to introduce, encourage and promote the application of regulatory principles, standards and verification methods to the advantage of consumers.

Admittedly the legal framework for the operation of regulators in Malta is generally in place. However, besides lack of proper enforcement these operations are known to be grossly hampered by the absence of appointees of calibre responsible for performing their functions independently of the political executive administration whose loyalty should be to citizens as clients or customers of their services. The composition and merit of regulatory bodies are crucial for regulators to fulfill their tasks properly and in the best interest of citizens. The selection of candidates to serve on these authorities should be free from partisan allegiances and affiliations so as to ensure full public confidence and trust in their competence and independence.

Ministerial and Cabinet Accountability

The Parliamentary executive (that is, Cabinet), is free to pursue its policies as it sees fit and practically remains unchecked in terms of accountability until it has to pass the test of a general election. When citizens vote, they elect Members of Parliament and all members who form part of the majority are seen to be and feel very much a part of government.

Members of Parliament may ask questions to Ministers and make consequential political play with the electorate. The budget debate is an opportunity to test the government commitment to accountability but with no chance of the government being defeated through a no confidence motion. With a two-party system the test of accountability lies in a general election rather than on a continuous basis in Parliament.

Although Parliament can expose a Minister for alleged lack of moral ethical standards, experience shows that if criticism relates to bad administration, Ministers do not resign and there is a strong collective support by the majority in the defence of the Minister's actions. Clearly, resignations may well be seen by the government as inimical to its collective authority and, faced with this view, the House is powerless to enforce accountability in a truly meaningful way. The Opposition on its part may succeed in making information public so that the people can judge the Minister's performance in political terms.

Very often Members of Parliament question the ethical and moral impact on citizens of actions resulting from government policies. In such

cases it is not unheard of for a Minister to transfer responsibility for accountability to his Permanent Secretary by invoking "I am responsible but not to blame".

The Public Accounts Committee is meant to provide an effective check on the performance and administrative conduct of the executive government. It is an instrument of good governance which scrutinizes public funds in a technical, non-partisan and policy neutral manner. However, in the case of Malta the limited number of Members of Parliament without portfolio (backbenchers) coupled with the several select parliamentary committees make it difficult to appoint Members without a potential conflict of interest. Ministers also serve on the Public Accounts Committee as members and it is in effect difficult for them to scrutinize and discuss publicly actions and policies taken by the Cabinet to which they themselves belong. In effect only permanent civil servants are called to give evidence and are open to scrutiny by the Committee.

Experience has shown that frequently Members exploit a prevailing situation to gain political mileage making the Committee ineffective. The composition of the Committee and the fact that rulings on the agenda set by the Chairman, the calling of witnesses and the provision of information can be challenged and subjected to a majority vote renders the Public Accounts Committee sterile. If the Committee is to act as a catalyst for the improvement of administrative efficiency, it should be properly composed, adequately resourced and enabled to perform its functions in a cooperative, non-partisan manner.

Officers of Parliament and Codes of Conduct

The watchdog function to delve into the grievances of citizens caused by administrative action belongs to Officers of Parliament: in Malta's case these are the Ombudsman and the Auditor General. The essential characteristics of these two Officers are the manner in which they are appointed and the legal, including the constitutional, provisions safeguarding their independence and promoting the trust of citizens. They are accountable to Parliament to whom they report directly.

The wide jurisdiction and powers of these two institutions to investigate administrative action and to expose cases of bad administration are effective in drawing the attention of ministries, departments, local councils, state-owned enterprises and bodies which provide a public service to instances of maladministration in their areas of responsibility. In sustained cases of bad administration, the two institutions back their findings by evidence of failure to maintain good quality standards and the absence of correct ethical conduct.

The Way Ahead

It is clear from this brief overview of developments in Maltese public administration especially since 1990, that all the basic mechanisms and tools for improved governance and delivery of good quality public services are in place. Marked progress has been achieved especially due to the wider use of information technology. Yet, although very often much is claimed this is not the end of the story.

We continue to come across in our daily life, and especially in the media, complaints about deficiencies in the delivery of public services, lack of information and transparency, non-compliance with rules and regulations as well as improper use of resources. One major reason for this is that public service reform is not a one-time exercise. In Britain, for instance, the Citizen Charter programme was spread over a ten year period.

