

# Conflict and Solidarity

The Inter-Lebanese dialogue

2007 — 2010



**ASDEAM**

Association Suisse pour le Dialogue  
Euro-Arabo-Méditerranéen

Swiss Association for  
Euro-Arab-Mediterranean Dialogue

الجمعية السويسرية للحوار  
الاوروبي العربي الاسلامي

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## Introduction

The Swiss Association for Euro-Arab-Muslim Dialogue ( ASDEAM ) was founded in 2006 ; it comprises Swiss, Arab and Muslim people coming from a variety of civil society sectors, politics and academia. It aims in particular to achieve the following objective :

Opening up free space for thinking and for concrete initiatives in the cultural, political and other spheres, there where current or potential crises, of whatever nature, could benefit from the intellectual environment offered by Switzerland and its institutions

The overall situation of conflict that today characterizes the Arab and the Muslim world and its consequences in Europe and elsewhere in the world, provides the Association with a vast field of action. Thus, for over a year, it has dedicated itself to the question of Lebanon. Following a public debate on this issue organized under the auspices of the Graduate Institute of International Studies ( HEI ) in Geneva in the autumn of 2006, ASDEAM has during the year 2007 extended its efforts to bringing together three times, in Switzerland, a group of Lebanese personalities, representing all political currents, in the face of a variety of institutional challenges and deadlines.

These meetings have allowed, each time, to advance the points of agreement, to identify differences and clarify their importance, and to gradually build a spirit of understanding favourable to the revival of 'living together' under a 'libanité' to be reconstructed.

One of the major factors of success of this initiative is undoubtedly the close collaboration between ASDAEM and the Swiss Federal Ministry of Foreign Affairs ( DFAE ) and. The constant and unfailing support of Switzerland has helped in the long term this effort. This long-term perspective contrasts with other initiatives that are being implemented in a short time-frame and therefore lose their impact in a region where the time factor is crucial.

Through this experience the Association was able to develop and refine a methodology applicable to other policy areas of the Near and Middle East.

# The Dialogue Process

## General Introduction

Lebanon — as a state, a country and an entity - is based on a formula of coexistence, a human consensual formula around which the Lebanese of different religions have united. This formula was reflected in the 1943 National Pact and the 1989 National Accord document. It was embodied in the Constitution of the Republic of Lebanon (1990) which provides three basic principles in its preamble: 1) “the people are the source of authorities and sovereignty which they exercise through constitutional institutions”, 2) No legitimacy exists for any authority which contradicts the Pact of Coexistence, 3) Lebanon is a sovereign, free and independent country and an ultimate homeland for all its citizens. This pact opens the door for all citizens to attain self-achievement through authentic diversity and harmonious integration among themselves in the framework of a rule-of-law state. The Lebanese Constitution has organized the foundations of this formula by adopting the principle of equal rights and duties among all Lebanese and by ensuring a balance in national political life at all levels.

Today, Lebanon is facing critical challenges, most notably its ability to accommodate its inherent plurality, to overcome the overwhelming contradictions among its social components in their struggle over power, and to address the deep unrest that has surfaced in various wars since its independence in 1943.

The Lebanese are at a crucial historic crossroads. If they cannot obviate the fallout of the crisis by establishing the foundations for reform of the political system, the result will be a series of crises, the pace of which is accelerating and the inherent risks are growing due to the breakdown of the social fabric, the distortion of the constitutional reference which brings together the Lebanese with their plurality, and the non-respect of the criteria responsible for finding solutions to controversial issues. Thus, more than ever, the fate of Lebanon is to be determined by its citizens, who are

the sole responsible agents for either building or sabotaging the State.

The Lebanese, keen on preserving the spirit of national reconciliation and thereby building a unified state, are invited to work within the spirit of the National Pact and the requisites of the national reconciliation formula, and to stand united in the face of anything that constitutes a departure from these principles: i.e. a homeland is based on the will of its united citizens. Thus, anything that departs from such willpower will weaken the country and undermine the rule of law, which constitutes the real guardian of individuals' rights, and the actual guarantee of the rights of religious and civil communities.

Therefore, the Lebanese are invited to contribute to the success and promotion of the state's entity, either by participating in power, or by acting as a constructive opposition from within, all of which requires first and foremost respecting the State, its spirit, Pact, formula, and effective role, and recognizing its authority, all of which is a national public concern to be watched over by all the Lebanese people.

What the State has so far achieved with respect to the rebuilding of its constitutional institutions and the consolidation of the rule of law, although important, remains incapable of securing the requirements necessary for the maintenance of national accord. Moreover, there is resentment caused by political imbalance in power and the managing of public affairs.

It has been years now since the adoption of the National Accord document, yet political practice has not steered clear of certain pitfalls that ought to have been avoided, and that necessitate finding a way out.

A number of factors, among which partial adoption of the Pact, the amendment of some of its provisions and executive applications, such as administrative division and electoral law, and the emergence of gaps in the enforcement of the Taif Accord, have highlighted a need to complete the process of enforcing the Constitution, to rectify its course, and to develop and amend it without altering its essence according

to the evolution of the Lebanese society and in response to its national needs.

Coexistence among Lebanese reflects the importance of the Lebanese experience, which constitutes Lebanon's message to the world as a model of life in common, communication, and openness. The real challenge that the Lebanese, of different sides and beliefs, are facing is probably their ability to transcend difficulties and to achieve those ideals, which contradict the models of despotism, isolation, and oppression practiced in the region by authoritarian regimes. Therefore, inter-Lebanese dialogue is indispensable, and consensus is the only option to resolve internal problems, otherwise, Lebanon is under the threat of collapsing, given that what this country is suffering from is not a problem of governance or a system crisis, but the plight of the 'entity'. If Lebanon collapses, all Lebanese will lose and, consequently, fragmentation of the entire region will follow.

It is essential to face up to this reality and deal with it, with all the courage this requires, without ambiguity or hypocrisy, and to work toward overcoming the difficulties. However, doing so would not be feasible without adopting a culture of dialogue to pave the way to the concept of a homeland that prioritizes citizens' most urgent needs and their aims for founding a form of human cultural interaction.

Accordingly, ASDEAM - Swiss Association for the Euro-Arab-Muslim Dialogue, represented by Hassan Ghaziri, Yves Besson, and Samir Hobeika, decided to organize dialogic meetings under the direct auspices of the Swiss Ministry of Foreign Affairs, represented by Mr. Didier Pfirter and his assistant Mr. Kim Sitzler, as well as the Swiss Ambassador to Lebanon Francois Barras, and with the financial contribution of a number of Lebanese banks such as Bank Audi, Bank of the Mediterranean, BLOM Bank, and the Bank of Beirut and the Arab Countries. The organizers have also sought the assistance of Swiss and international experts in international and constitutional law as well as in foreign relations, including Vera Gowlland, Antoine Maurice, Pierre de Senarclens, and Julian Hottinger.

## The Lebanese Participants

### The following personalities participated in the meetings:

Ali Fayyad : Professor of Social Sciences at the Lebanese University, and director of the Centre for Strategic Studies and deputy member of the Loyalty to the Resistance Bloc.

Ali Hamdan : Adviser to the House Speaker; coordinator of International Relations at the Amal Movement

Aref El-Abd : Media adviser to Prime Minister Fouad Siniora

Rola Nouredine : Adviser to Prime Minister Fouad Siniora.

Farid El-Khazen : Professor of Political Sciences at the American University of Beirut, MP, and member of the Reform and Change Bloc.

Ghassan Mkeiber : Lawyer, MP, and member of the Reform Bloc and Chairman of the Commission of Human Rights.

Raghid Solh : Historian and director of the Research Centre of Democracy at Oxford University. Currently senior political adviser for the Issam Fares Institute.

Ghaleb Mahmasani : Lawyer, member of the National Election Law Reform Commission, and member of the Preparatory Commission for National Dialogue.

Abbas El-Halabi : Former judge, professor at St. Joseph University, and Chairman of the Arab Group for Christian-Muslim Dialogue.

Joseph Nehmeh : Lawyer, and head of the Lebanese Forces External Affairs Office.

## The Inter-Lebanese Dialogue Concept

The primary objective of these dialogues is an in-depth search for the roots of the Lebanese crisis in order to grasp its causes as well as the real factors that have caused the Lebanese to re-produce the same crises throughout their contemporary history. Accordingly, three dialogue sessions were held in Switzerland in April, June and August 2007, in addition to several meetings held in Beirut.

Given the richness and depth that characterized these dialogues in dealing with issues that remain at the heart of the debate on the national scene to this day, the Association puts this experience, considered as an attempt to communicate in times of crisis and which has become part of the Lebanese dialogue's institutional memory, at the disposal of stakeholders and decision-makers.

It is worth mentioning at this point that the content of this book follows the Chatham House rule, according to which, opinions are published without revealing the identity of their holders.

### Concerning the selection of participants

The participants are a group of Lebanese who reflect Lebanese diversity on both political and intellectual levels, and who represent the political and social powers without having any official, political representation mandate from their parties. Given their political and intellectual positions, they have the ability to influence stakeholders and decision-makers. Thanks to their continuous communication, through encounters on various occasions during the last decade, they have built good relationships on both personal and political levels, which has helped create harmony among them. These participants reflect major intellectual trends in the Lebanese political and civil society, and are hence thought to be able to determine the periodic and permanent causes underlying the crisis

destabilizing the Lebanese State, system, and society. This group also has the capacity to objectively take a responsible part in contributing to the development of clear ideas and suggestions in order to help decision-makers and stakeholders address these repeated episodes of unrest in Lebanon and to attain political and social stability.

### The Political Context

In spite of the withdrawal of the Syrian army and the victory achieved over the Israelis, the Lebanese are still unable to establish the stable state to which they aspire; on the contrary, they seem to have slipped into a maze where they have detracted from the authorities' legitimacy, disrupted institutions and exchanged charges and accusations.

We do not wish to take the place of official institutions, neither do we want to persist in detracting from their roles; we want to assume our national responsibilities especially that all parties agree on the weakness of the Lebanese institutions. This weakness, however, does not result from the lack of provisions and laws, but rather from a quasi-absence of activity within the institutions' framework. If the weakness of the state were undeniable, then it would be more accurate to replace the term 'weak state' with that of 'oppressed state'. The political system within the State often provides a framework for dialogue, decision-making and conflict resolution. However, we are witnessing a manipulation of the institutions, which has led to their weakening and sometimes to their absence. This has consequently resulted in an actual lack of institutional experience because of a chronic absence of applied regulations. During the Civil War, between 1975 and 1990, institutions were entirely paralyzed. After the Civil War, the Taif Accord was not fully applied due to the decisions of external actors. The Lebanese have thus suffered for around three decades from the absence of a true practice of institutional work, a fact that has led in turn to the habit of ignoring constitutional and legal standards that measure the



effectiveness and the proper functioning of institutions on the basis of which the latter are held accountable.

### **The Dialogue and its Function:**

1. Re-opening channels of communication between all the Lebanese through calm and forthright dialogues

2. Actual contribution to the creation of tools that would enable the Lebanese to evolve, develop and culturally interact in the framework of an equitable and capable state, by proposing different approaches to the crisis, and suggesting productive and creative ideas to decision-makers in order to extract the country from this dangerous dilemma.

### **Dialogue Principles:**

1- Shedding light upon the roots of the Lebanese crisis without however neglecting its present form, in order to avoid the transmission of the confrontational discourse that prevailed in Lebanon into the dialogue sessions. The analysis of the current crisis would help the participants to reach an accurate diagnosis of its causes and reveal weaknesses in the Lebanese formula as well as in the structure of the Lebanese system.

2- Selection of participants: the organizers insisted on selecting participants without referring to political leaders, in order to reduce the pressure of formal representation during the debates, and to reach a frank, open and sincere dialogue away from the logic of accusation, mistrust, and narrow-mindedness.

3- Avoiding the media and press to provide an atmosphere of openness necessary for a constructive and productive debate away from the tensions of declared political stances.

4- Seeking minimal aspirations and expectations: the organizers realized that this group would not be able to reach a compromise between the Lebanese, neither would it be able to resolve the crisis; therefore they sought to understand the roots of the crisis so as to reach a pathway which would lead Lebanon to safety.

5- Neutrality: the organizers were keen on facilitating the dialogue without seeking to reach a particular result based on any given agenda; they also committed themselves to the principle of neutrality between all parties. Switzerland, as a neutral state with no colonial history or suspicious ambitions, takes the credit for making this initiative unbiased.

### **Methodology**

We aimed first and foremost at providing the adequate conditions conducive to the launch of a sincere and frank dialogue among the Lebanese, within the framework of a capable and strong state that is neither intimidating nor neglectful. Second, we aimed at contributing to the creation of tools that enable the Lebanese to evolve, develop, and to culturally interact in order to achieve progress and development. To do so, the following methodology was adopted:

- Opening the channels that allow the participants to exchange straightforward ideas that prepare the ground for creative solutions. The importance of this endeavor lies, in the first place, in avoiding pre-determined ideas and proposals.

- Participants tried to address the different aspects in a way that established the links between the various dimensions of the crisis, so as to help the Lebanese reach a solution to their current crisis, to secure civil peace, to protect it from constant threats and from the fluctuation of policies, and to preserve it from regional and international alliances. For this purpose, a meeting agenda was consensually determined via meetings held in Beirut with the aim of preparing for the dialogue sessions to be held later.

- Given the futility of ideas that consider the crisis's historical dimension and ignore the present situation, we decided to dedicate the first session of each meeting to deliberations on the current crisis. This approach had two effects: avoiding tension among participants, and using those facts to realistically deal with the roots of the crisis.