Public awareness of the availability of new services is necessary while charters and codes require effective enforcement and monitoring on a continuous basis. The enthusiasm and commitment at the launch of a new service should not be allowed to fade out with the termination of office of the initial prime mover. The application of policies and measures adopted overseas requires intelligent selectivity and adjustments that take due account of local conditions and peculiarities. Those entrusted with the implementation of change programmes and regulators of agencies delivering public services should be appointed exclusively for their professional merit if they are to earn and deserve the trust and confidence of the public.

It is said that government has all the power and authority while citizens have only the power and authority conferred on them by the government. The wider the gap between the government and citizens, the greater the need for checks and balances and for independent Officers of Parliament to bridge this gap. Social factors such as increasing materialism and its debilitating effect on public morality also lead to changing ethical values.

Greater emphasis is being put by the government on public expenditure to raise efficiency, enhance competitiveness and modernize the economy. As changes in public administration take place, there tends to be less sensitivity to the less advantaged members of society who cannot compete in an increasingly complex and competitive social system.

There is another side to government and public administration – the people's side. Attention to this is very important for the health of a democracy because quality of life of citizens is measured not only by economic indicators that are issued on a regular basis in the media but by other factors such as justice and fairness, the compassionate face of public officials and the values attached to unique cultures and traditions. Efforts should therefore be directed to humanize the hard line of economic and political government policies with values that contribute to the quality of life of the citizen; and the public administration has a crucial role to play in this aspect of national management.

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A COMPREHENSIVE HARBOUR FERRY SERVICE
By
George Debono

Arriva Consortium's bid for the 10-year public transport contract has now become fact and Malta's public transport is undergoing a painful transformation. Throughout the protracted media discussion leading up to introduction of this new public transport system, there was one omission: the possibility of combining land transport with a harbour ferry transport system.

The Public Transport reform was officially announced some two years ago at a seminar in St Julians which was attended by hundreds of delegates. After the main morning event there were afternoon workshops devoted to three specific aspects of public transport, namely, bus, taxi and water transport. The first two workshops, those on bus and taxi transport, were full to bursting point with hundreds of participants;   by contrast, attendance at the workshop on water transport was barely attended – with just seven or so delegates opting for participation in this workshop. It was also disappointing that the main topic at this workshop turned out to be water taxis while the question of a scheduled ferry service was not on the agenda at all. The possibility of a regular comprehensive harbour ferry service on the lines of the Sydney Harbour Ferry system was only discussed briefly after it had been suggested by a delegate. Omission of this option is truly surprising when one considers that Malta is surrounded by water and that we have extensive harbours on either side of the Valletta peninsula which are surrounded by densely populated areas. Under the circumstances a comprehensive harbour ferry service is one form of transport that deserves to be seriously considered.

In retrospect, it still seems odd that our Government stopped at a public transport solution solution which depends solely on road transport. The currently available water taxi service is only a half-solution. The price of a trip is too high for the regular daily commuter. The current scheduled ferry service between Marsamxett and Grand Harbour , though encouraging, does not go far enough through being limited to a service between Valletta   and Sliema.

Apart from the Valletta and Cottonera waterfront initiatives, much of the harbour remains a neglected area. Various "connection projects" in Malta's spectacular harbours based on water transport are announced from time to time in our newspapers or in political party electoral manifestos. The Strategy for the Maltese Islands 2007-2016 proposed by the National Commission for Sustainable Development, rightly states that the use of water transport services should be encouraged and that initiatives should be taken to reintroduce ferry services, particularly within the Grand Harbour area. But the potential of the harbour area around Valetta stubbornly remains unexploited for public transport purposes.   Besides fulfilling the need for an acceptable alternative form of transport, ferries could take pressure off the buses that operate around the harbour, reducing traffic and bus congestion and reducing pollution.

A good harbour ferry service will go a long way toward solving two problems that afflict Valletta which are unlikely to go away:

One problem is the limited accessibility to the city. Not only is Valletta   a walled city; it is also situated on a narrow peninsula so that it can only be entered or exited by traffic at its southern, landward end through few entry points. The consequence is that the distal part of Valletta remains relatively bleak and deserted because few people go there – and parts of it are quite derelict.

Valletta's second problem is that of car parking space; as is the case in most cities, this is a problem that can only get worse. While the ongoing positive development of street pedestrianisation has made the city pleasanter to walk around in, this unfortunately has the downside that parking space is further decreased.   It is therefore all the more important to find ways of enticing people into Valletta for shopping and entertainment by providing attractive public transport options. Making Valletta more accessible will also be good for business and it will help to bring Valletta to life again in the evenings.