- During the dialogue, we avoided the logic of warring parties, who seek to strike political deals to preserve their advantages, and tried to commit ourselves to the logic of coexistence, seeking thus to preserve the interests of both the homeland and the citizen. It has therefore been constantly stressed and repeated that these encounters are not meant to constitute a dialogue table for bargaining or bartering; they aim to produce new ideas and to develop practical proposals.

- The meetings were jointly moderated by Lebanese and Swiss moderators, with the aim of balancing rigorous adherence to the topic of the session and the time allocated to each participant on the one hand, and the flexibility to adapt to the dialogue's requirements on the other.

- A number of experts were hosted, most of whom were Swiss, to review experiences of other nations with similar problems and experiences as Lebanon.

## The Course of Dialogue

### The first encounter

The first round of the inter-Lebanese dialogue was held at Mont-Pèlerin in Switzerland, from 20-21 April, 2007. The objective of the meeting was to break the ice between participants and to conduct a comprehensive review of the roots of the crisis in all its dimensions: internal, external, structural, and institutional, to diagnose its nature and to study the idea of a new National Pact, one that would be open to change. Therefore, the organizers proceeded by posing the following question about the nature of the crisis: is the crisis of constitutional or institutional nature? The debates showed that the crux of the crisis lies in the foundations that link the Lebanese together and on which the State is established. To sum up, the crisis started as a political one. In other words, it began with a dispute over power-sharing and ended as an institutional one that affects the social contract which links the Lebanese together, the concept of coexistence, the foundations of the political system, and the necessity to

reform it. Hence, overcoming that crisis can only be achieved through dialogue between the different parties.

The issue of the independence of the Lebanese decision also emerged and the ability of the Lebanese to govern themselves by themselves. The questions were as follows:

1. Will the Lebanese be able to establish a civil state that secures equality among citizens and guarantees the project of coexistence of different individuals and communities? What system would be needed for such a state to exist?
2. Is Lebanon capable of being an independent state? What form would this independence take, and what would its internal and external resources be?

The meeting confirmed that the Lebanese state cannot stand without sovereignty and independence. At the same time, it was found that Lebanon is not an isolated island in a perfect world; it exists in surroundings where conflicting interests and divergent politics and strategies are constantly tugging at it.

Accordingly, and in the view of the participants' desire and the necessities imposed by the hazardous situation in Lebanon, we addressed the following issues:

1. The principles of coexistence among Lebanese.
2. The Taif Accord, its problems, shortcomings, and the reasons why its application has not occurred.
3. Consensual democracy and the different forms of participation in governance, which preserve Lebanese values and are based on plurality and on the respect of minorities and opinion and the rights of the others.
4. The electoral law: an introduction to reshaping authorities in order to rebuild an equitable and capable rule-of-law state.
5. Foreign relations, notably, relations with Syria, neutrality, its internal and external conditions, as well as its positive and negative nature.
6. Integrated defense policy.

These issues were discussed and multiple opinions and approaches were presented during each discussion. The participants agreed on several issues, the most important of which were the following:

Emphasizing the importance of coexistence, holding to the consensual formula, adhering strictly to the Lebanese Constitution and the Taif Accord as a framework of developing the political system, stressing the fact the Zionist entity is Lebanon's real enemy. Some points of divergence also emerged, the most important of which were: the concept of sovereignty, the reasons behind the inability of the state to function, foreign policy and how to deal with the Israeli danger. Once the meeting succeeded in breaking the ice between the conferees, it was found that these core issues are at the heart of the Lebanese crisis, and therefore need to be addressed in-depth in order to reach consensus among Lebanese and to break the impasse in which we have put ourselves. Accordingly, the participants expressed their willingness to meet again in order to deepen the discussion over those issues.

### **Second encounter**

The encounter at Mont-Pèlerin held from 21 - 24 June, 2007 constituted a continuation of the first meeting held in the same venue the previous April. The second meeting saw the improvement of relations among the various participants and a certain affinity among them. It must be remembered that this group of conferees did not constitute an official political representation as much as it reflected the basic lines of thought in Lebanese political and civil society. In that sense, the group was able to grasp the main reasons behind the crisis as well as its background, and to seriously contribute to developing thoughts and proposals which would be put at the disposal of decision-makers, and could perhaps be of assistance in addressing recurrent Lebanese unrest.

The following were the main topics, ideas, principles and issues raised during the second meeting at Mont-Pèlerin:

The issue of interpreting principle concepts stated in the Constitution's preamble was addressed. During the discussion in Beirut, in preparation for a second meeting in Switzerland, participants emphasized the need to discuss, clarify and reach a consensus over concepts of coexistence, sovereignty and independence, in order to be aware of the fundamental issues that define the relationship among the Lebanese themselves, their relation with their State, and their relations with others..

From the debates over coexistence and the Social Contract, it can be deduced that it is imperative for the Lebanese to agree on the means of governance that regulate their relations, maintain their solidarity despite their differences, determine the authority which guarantees a legitimate resolution of their disputes, and provide a decent living. In other words, means that protect freedoms, guarantee dignity, and preserve equality in rights and duties; this can be achieved by no other than the State and rule of law.

One of the major and most dangerous impediments to the establishment of the rule of law is the belief that the guarantee of religious communities, i.e. confessions, does not lie with a state capable of protecting the land and citizens and enforcing the law, but in the ability of their leaders, through internal and external alliances, to acquire and control quotas and concessions from a weak state.

Accepting the principal of coexistence of religious communities, and, contrary to their deep convictions, regarding one another as equal, makes this acceptance a kind of truce required to deal with the necessities, i.e. a capitulation; thereby, it does not transcend in any way being a social contract or covenant between equal partners in a homeland.

The guarantee of coexistence is in accepting and respecting the laws and in constantly seeking to develop them so as to meet the necessities and changes of the times, and to be an embodiment of the people's sovereignty in legalizing provisions, as well as in applying, interpreting, amending and abolishing them.

In this context, the second issue proposed reforming the Lebanese political system, by addressing the following question: what kind of formula, and what kind of state do we want? In other words, what kind of Lebanon do we want? In order to avoid speaking in generalities, we started finding the weaknesses in the current system, uncovered by the ongoing crisis, particularly the political reasons, external and internal, in addition to practical ones, behind the non-application of some of the Taif Accord terms, and the non-completion of some others. Issues tackled included the following: the Constitutional Council (what about it?), reforming the judicial system, electoral law, electoral system (what about it?), abolishing political sectarianism, and achieving social justice.

At the end of the meeting the following statement was issued. It came as a result of considerable efforts by participants and organizers and extended until dawn. After reading the final version, the participants recited spontaneously the Lebanese anthem as an expression of their solidarity in this moment, and their happiness to have been able to complete this joint effort. Moreover, the Swiss national anthem was also recited as an expression of the participants' gratitude to Ambassador Pfirter who accompanied the conference all the way to the end.

**Statement issued by the Swiss Association for Euro-Arab-Muslim Dialogue (ASDEAM) concerning the Inter-Lebanese meeting in Switzerland (22-24 June, 2007)**

At the invitation of the Swiss Association for Euro-Arab-Muslim Dialogue (ASDEAM) (represented by Hassan Ghaziri, Yves Besson, Samir Hobeika, and Patrick Haenni), and with the support and participation of the Swiss Government (represented by Ambassador Didier Pfirter), the second round of the inter-Lebanese dialogue was held in Switzerland (Mont-Pèlerin, on the banks of Lake Geneva) from 22 - 24 June, 2007. The first round was held at the same place, from 20 - 21 April, 2006.

Participating in these meetings were: Aref el Abd, Abbas Halabi, Ali Fayyad, Ghaleb Mahmasani, Roula Nouredine, Joseph Nehmeh, Farid el-Khazen, Ali Hamdan, Antoine Mesarra, and Ghassan Mekhayber ( Raghid Solh participated in the first meeting ).

The participants were political, diplomatic and academic Lebanese figures who reflect a plethora of political and intellectual diversity; in this sense, they do not constitute a formal political representation as much as they reflect main ideological currents in political and civil society. It was hoped that they would be able to determine the periodic and permanent causes underlying the crisis that destabilizes the Lebanese State, system, and society. This group also had the capacity to objectively take a responsible part in contributing to the development of clear ideas and suggestions in order to help decision-makers and stakeholders address these repeated episodes of unrest in Lebanon and to attain political and social stability.

The conferees issued, as an outcome of the deliberations, the following statement, which briefly reviews the course of discussions, trends and general issues addressed by the dialogue, noting that the contents of this statement do not necessarily reflect all the discussions held in the dialogue, and do not constitute a formulation of any decisions.

1. The meeting addressed the Lebanese crisis on the following three levels:

The first level: safeguarding civil peace and preventing it from breaking down; an issue which necessitates a political and media discourse free from accusations of treason and from incitement; working toward adopting measures needed for rebuilding trust and resuming dialogue between the Lebanese.

Second level: resolving the current crisis by rebuilding and reactivating the constitutional institutions.

Third level: working to provide a firm and lasting stability of the political system and the Lebanese society.

2. In the second round, the meeting focused mainly on the third level, and the agenda was set on this basis. However, the pressure caused by the crisis, and the sense of national responsibility incited the participants to present serious and useful views and proposals; thus, the first and second levels received their share of the participants' attention.

3. The methodology which governed the participants thoughts and approaches focused on finding a way to establish a link between the three levels, so as to help the Lebanese to discover the positive link between attempts at finding a solution to the current crisis, and the stability of the political system and political life in Lebanon, so that civil peace would not be periodically threatened. Discussions were notably open, clear, and positive.

4. Reaching a steadfast political and social stability in Lebanon requires, at the level of building and regulating institutions, a strict commitment to the application of the Taif Accord and its clauses that are still not applied, and a commitment to consensual democracy in accordance with the provisions of the constitution. Combined, these issues should occupy a prominent position with regards to the attempts at finding a solution; they should also occupy the forefront of the Lebanese legislative and political concern.

5. Based on the above-mentioned principles, an integral agenda was discussed, where various opinions and interpretations were presented. However, the logic of conciliation, which is antithetical to that of struggle, unilateralism, and exclusion, constituted the methodological framework in approaching contentious issues:

First- The participants concurred on the following:

- a. To adopt the Pact of coexistence as a political and social basis
- b. To emphasize the importance of the Lebanese unity in the face of the Israeli enemy, as well as the importance of liberating the occupied land and endeavoring for the release of Lebanese detainees
- c. To adhere to the Taif Accord as a reference as well as to the Constitution and its fundamentals
- d. To enforce all Taif Accord items that have not been enforced yet.
- e. To adhere to consensual democracy and work on applying it in accordance with the provisions of the Constitution
- f. The utmost importance of building the state of institutions
- g. That a flexible approach to the electoral system was required
- h. That judicial reform was required
- i. That application of expanded administrative decentralization was required

Second- Various ideas have been presented with regards to:

- a. The weapons of the Resistance
- b. Relations with Syria, and the necessity to address them and to resolve outstanding issues
- c. Palestinian weapons and Lebanese-Palestinian relations
- d. Political de-sectarianization

e. Application of the concepts of sovereignty, independence, justice, and ability, with regards to the state

Noting that there is a wide area of consensus over these issues, which requires continuing the dialogue over issues of divergence in order to reach understanding and establish national accord.

Third- Ideas and points of view regarding the following issues were forwarded which need to be studied, followed and discussed:

- a. Finding a prelude to discuss the defense strategy
- b. Presenting proposals to end the current crisis
- c. Preparing a draft of the Lebanese political code of conduct
- d. Preparing a list of issues which constitute legal vulnerabilities in the parliamentary system
- e. Presenting proposals for the judiciary reform, and giving the Constitutional Council the power to interpret the Constitution
- f. Presenting basic ideas for the application of expanded administrative decentralization and balanced development
- g. Benefiting from Swiss, Austrian and Finnish neutrality models
- h. Reviewing the evolution of the Swiss experience as per the armed participation of citizens in the national defense system

The meeting expressed full support to the Lebanese army against Israeli attacks, as well as to the army's sovereign functions in maintaining security and stability throughout the Lebanese territory.

The meeting concluded by expressing appreciation and thanks to the Swiss Government represented by Ambassador Didier Pfirter and his assistants, as well as to the Swiss Association for Euro-Arab-Muslim Dialogue (ASDEAM), for offering the opportunity to meet, and for facilitating and sponsoring the dialogue and the meeting; it

has also been agreed to continue the meetings in Lebanon and Switzerland.

### The Third Meeting

The third meeting was held in Switzerland, near the capital Bern on 17, 18 and 19 August, 2007, in view of addressing the following issues:

First Issue: Parliamentary and consensual democracy. Different positions have emerged with regards to this issue, which showed that the real challenge to the practice of consensual democracy lies in the ability of striking a balance between proper representation and effective governance on the one hand, and the openness to develop applied mechanisms in the democratic system, on the other.

Second issue: Lebanese-Syrian relations. Conferees agreed, at the end of this meeting, to issue the second statement, which reads:

### **Statement issued by the Swiss Association for Euro-Arab-Muslim dialogue on the inter-Lebanese dialogue in Switzerland (17-19 August, 2007)**

The third round of the inter-Lebanese dialogue held in Switzerland (in a suburb of the capital Bern) on 17,18 and 19August, 2007, at the invitation of the Swiss Association for the Euro-Arab-Muslim Dialogue (represented by Hassan Ghaziri and Yves Besson), and with the support and participation of the Swiss government (represented by the Swiss envoy, Ambassador Didier Pfirter and his assistant Kim Setzler and the Swiss Ambassador in Beirut, Francois Barras, in addition to the Swiss mediator Julian Hottinger), and the participation of Lebanese dialogists who represent a spectrum of Lebanese political and cultural diversity that reflects both the political parties and the civil society:

Ali Fayyad, Aref el-Abd, Ghaleb Mahmasani, Abbas Halabi, Farid el-Khazen, Ghassan Mkhayber, Roula Nouredine,

Joseph Nehmeh, Antoine Messarra, and Raghid Solh; Ali Hamdan and Ambassador Samir Hobeika were absent.