This ferry service should form part of the harbor holistic plan which is to extend the waterfront all the way to the three cities, once the power the Marsa power station is removed. This makes a harbor ferry network all the more appropriate. The proposed reinstatement of the Barraka lift will allow easy vertical access into Valletta from harbor (sea) level; this adds to the logic of a ferry service because it will provide a badly needed link to Valetta. One might even go as far as to suggest installation of one or more lifts at a suitable points on the Sliema/Gzira side of Valletta as well. The money to be spent on replacing the breakwater bridge, allegedly 2.8 Million Euros, might have been better spent on additional lifts, to serve a future ferry network by providing easy access to Valletta from the Marsamxett side.

A sea tunnel beneath Valletta joining both sides of the harbor area is essential to the concept of a ferry network because the direct ferry connections enabled by this tunnel would offer an alternative to long stop-and-start bus journeys between Sliema and the three cities. Such a ferry service would allow passengers to embark/disembark at a large number of destinations across both harbours. The reduced number of bus runs between Sliema and Valetta, and the three cities could significantly reduce traffic congestion and urban pollution in this area.

A ferry service makes sense. As the bird flies, the distances between Valletta and Sliema/Gzira on one side and the three cities, on the other are very short. If it were possible to walk on water, Valetta is theoretically only around five minutes' walk away from Tigne point, Ta Xbiex or Manoel Island on one side and Kalkara or Senglea, on the other. By contrast, a bus journey between Valletta and these points is a long polluting detour which skirts around the harbour area via a meandering inland route. This kind of travelling is inefficient and is probably more time consuming than a ferry trip across the harbour. As things now stand, It seems absurd that somebody travelling to Valetta from, say, Kalkara by public (land) transport needs a long roundabout bus trip instead of a pleasant short ferry crossing.

Ferries are a relaxing way to travel and they provide a pleasanter and more convenient alternative commute than a long bus ride with inevitable bus changes between Valetta, the three cities or the Sliema/Gzira/Pieta areas. A harbour ferry transport system would have the added bonus of an agreeable transport mode between destinations around the harbor which might result in significant environmental, social and industrial benefits. Thus the benefits of a harbour ferry network would extend beyond Valletta since it would provide an attractive, less polluting,   public transport alternative to almost 20% of Malta's population which lives

around the harbour area.

A well-designed ferry service network could provide direct connections between the communities of Kalkara, Vittoriosa, Senglea, Cospicua, Marsa, Valletta, Pieta', Msida, Ta' Xbiex, Manoel Island, Gzira and Sliema. "Main" ferry routes could connect to small bus terminals on both sides of the harbor for onward travel elsewhere. These terminals could conceivably have bus connections to, say, Zabbar, Marsascala and other towns to the south east on one side and to the remainder of Sliema, St Julians and further, on the north side. Many of these ferry journeys will probably need less time than a land route, especially if bus changes are needed at inland terminals. And, of course, ferries can run punctually to a precise schedule as there are no traffic jams on the sea.

Ferry transport should be the centre point of any harbour regeneration or development. Such a transport system could provide considerable social and industrial benefits by virtue of the fact that almost 20% of Malta's population lives around the harbour area. A regular ferry service could make Valletta a magnet both for shopping and for evening visits by providing a pleasant means of connection from both sides of the harbor; this would also have implications for the tourism industry. Besides revitalizing Valletta by providing a pleasant means of connection from both sides of the harbour for evening and day visits, a comprehensive ferry service could have significant implications for the tourism industry and for the recreation sector since it would open up both sides of the harbour to each other.

Suggestions for a ferry tunnel connection between the two harbours passing beneath Valetta or via a canal beneath city gate have been made from time to time but, inexplicably, ignored. A tunnel connecting both harbours should not pose logistic problems. After all, there is much talk of building a hugely expensive and logistically difficult tunnel beneath the seabed between Malta and Gozo. By comparison the challenge of digging a mere 900-metre tunnel at sea level pales into insignificance. Such a tunnel or canal would literally bring the Sliema/Gzira/Ta Xbiex and Manoel areas close to the three cities as well as providing a quick transfer to Valletta.

The point at which the tunnel crosses the peninsula needs to be studied. If the tunnel crosses beneath Valetta the question of possible harm to the city from rock tunneling and cutting beneath the city and its walls must be considered.

The point at which a connection (tunnel) crosses the peninsula does not necessarily need to be beneath Valetta.
Apart from the narrower furthermost (North Eastern) tip of the Valletta peninsula, the transverse width across the peninsula further inland remains approximately constant at about 850 - 900M all the way to the inland (Hamrun) end of the peninsula. For instance, the distance along the innermost straight line from sea to sea, between Pieta Creek on one side to the Menqa area in Marsa on the other (the line crosses almost directly beneath Blata l-Bajda), is about 870M. The distance to be tunneled does not therefore exclude the possibility of cutting a tunnel at any suitable point further inland so as to avoid disturbing the rock upon which the City is built. In this context, it is important to ensure that any new bridge connecting Gzira and Manoel Island will be built high enough to allow the passage of ferries beneath it so as to anticipate future development of a ferry network which includes Ta Xbiex and Msida.

A ferry crossing around the tip of the peninsula does not add too greatly to the distance between the two Harbours, but it would drastically limit flexibility and be subject to frequent disruption in winter when the crossing becomes impossible because of rough seas. Also, larger vessels would be required for such a route to cope with the open sea. The alternative solution of a separate ferry system on either side of the peninsula with a shuttle bus connecting both services, though feasible, would defeat the point of any connection project by making the journey more time consuming and less convenient.

Such a ferry service could constitute a business proposition if tendered to a private company. It is likely that, were such a service to be introduced, it would supplant much of the current business of commercial touristic ferry tours around the harbor. For this reason the question might be considered of awarding a tender/contract to the present taxi service and/or a consortium of organizations which presently run harbor ferry sight-seeing services for tourists. Assuming greater demand during the summer (tourist) season, the colourful traditional dghajsa (motorized) could be recruited into to the harbor service for special routes and provide an additional tourist attraction.

Malta is greatly dependent on tourism which contributes substantially to economic development and employment. Besides revitalizing a historic part of Malta, a harbour ferry system itself will constitute a strong tourist attraction. A less traffic-congested and polluted environment along with widened transport choices will also improve Malta's image.

Such a development may also attract EU funding. Ferries which run on photovoltaic energy have been developed. This interesting possibility should be investigated.

EVOLVING ENVIRONMENTAL CHALLENGES IN MALTA
By
Petra Bianchi

A noticeable shift that has taken place in environmental awareness is widespread acceptance of the idea that the environment cannot be protected in the long term without painting economic and social issues into the picture.

The discussion of the environment encompasses much more than 'nature' or our natural resources, and includes many different aspects of human activity that affect the environment in which we live. The environment is also viewed as one of the three pillars – the economy, society, and the environment - upon which 'sustainable development' must be built.

The high demands and pressures that have been placed on our resources and on our environmental quality necessitate a holistic approach to the problems at hand.

In the globalised and industrialised world in which we live, a healthy environment must walk hand-in-hand with a healthy society and a healthy economy.

However the environment must not pull the short straw when decisions are taken. It must be given full consideration, as some impacts on the environment can be irreversible. When setting priorities, it is important to bear in mind that while economic and social demands can be infinite, our natural resources have a limited capacity.

In a very small country such as Malta, the need to manage economic pressures on natural resources is especially crucial. Economic activity should be encouraged in sectors which create less environmental damage, aiming at a 'green economy' with minimal pollution and the sensible use of resources.

This applies to both the private and the public sector. The environment is a shared responsibility. Policies are important but alone they are not enough – the guiding principles that are translated into policies must be accepted and acted out by the whole community.

Ever since the 1960s, environmental awareness in Malta has been growing steadily, slowly at first but with a marked increase over the last ten years. Environmental issues constantly crop up in the national debate, and environmental studies have even been introduced into the school syllabus.

One significant step forward has been an increased level of public participation, and this is a trend that is set to continue growing. We currently have an active and energetic mix of individuals, residents groups, non-governmental organisations, local councils and the media, commenting and participating at all stages of environmental decision-making.

Membership of the European Union has also raised the profile of the environment, and increased our focus on environmental policies and legislation.

The interest of the Maltese public often concentrates on issues related to development planning. Other topics such as air, noise and water, together with their impact on human well-being and environmental health, are also being given increased attention; however the gaze of the public still frequently rests on the use of land, and the granting or refusal of development permits. Related to this is a growing concern about the impact of development and traffic on air quality in residential areas.