The discussions focused on addressing the issues of the Lebanese parliamentary system, consensual democracy and Lebanese-Syrian relations. In addition to these issues, the agenda included six themes which are to be addressed consecutively throughout the dialogue rounds. These themes are: the electoral system, the judiciary reform, the defense strategy, and the Palestinian dossier. Discussions were characterized by being open and positive, where the logic of conciliation and the higher national interest had the upper hand, with the hope that the dialogue would contribute as a supporting material to help inter-Lebanese understanding to move forward so as to reach steadfast political and social stability.

Besides the consultative nature of the dialogue, stressed upon by both organizers and participants, the meeting constituted in itself a unique opportunity in terms of the depth, seriousness, openness, and responsibility of the dialogues. It also provided, with regards to the two subjects under discussion, a comprehensive review of potential problems, various perceptions, and proposed solutions.

Searching for the deep underlying causes of the Lebanese instability which tends to transform political crises into institutional ones disrupting, thereby, the state's structure and threatening the country with division and conflict, was the obsession that ruled the dialogue's methodology and that constituted its goal.

In this context, this statement tries to reflect the course of the debate and to give a summary on different points of view, reviewing areas of both divergence and convergence, without necessarily reaching a formal formulation of decisions:

**First: Parliamentary democracy and the consensus principle:** Dialogists focused on the nature of the Lebanese parliamentary democracy concept, as well as on the mechanisms and means by which it works, based on constitutional texts

which clarify the nature and basis of this system, including constitutional articles and paragraphs contained in the Constitution's Preamble, such as paragraph (C) which states: "Lebanon is a parliamentary democracy based on the respect of public freedoms, in particular freedom of opinion and belief, on social justice and equality in rights and (duties) among all citizens without discrimination or preference." Or paragraph (J) which states: "There shall be no legitimacy for any authority which contradicts the Pact of coexistence", in addition to constitutional articles which relate to or imply consensus, including constitution articles: (24), (65), and (95).

#### **The dialogists agreed on the following:**

Lebanon's constitutional system is, in general, a parliamentary democracy, but it is considered at the same time, a consensual-sectarian democracy according to paragraph (J) of the Constitution's Preamble, and in accordance with the provisions of the Constitution regarding the adoption of confessional consensus in articles 24, 65, and 95 and according to articles 9 and 10 which enshrined the freedom of education and the respect of the personal status system of different confessions, and in accordance with article 19 of the Constitution concerning the right of heads of religious communities to consult the Constitutional Council. In this context, the participants emphasized that consensual democracy is a description of a political and constitutional reality which already exists in Lebanon, thereby is not a proposed draft, nor does it conceal a premeditated intention designed to reinforce political sectarianism. It aims, on the contrary, to limit the latter's damages, and to maintain the State and democratic system in a pluralistic society.

Consensual democracy is usually applicable in pluralistic societies with a view to reaching stability and protecting plurality; however, this form of democracy becomes even more closely adopted when these societies face major crises which threaten their unity and security; this fact necessitates

broadening the base of participation and adopting, as much as possible, the logic of consensus in political reality.

The real challenge that faces the practice of consensual democracy is in striking a balance between proper representation and effective governance, in addition to paving the way for the development of mechanisms and structures in the democratic system, on the basis that saving the country's unity and preserving the state has precedence over any other matter, even if this means slowing, to a certain extent, the political process.

The proper application of the Taif Accord requires giving the Constitutional Council the power to interpret the Constitution, which contributes to the development of one of the internal tools of arbitration in disputes arising from the interpretation and application of the Constitution.

Some of the participants stressed that expanding the principle of participation, in the framework of organizing political life, must take into account the following principles: effectiveness of governance, accountability of the Government to the Parliament, ministerial solidarity, and the existence of an opposition outside the Government. On the other hand, some others deemed it necessary to review the principle of proportionality which requires an equitable representation of communities and regions, and of the principle of mutual veto, whose political manifestations have been often reflected on important occasions and pivotal moments in the history of Lebanon. It has also necessitated mutual compromises from different Lebanese leaderships, to prevent the country from plunging into major crisis.

Dialogists also agreed on the necessity to continue the discussion on technical legal aspects, as well as on some issues where difference in views has emerged, including:

1. Should consensus be reached before re-establishing institutions or should it take place within the institutions themselves?
2. What are the general principles that govern the formation

of governments in times of crisis and in normal situations, notwithstanding the nature of the Lebanese political system tools, i.e. whether consensual or competitive, including for instance:

Is the concept of "justice" restricted to numerically-relative representation of communities or does it also include the representation of communities according to majority parties therein?

Is the criterion of 'two thirds of the majority' required to make a specific number of decisions, and impose specific human rights rules in forming governments?

3. Constitutional consequences resulting from the withdrawal of a main sectarian community from the Government, in case the number of its ministers does not exceed the third of the total number of ministers.

4. What is the scope of the role the Cabinet should play as a dialogue framework between the different political parties, in addition to its role as a procedural authority? And how is this related to the effectiveness of the House of Representatives' performance with regards to fostering national dialogue?

5. How can one ensure balance between authorities and institutions when it is impossible to solve the House of Representatives or to question the capacity of the President of the Republic as arbiter?

6. Would it be possible to overcome the deadlock that usually results from exercising the right of blockage (mutual veto) with regards to common decisions between the President of the Republic and the head of the Cabinet, including consensus over formation of the government?

7. Does the demand of participating in government apply to national decisions such as peace and war?

8. How can we reduce and limit the pathologic aspects and results of each of consensual and competitive tool available in the Lebanese system, in such a way as to ensure the proper



operation of constitutional institutions and to respect equality between citizens on the one hand, and on the other, how to increase their effectiveness and their positive aspects?

9- What are the solutions to be adopted with regards to the confusion related to the quorum required for the election of the President of the Republic?

## **Second: Lebanese-Syrian relations**

The meeting addressed the Lebanese-Syrian relations where the participants were allowed to express their views and clarify their perceptions with regards to ways of restoring stability to relations and eliminating shortcomings thereof, which would benefit both countries; opinions were classified according to two approaches, as follows:

The first approach: According to this approach, relations between the two countries are based on historical components, i.e. common history, geopolitics generating political and security interests, and on legal ones, i.e. the Taif Accord which provided for maintaining special relations between the two countries, and the Fraternity and Cooperation Convention, where all this intersects with the necessary measures imposed by the Israeli threat in the regional environment against the two countries. Working toward restoring the stability to relations and overcoming the current unrest which affects the security and vital interests of the two countries, is an absolute necessity which should be based in the first place on obligations, and the way to achieve this is by responsibly benefiting from past experiences with regards to stability, security, and national interests, mutually committing to the security, sovereignty, and independence of the two countries and by respecting their mutual interests on the levels of strategies, policies, and regional and international relations.

The second approach: According to this approach, sincerity in correcting the Lebanese-Syrian relations in view of reaching sound and solid relations based on equality and mutual respect

between the two countries in the future is not exempt from taking into account the failure of the past experience in consolidating sound and stable relations, to which Syria has contributed to a great extent. Therefore, what is needed is a purification of the memory of Lebanese-Syrian relations, in order to build confidence between the two countries, and to work according to practical steps that are to be taken by Syria in the light of the painful new situation, in view of showing its support to Lebanon's independence, sovereignty, and stability, stopping anything that leads to destabilizing the situation and threatens Lebanon, keeping an unbiased position toward the entirety of Lebanese powers, supporting Arab initiatives in particular, and respecting international resolutions issued on Lebanon, in order to protect stable relations between the two countries.

## **As a conclusion of the discussions, the participants agreed on a joint approach as follows:**

The meeting emphasizes on the Taif Accord as reference in defining the framework of special relations; it provides that: "Lebanon is a country of Arab belonging and association, and has sincere fraternal relations with all Arab countries, and special relations with Syria which draws its power from roots of kinship, history, and common fraternal interests, a concept on which coordination and cooperation between the two countries is based, and shall be embodied by agreements between them, in different domains, in such a way as to achieve the interests of the two brotherly countries, within the framework of each of the two countries' sovereignty and independence. Based on this, and given that consolidating the bases of security provides the atmosphere required for the development of such distinguished ties, it is necessary hence to prevent Lebanon from being a source of threat to Syria, and Syria from being a source of threat to Lebanon under no circumstances. Therefore, Lebanon does not accept to be considered as a pathway or base for any force, state, or organization which seeks to undermine its security or Syria's. In the same way, Syria, keen on Lebanon's security, independence, unity, and harmony among its citizens, does

not allow any action which may threaten Lebanon's security, independence, and unity."

**The meeting also emphasized what was agreed upon at the table of National Dialogue and which states:**

"Based on what is stated in the Constitution's Preamble that Lebanon, a sovereign, free, and the independent country is Arab in its identity and association; and based on what was established in the National Pact Accord (Taif), concerning the special relationship between Lebanon and Syria, which draws its strength from roots of kinship, history, and common fraternal interests; and after stressing the necessity of coordination and cooperation between the two countries in various domains in such a way as to achieve their interest within the framework of each of the two countries' sovereignty and independence, the conferees agreed on the fact that developing these ties requires their establishment on firm and clear grounds which would lead to correct any defects that marred these relations, through the following:

First: To prevent Syria from being a source of threat to Lebanon's security and its citizens' safety, or Lebanon being a threat to Syria's security and its citizens' safety under any circumstances; therefore, their borders must be controlled from both sides, and the Lebanese Government should be called to take the necessary measures from its side in this respect.

Second: Establishing the basis of non-interference from both sides in each other's internal affairs.

Third: Establishing relations of equality between the two states based on mutual trust and respect that would be translated as soon as possible into establishing diplomatic relations between Syria and Lebanon, on the level of embassies.

Fourth: Activating and supporting the common commission between the two countries to finalize the dossier of missing persons and detainees in both countries, as soon as possible.

The meeting considered that the above constitutes a valid political and legal framework for the regulation of Lebanese-Syrian relations; that is, committing to those contents represents a real challenge for the stability of these relations, a fact that requires focusing, not only on the political-theoretical level, but also on the political-applied one:

1. Establishing sound and healthy Lebanese-Syrian relations requires a review of previous experiences to draw lessons from it and to avoid the errors, defects and gaps that characterized it, so as to pave the way to re-establishing these relations on a clear basis of cooperation and equality, and to translate these distinguished relations in common interests and challenges, as well as in full and mutual respect of the sovereignty and independence of both countries, on the basis of rejecting any form of tutelage.
2. Distinguished relations between Lebanon and Syria must not contradict the parameters adopted in relations between states in the framework of International Law.
3. Maintaining Lebanese sovereignty and regulating the work of State institutions constitute a guarantee of good relations between Lebanon and Syria as well as a guarantee of the security and interests of the two countries.
4. Lebanon, which liberated its occupied land in May 2000, and which seeks to complete the liberation of the remaining occupied lands in Shebaa Farms and Kfar Shuba Hills, confirms its continued commitment to the issue of Arab-Israeli conflict in such a way as not to contradict the requirements of Lebanese sovereignty, the Taif Accord's content and Lebanon's Arab commitments.
5. Lebanon must develop a defense strategy that would protect both its borders and its interests; it should however prevent using the scope of its sovereignty to attack Syria.
6. Controlling the Lebanese-Syrian borders on both sides so as to ensure the protection of both countries' stability and security.

7. The necessity to demarcate the borders between Lebanon and Syria, away from an atmosphere of tensions that could lead to the disruption of the process.

8. Neutralizing economic relations and working toward developing them and keeping them away from any complications that would affect the relations between the two countries.

Dialogists renewed their thanks to the Swiss Government, to Ambassador Didier Pfirter, and to the Swiss Ambassador to Lebanon, Francois Barras. They also thanked the Swiss Association for the Euro-Arab-Muslim Dialogue for offering facilities and sponsoring this meeting, and concluded by confirming their commitment to the continuation of the meetings in view of completing the dialogue.

### **Cancellation of the fourth meeting**

Based on the agenda discussed at the first meeting, it was agreed to meet again for a fourth time to discuss the issue of an integrated Lebanese defense policy.

This fourth meeting was postponed several times due to organizational reasons; it was then decided to organize this meeting on 14h, 15, and 16 April, 2008. However, a few days before this meeting, one of the participants informed us of their unwillingness to engage in a dialogue on this issue outside the constitutional or official Lebanese framework, i.e. outside the Parliament or the Lebanese Dialogue Table in case the latter was to be resumed. However, the events of the beginning of May 2008 undermined the idea of meeting again.

## **Dialogue Outcomes**

From April to August 2007, the Swiss Association for the Euro-Arab-Muslim dialogue conducted three dialogue sessions in Switzerland with the participation of eleven Lebanese political figures from across the Lebanese spectrum.

Though the details, discussions and contents of dialogues during these meetings and their resulting documents, ideas and visions were kept out of the media spotlight and did not draw attention and visibility, for many considerations and causes the experience was successful and deserves to be taken into account within the framework of dialogue experiences that can be called the various Lebanese institutionalizing attempts, particularly since the Lebanese civil war in 1975. Though short in term, this experience acquired importance as to its timing, its accomplishments in reconciling contradictions and as to the ideas, visions, and common points it produced.