This focus is understandable since land is a scarce and highly-prized natural resource on these small islands. There is hardly an area which has not been transformed or influenced by human activity in some way. Apart from buildings and roads, this also includes modifications to the landscape such as the terracing of fields, and this has been the case for centuries. However the scale of change that has taken place since the 1950s has been huge.

The efficient use of land is controlled through spatial planning policies. In Malta, just over half of the land cover is designated for agricultural use and almost a quarter is urban land – with a relatively high number of vacant dwellings. Malta is also one of the most densely populated countries in the world.

The impacts of land use are immediately visible as it transforms the spaces in front of our eyes, while other environmental issues may be less tangible or immediately perceptible to the general public – in spite of their obvious importance.

While interest in waste management and air quality is on the rise, concerns about issues such as biodiversity do not appear to be as widespread among the community, as they achieve nothing like the level of public interest and energy that is invested in the detailed scrutiny of development permits. One exception to this is the uprooting of trees, which often touches a raw nerve in the community.

While environmental awareness has increased, yet at the same time people throughout the world are naturally always striving for more innovation and more prosperity, for a higher standard of living and a better quality of life.

High levels of global migration and increased consumption also push this forward. Economic growth is one of the main pressures on the global environment, increasing consumption, pollution and the use of resources – and Malta is no exception in this respect.

On the other hand, slow economic growth is linked to less innovation and less efficiency, which can also lead to negative environmental and social impacts, and at the same time also reduces the amount of funding available to protect the environment.

It is vital that all economic growth is planned such in a way that it respects the capacity constraints of the natural environment. Unfortunately, short-term economic demands often attempt to downplay the importance of long-term environmental capacity, and this must be resisted.

Political decision-making is of course a part of this equation. In the ongoing reform of the Malta Environment and Planning Authority, as well as in other areas, it has been recognised by the government that environmental protection and socio-economic needs are inextricably linked and should be viewed holistically.

In 2010 the Environmental Protection Act and the Development Planning Act were merged into one new piece of legislation – the Environment and Development Planning Act (Cap 504). This consolidates the merger of environmental and planning regulation under one Authority that took place in 2002.

This merger has been the subject of much debate and some criticism. On this point it is important to note that various different models of environmental and planning regulation exist in EU Member States. Each country has its own particular needs and history, and one size certainly does not fit all.

Land is one of Malta's most important and scarce natural resources, and the efficient use of this precious resource is crucial to the protection of our environment. Land use affects biodiversity, water, air quality and various forms of pollution among a whole host of other environmental concerns. Land use is one of Malta's most challenging environmental problems.

As such, it is not helpful to attempt to draw a straight line between issues, and divide them up into entirely separate boxes marked 'environment' or 'planning'. Our environment stands to gain if it is tackled holistically. It may require some work to achieve this holistic view, but let us not miss the wood for the trees.

The quantity of environmental information about the Maltese Islands that is now being generated and distributed through studies and assessments is unprecedented. Many of these environmental studies are required as part of the planning process, through Environmental Impact Assessments or Appropriate Assessments, both of which are based on EU legislation. Other data is collected for monitoring and reporting purposes.

All the information gathered and analysed in these studies helps us to achieve a deeper understanding of where our environmental problems and boundaries lie. When considering economic progress or development, it is everyone's duty to take these environmental boundaries and limitations into account, to ensure that actions taken fit into the overall picture of environmental sustainability.

As an aside, in the case of a small country like Malta, the close interaction of environmental and planning policies and regulation within one Authority also makes sense on a practical level, making more efficient use of resources, and creating positive and holistic interaction between related skills, expertise and decision-making. They are all links in the same chain.

This year the government launched a draft National Environment Policy for 2011-2020, which focuses on strengthening the environmental agenda, as one of the three pillars of sustainable development. It promotes a strategic and integrated approach to the environment across all sectors.

A Sustainable Development Act is also in the pipeline which will help to mainstream all aspects of sustainable development across government. A Strategic Plan for Environment and Development is being formulated, which will replace the current Structure Plan for the Maltese Islands, setting the road map for spatial planning over the coming years.

The National Environment Policy aims to provide a high level of environmental quality, and pays special attention to the links between the environment and other sectors, providing guidance on environmental priorities in policies such as transport, health, tourism, fisheries and agriculture and recognising the need to address synergies and conflicts between different measures and policy areas.

The application of the National Environment Policy must be taken on board by all parts of the economy that are affected by environmental policy. The aims of the policy can only be achieved if they are taken up by every citizen, as well as government, and this requires changes in thinking, with a shift to sustainable consumption and production patterns.

Strong governance is an effective tool, however many small actions with potential long-term and cumulative impacts should be guided or prevented by the community itself, without the need for the government to step in. Achieving a high level of awareness and environmental responsibility throughout the community is one of the important challenges that we face.

Among the principal environmental challenges in Malta that must be addressed in the years ahead are the efficient use and management of resources, including land use, the recycling of water and the sustainable management of the aquifers, the quarrying and re-use of limestone, the loss of biodiversity, as well as the energy and transport sectors and the pollution that they generate.

These challenges again highlight the need to integrate environmental aims into socio-economic decisions. For example, one of the main contributors to air pollution is vehicular transport on Maltese roads. Air pollution is an environmental health issue, however it must partly be addressed through transport measures.

Such measures are not strictly the responsibility of the environmental authorities, and any measures adopted will clearly have socio-economic implications.

Plans and strategies with cross-sectoral measures are being developed to address this need for integration. In the case of air pollution, the Air Quality Plan was launched in 2010. The Plan includes a list of measures that can be taken to improve air quality, with responsibility spread over a number of different government ministries and entities. A good number of the measures are related to transport and traffic management.

On the one hand, this means that responsibilities for environmental actions are shared across different government offices. However it must be recognised that the environment is not a policy area which exists separately from the rest of government or is only of interest to one corner of society.

On the whole, Malta faces environmental challenges which are similar to those being experienced globally, that is, pressure on ecosystems, depletion of natural resources, and concerns about environmental health. The high population density and small size of these islands are added difficulties.

The environment is everywhere and must be taken into consideration by everyone, and all sectors, if we are to achieve a good level of success over the years to come. Bringing all competing activities on board to pull the same rope is the commitment that must be made, championed through ambitious policies and targets that hold a healthy environment close to the heart of the national debate.

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FERTILITY AND EMPLOYMENT RATES: A DIRECT CORRELATION TO SUSTAINABLE FINANCIAL SOLUTIONS

By
Sina Bugeja

In 'Family Policy and Welfare Regimes', Ejrnæs and Boje (2008)[1] state that [the prevailing welfare typologies] 'are focusing on the conventional welfare providers – e.g. state and labour market – while other important welfare providers are not included – such as family, community, and organized civil society …'

It is also stated that 'In analyzing work-family balance, the concept of care is increasingly used in addition to the dichotomy of paid and unpaid work in understanding how provision of welfare services are organized …' Research has shown that very often unpaid work and care are the responsibility of women.

The Organization for Economic Cooperation and Development (OECD, 2002)[2] defines family-friendly policies as 'those policies that increase resources of households with dependent children; foster child development; reduce barriers to having children and combining work and family commitments; and, promote gender equity in employment opportunities'.

Looking at various typologies Prof M Darmanin (2006)[3] stated that "Most scholars within the welfare regime typology speak of a 'Southern Model of Welfare' (Matsaganis et al 2003,) or a 'Latin Rim' (Abrahamson 1999) by which it is usually understood that state provision is marginal, whilst the family is essential for meeting social needs. The extent to which persons are dependent on families for provisioning, and especially on women for care, is known as 'familialism'.

Mothers were encouraged to dedicate themselves to the upbringing of their children and forgo careers. The concept of work/life balance was not seen as feasible and unfortunately it was an 'either – or' situation. This approach had detrimental effects on female participation in many social spheres with consequences on today's contribution.

Female employment however gained economic and political significance and a somewhat change in mentality followed. However the situation is still far from ideal. In 2011, only 32.3% of the Maltese female population are employed, as opposed to 63% of the Maltese male population; a worrying 65.2% of women in Malta are inactive in comparison to 33% of men. [4]

According to Eurostat (2010)[5], Malta had one of the lowest rates of female emplyment across Europe with only 39.2% of the female population in employment, only surpassed by the Former Yugoslavian Republic of Macedonia. This matter in combination with one of the lowest fertility rates in Europe (1.44 in 2008)[6] raises major concern.

A note of interest is the fact that women who are not in employment are not bearing children either. EU Member States with high female employment rates also have higher fertility rates. Iceland for example boasts the highest fertility rate accross Europe with 2.15 live births per woman in 2008 (Eurostat, 2010)[7]. In 2009 the rate of female employment in Iceland was also the highest amongst its European counterparts with 76.5% of women in employment (Eurostat, 2011)[8].