The three dialogue meetings, the preparations and primary consultations and then the bi-meetings in Beirut, took place at a time of breakdown of relations among the different Lebanese political parties and at a stage where aggravated conflict among the Lebanese forces was about to push the country to the verge of open conflict, and by extension, to a civil conflict, not to mention the vacancy in the First Presidency and semi-paralysis in the general administration of the country.

The experience did not fulfill its desired goals because of a series of developments, notably the incidents of May 2008, that put Lebanon on the threshold of a completely new phase. It was followed by the Doha Agreement and the election of a new president to fill the vacancy in the presidency that had lasted for about five months. The President took it upon himself to resume the National Dialogue around the titles and issues, a major source of conflict and disparity among the Lebanese people.

In order to encourage the selected individuals to interact with the dialogue project, the Association informed them that it did not aim to reach a quick and instantaneous solution and that

it was not focusing on the results of the crisis but on its roots. Moreover, it informed them that it had chosen Switzerland for the meeting, in order to be far from the media spotlights and to convene in a relaxed atmosphere so that participants could express their ideas freely and openly as well as their visions concerning the roots and solutions for the crisis. By choosing this venue, the Association wanted to create a psychological factor that would help the participants distance themselves from the pressure of Lebanon and provide them with a calm setting in which to talk. Undoubtedly, the participants were encouraged to take part confident in the knowledge that Switzerland is impartial and has no colonial history, has no political ambitions nor avidity and has never taken sides with any Lebanese party, either now or in the past.

The dialogues in Switzerland showed how difficult it is to reach a final outcome with regard to constitutional reforms related to the Taif Accord and to consensual democracy, which consequently necessitates extensive and continuous dialogue and consultations, under relaxed political conditions. This cannot take place abroad because the only thing we can do abroad is to overcome obstacles and pave the way to the determination of points of convergence and those of divergence. As for finding solutions, the Lebanese must ensure the appropriate constitutional framework in order to discuss critical issues through governmental institutions. A wide-reaching range of solutions could therefore not be reached under the current difficult circumstances; this critical situation requires the Lebanese to refrain from attacking the institutions and symbols of the State.

## Coexistence : Readings in the Constitution's Preamble

### Framework of the Dialogue on Coexistence

The coexistence issue was raised in order to clarify ambiguities in the light of the interpretation of the Lebanese Constitution, and more specifically interpretation of the Constitution's Preamble, which has become an integral part of the Constitution following the 1990 amendment.

This framework was included in the dialogue agenda for two reasons:

1- The political situation at the time the dialogue took place, which coincided with the "sit-in" in the Riad Al-Solh Square/ Beirut following the withdrawal of the Shi'ite ministers from the government. This meant the loss of legitimacy based on clause "J" of the Constitution Preamble, stipulating that "there shall be no constitutional legitimacy for any authority which contradicts communal coexistence." The concept of coexistence in this Preamble has not been explained or interpreted in any other text. A crisis has thus emerged from the ambiguous definition of the coexistence concept and the way it should be politically implemented.

2- The expressed desire of the participants in the dialogue was to ensure, and reassure one another, that they were determined to preserve the entity of Lebanon. The interest in supporting mutual reassurance is due to the tragic experience of conflict shared by individuals and groups in Lebanon. It has led to a fundamental conviction that no group can eliminate the other, and that hegemony over the country and dependency on foreign countries proved to be illusory.

The following is an account of the major topics that were addressed during the dialogue and the positions adopted by the participants.

**First and foremost, all participants agreed on the preservation of the principle of coexistence.** They considered that the Lebanese formula was the *raison d'être* of Lebanon,

and expressed the desire and conviction to live together and preserve the Lebanese entity. This acknowledgement has also been made by political parties competing in the Lebanese political arena, as well as by individuals belonging to the diverse Lebanese communities. It indicates that the experiences which Lebanon has been undergoing have played a key role in stabilizing the Lebanese identity and the Lebanese people's affiliation to their country. Accordingly, the questions of identity and belonging were not discussed during the dialogue sessions in Switzerland, since they were considered to have been dealt with and settled.

**Secondly, the issue of identifying and defining the concept of coexistence.** For the adherence to the concept of coexistence not to become a meaningless and void ritual, and within the context of questioning the roots of the recurrent crisis, the issue of identifying and defining the concept of coexistence was raised. This was deemed particularly important since, similar to the National Charter and the Lebanese formula, the concept of coexistence was not originally based on written reference and text. Rather, it was based on a vague collective imagination that perpetuates differences among the Lebanese, preventing them from objectively solving the ensuing problems. The resulting ambiguities and confusion have had a negative impact on the Lebanese political system, and on the general national interest, thus rendering reform almost impossible to achieve, apart from feeding fears and distrust among the various Lebanese parties.

Consequently, the following question was posed: What do we mean by coexistence? In order to dissipate the participants' fears, and not to get entangled in philosophical mazes during the dialogue, the question was posed from the perspective of the parties concerned with coexistence, whether communities or individuals. This is where divergence in the parties' viewpoints emerged, specifically in respect of their relationships with one another, and their relations with the State. This indicated that the key issue was the sectarian structure of the Lebanese political system.

Threats to coexistence pertains to the issue of plurality and the impact of demographic changes, discussed in order to address the fears that plague the Lebanese in this respect. In spite of the fact that some participants in the dialogue stressed the need to overcome sectarianism and support the transition to a state where the main component would be the citizen and not the confession, these participants did understand and appreciate such fears, and the need to discuss concerns as to how to overcome this constraint. It should be noted that during the 1920s, Muslims were attached to the notion of the sectarian state on the grounds that it preserved their gains, while Christians are currently attached to sectarianism for the same purpose. In effect, it may be maintained that roles have been exchanged.

However, this particular issue was not examined in depth during the dialogue. Reaching a solution to the controversial problem between the individual citizen and sectarian groups in their relationship to the State was deemed beyond this dialogue frame and would require a different setting.

**Implementing the principle of coexistence.** The dialogue also focused on the implementation aspect and practice of the coexistence concept, and its link with actual political circumstances. One of the parties to the dialogue raised the issue of the concomitance of coexistence and consociational democracy. Another participant in the dialogue expressed dissatisfaction with this view, and considered that majoritarian democracy can guarantee the state's efficiency and pluralism through elections. Therefore, it was decided to discuss the issue of consensus during a meeting to be held in August 2007.

**Guarantees to coexistence.** Guarantees and obstacles that may hinder achieving the principle of coexistence were the focus of a subsequent discussion. Participants in the dialogue were in agreement that a State based on law and which assumes its functions accordingly provides the guarantee for coexistence. They also agreed that fanaticism, in addition to financial and political/ideological dependency on foreign parties, are the main obstacles against providing such guarantees.