For the rest of the Nordic countries, the employment rate is about 80% and fertility rate is 1.7–1.8, which is at the high end of the fertility distribution. Most other European countries hold a rather miserable position from an economic point of view, with low fertility rates, about 1.3–1.4, and low female employment rates (55–70%)'!

The effects of low fertility rates in conjunction with an aging population is very well explained in the following quote: 'The first challenge is associated with dramatic increase in the older retired population relative to the shrinking population of working ages, which creates social and political pressures on social support systems'. 'Declining fertility rates have very significant implications for the shape of future societies and concerns about low fertility rates are increasingly widespread'. [9]
Is having a child a private matter or a public concern? Should the State interfere in such decisions? Would such imposition be acceptable? Historical answers abound and the understanding and acceptance of basic human rights indicate the way – surely there is no need to repeat unacceptable policies that have had deleterious effects on whole societies. Yet such a very private matter has much wider implications ….

There is a clear push towards a mitigation of work/life balance through the provision of family-friendly measures but on the other hand the measures attributed to the public service / sector have not been translated entirely into policies applicable also to the private sector creating different workplace conditions. Act XXII of 2002 – the Employment and Industrial Relations Act (EIRA) [10] introduced family-friendly measures in employment. The Act itself together with other subsidiary legislation provided for various provisions. Further ammendments to the legislation have made it illegal to fire a woman during her maternity leave (unless justifiable reasons are provided in writing), and have made the suspension of probation possible for women during pregnancy. The measures in the public sector go beyond this and "between 2005 and 2010, 3,287 people employed in the public sector benefited from these (family friendly) measures" The Times, Monday 12th September 2010). Other contributory measures include the provision of child care centres.

Unfortunately the aspect that having children is in fact a strong 'social contribution' is still not part of the general discussion with the effect that decision-makers and those not themselves parents (by choice or situation) do not appear appreciative enough of this fact. Tax credits have been given but more needs to be done. If this concept is understood well and accepted, major issues that are still unresolved and very real may find a solution.

What exactly is meant by 'social contribution'? Basically it needs to be understood as part of the solution for diminished work-forces, aging populations and sustainable financial solutions for the provision of welfare. Bearing and educating the workforce of the not-so-distant future is a strong component of the contribution towards the solution of an aging population, whichever way the subject is approached. Projections have been calculated and the picture appears bleak. The discussion on sustainable pensions has been quite loud and part of the sustainability aspect has been strongly correlated to the size of the available workforce's contribution to the economy that is expected to sustain the welfare society. The children of today will become the work force in a quarter of a century. The current low fertility rate will result in a diminished workforce unless action is taken. The ageing population is already a reality; time is not on our side and the only acceptable action is that which emanates out of improved conditions.

The private sector has argued against a blanket introduction of the family-friendly measures. Farrugia J (MEA, 2008) [11] states that while 'The principle of family friendly measures is highly relevant for Malta giving the changing nature of our demograph-ics … The assumption that family friendly measures will, in themselves, result in increased participation in the labour force should be treated with reservation.' The financial implications may be contributing rather strongly to this reservation and surely cannot be ignored. The national interest however should be paramount. 'In 2005, the countries with the highest female em-ployment rates were also among the OECD countries with the highest birth rates'. [12] One appears to complement the other. Datta Gupta, Smith and Verner (2008)[13] state: 'The Nordic countries at the same time exhibit a remarkably high participation rate of mothers and a more moderate decline in fertility rates compared to other Western countries. This has been attributed to the fact that the welfare state model and, especially, the family friendly policies chosen in the Nordic countries are unique'.

Many arguments for and against the Nordic model have been made and the truth is that, as has been done in almost any sys-tem adopted locally, an eclectic model has been developed. This takes into consideration the local context, and has proved to be more benefiting than a hybrid one that has shown success elsewhere. Given the different historical and social backgrounds, a complete fit is not possible. France is closer socially to our society and the statement proves itself correct even in that context. Furthermore, it is interesting to note that the authors further state that 'family-friendly policies directed mainly towards giving mothers the right to be on long paid maternal leave, have adverse effects on women's wages with consequences for gender equality. Indeed, extensive family-friendly schemes may even have created a 'system-based glass ceiling' hindering women's career progression'.[14]

Such a conclusion does not indicate that a complete replica to be followed. Experiencing social changes later than other coun-tries can be beneficial if research / experience is used to learn from others' mistakes and ensure non repetition. The possibility of offering other options to child rearing families while still facilitating their stay in the labour market could be one plausible solution. Adjusting work practices/ arrangements, schedules, timetables, starting time and finishing time, general office hours, and school hours could be others. Such adjustments could, if used well, even offer better service provision to clients – therefore of benefit to enterprise. Employers' concerns cannot be ignored but they cannot remain the stumbling block of further forward movement.

When discussing long maternal leave, Datta Gupta, Smith and Verner (2008)[15] argue that:
'it becomes problematic for women's general position in the labor market when family policy is mainly directed towards giving mothers the right to be on long paid maternal leave or in general become the principal care-giver for the family since moth-ers become a less valuable workforce for employers in a labor market where still more jobs are subject to high adjustment costs. Societies facing the future challenges posed by an ageing population and increased global competition and which are committed to achieving gender equality, may aim at avoiding policies that cause a large proportion of their work force to lose important skills during long periods out of the labor market'.

Therefore from a gender perspective, a long career break is not in the interest of the career development of women. Have the return rates of those who have taken a long career break been evaluated? How have these careers developed thereafter? Were there non-returners and what are the main reasons cited? These questions can only be addressed by the public service / sector. Anecdotal evidence is abundant, unfortunately empirical research is not.

Discussions focusing or simply touching on female employment always highlight child care services. Without going into the merit of fathers' participation, it is of relevance to note that 'family policies which split leave time equitably between parents such as the one adopted by Iceland may have less damaging consequences for women's labor market status, but more research is needed …. ' If the female segment of the work force is of importance, then this approach should be well integrated in the discussions leading to decisions.

It appears that the only contribution on the extension of the maternity leave and the possible introduction of paternity leave from other spheres, save for women's organizations, have focused on the financial costs involved. There is no denying that there are costs involved but what there is in the balance is an investment for the future focusing on a general social well-being. Doesn't every investment require an initial outlay? The current myopic approach is not affordable and a higher price will be paid eventually. It's a cost today versus a cost in the future. Would it not be wiser to take action now based on the knowledge available rather than having to lament inaction in the future?

Providing quality child care has more than one advantage. Furthermore when discussing child care facilities one needs to see a much wider association. 'One important potential long term consequence of publicly provided universal high quality child care is that it facilitates upward social mobility for children from low income families' Datta Gupta et al (2008)[16]. These authors refer to other work carried out by Esping-Andersen (20040 and Waldfogel (2004). According to these authors, good quality child care will help children from disadvantaged backgrounds move up the social ladder.

Furthermore Datta Gupta, Smith and Verner (2008)[17] stated that 'There is no evidence however of a trade-off between family friendly policies and family welfare as effects on child development and children's well-being of publicly provided child-care are found to be modest or even positive'. The quality element of the child care provision proved crucially important. Moreover, 'publicly provided child care in the Nordic countries has been a universal public service which has been affordable for and available to all families, or at least, selection into high quality care, has not been based on family income but rather through a

queuing system which often favors children from deprived families over those from high income families'.

In Family Policies in OECD Countries: A Comparative Analysis - Olivier Thévenon states that 'The success of policies to reconcile work and family life is often summarized by pointing out that for more than 15 years, among members of the Organisation for Economic Cooperation and Development (OECD), the countries with the highest fertility and lowest poverty rates have been those where a high percentage of women perform paid work (OECD 2007). In these countries pro-family policies seem to strike a balance that is favorable to both women's employment and fertility (Ahn and Mira 2002; D'Addio and Mira d'Ercole 2005). For this reason especially, work and family reconciliation policies are on the political agenda of a growing number of Western countries. Because most developed countries face the challenges of coping with both population aging and integration into a global economy, one might expect that their family policies would converge'.

Literature indicates clearly why the future of the family interests policy makers. According to The Future of Families A Scoping Report – OECD International Futures Programme (2008) 'Because it offers them a prism through which both to consider how society might change over the coming decades, and to be better prepared for those changes. It is through the lens of the family that multifaceted developments can be explored -- and perhaps anticipated -- in housing, health, work, welfare, leisure, migration, finance, economy, technology, and so on, helping policy makers to identify upcoming issues and stimulate the debate on long-term policy strategy for society'.

Notes:

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