**Solution to this impasse.** While stressing the importance of breaking the illusion of monopoly of power by one community over other communities, and preventing dependency on a foreign power, a solution to this impasse was suggested by participants; namely working on a social contract that takes into account the common values shared by all Lebanese.

## Aspects of Sectarian Pluralism: Views Expressed by Participants

### Coexistence versus radicalism

Some participants in the dialogue, representing different political factions, pointed out perceived positive aspects of sectarian pluralism. One participant considered that consensus over coexistence reconciled the Lebanese, and distinguished Lebanon from the various autocracies that existed in the Region. The participant declared that the final consensus over this formula would help in confronting the tide of radical currents that oppose coexistence in Lebanon, and whose "winds are blowing" in the Arab and Muslim region.

### The coexistence formula and the Taif Accord

Another participant explained the reasons for adhering to the Taif Accord and the Lebanese formula, which includes the absence of an "encouraging positive regional model" (democratic, developmental and independent-liberalist) in the Arab environment. There is therefore a need to adhere to the Lebanese formula, despite its shortcomings and drawbacks. It was also indicated that there were "two illusions" in the history of Lebanese political thought that should be abandoned: the justification cited in support of the privileged position of a certain community, and the coercive, unionist illusion of the Lebanese formula annexed to a bigger regional entity. This is no more possible in the light of current socio-political developments. Adhering to the Lebanese formula was similar to adhering to the Taif Accord. It should be further implemented and weaknesses should be addressed and resolved according to the aforementioned Accord.

## **Disparities between principles and facts in the Constitution**

### **Preamble**

In response to the afore mentioned point, another participant noted that the issue was not opposition to coexistence; rather the problem of the Lebanese was due to the lack of respect for their commitments to the founding “provisions” of the Constitution Preamble, despite their agreement on its spirit. The following examples were cited to support this view: Although abolishing political sectarianism and ensuring balanced development at the cultural and socio-economic levels were two major national objectives, the Lebanese did not strive to achieve them. In this respect, there are daily attempts to consecrate political sectarianism and no comprehensive national developmental project has been drawn up. The disparity between consensus over what was defined as “theoretical verbal concepts” and the “reality on the ground” was stressed. In theory, the pillar of the Lebanese system is based on the principle of separation of powers. However, in practice, there is “a shameful” overlapping between judicial and political authorities. Despite the fact that Lebanon is a parliamentary democratic republic, what is going on in reality proves that the Lebanese system is a semi-parliamentary consociational democracy.

### **Defining coexistence**

Before exploring the causes, reasons and backgrounds of Lebanese sectarianism, it was suggested that there was a need to clarify the definition of the concept of coexistence to dissipate ambiguities at the origin of conflicts. As previously mentioned, the ensuing ambiguity is politically exploited in a way that does not serve the public national interest; rather it inflames fears and mistrust among Lebanese.

The subsequent discussion focused on unveiling the roots of the Lebanese crisis and conflicts which have emerged. The discussion was broadened to cover means and ways to implement the Taif Accord, while attempting to reach a political balance that establishes stability in Lebanon.

## **Coexistence as the opposite of federalism**

A participant pointed out that coexistence was not related to federal options, whether geographic or communal.. Commitment to the Taif Accord and its “implementation” should lead to reform, and not to an “imposition of a balance of terror”, while some political factions were at the same time connected to foreign powers. Rather, the Taif Accord should lead to renewed commitment to coexistence, a fair balance of political power and to the establishment of political stability.

### **Coexistence requires communities to cut any link with influential foreign powers**

One participant pointed out that the dynamism of the coexistence concept should not only be confined to coexistence and power-sharing, but to full partnership and equality. This should be paralleled with the severance of links that illegitimately link certain Lebanese factions with external forces. These type of relations usually have negative impact on power-sharing and the stability of the country.

### **Coexistence among individuals and communities**

The question of what is meant by coexistence, or which parties were committed to it ,was discussed in an attempt to address communal fears and avoid sliding into a confusing philosophical maze during the dialogue. The question whether coexistence is perceived in terms of a sectarian group’s or an individual citizen’s coexistence was not discussed in depth. However, there appeared to be little doubt among participants that finding a solution to the problematic issue between the individual citizen and sectarian groups in their respective relationship to the State was beyond the frame of the dialogue and would therefore necessitate a different framework.



### **Political orientations within sectarian communities and development of the “constitutional concept of the Taif Accord”**

A participant explained the legal aspects of this issue, indicating that some experts on jurisprudence describe the Lebanese personal status system, and the Lebanese system as a whole, as a form of personal federalism. The latter requires that the mediator between citizens and the State be the sectarian communities that refer to and apply their own personal status laws.

The nucleus of the Taif Accord is achieving consensus in respect of moving from a sectarian system to a civil state, i.e. abolishing sectarianism. This transition would change inter-community relations. Implementation of the Taif Accord would pave the way to solving problems that affect the Christians' position and equal power sharing with Muslims. Institutions that overcome political sectarianism, and therefore contribute to overcoming problems, “would immediately emerge after abolishing sectarianism inherent in the personal status law system”.

In spite of the fact that the Taif Accord can provide solutions to the above mentioned problems, the same participant focused on another aspect of this issue, namely the question of representation. The emergence of a number of political intellectual orientations within the same community is believed to require the development of the political system. Should the representation be “a relative representation” for the political blocs and parties, instead of the communities, like the Swiss or other experiences? The answer, according to this participant, necessitates the development of the constitutional concept of the Taif Accord. It also requires establishing the decision-making mechanism to guarantee efficient rule and avoid paralysis of institutions due to differences in explaining the Constitution and lack of “tools to solve conflicts”.

### **Coexistence on the ground**

Problems emerged when a more in-depth discussion of concepts that could overthrow the agreements reached by various parties was initiated, specifically when the dialogue covered the issue of “implementation and executive aspects” of the Taif Accord, as well as ways to establish the basis of coexistence. The dialogue between participants shifted to the political circumstances during this period in time. One of the participants suggested the idea of concomitance between coexistence and consociational democracy, but which was unacceptable to other participants who believe consociational democracy guarantees the efficient work of the state and preserves pluralism through elections.

### **Factors regarding overthrowing the formula**

One participant defended the opinion that the attitude of the government, which had continued working after the withdrawal of representatives of a major religious community, contradicts coexistence. Remaining in office under these circumstances was perceived to be similar to “committing suicide”, especially when other factors that deepened divisions among Lebanese were on the “verge of blowing away the coexistence formula”. Foremost among these divisions was the “earthquake” that shook Lebanon after the assassination of President Rafic Hariri and the ensuing series of assassinations, along with their negative repercussions. This participant warned that the opposition party, just like the ruling party, represented different political orientations, currents and sectarian communities and that demands of the opposition “were not sectarian but national.” It was also maintained that the resignation of the opposition from the government was political, “although most of the ministers who resigned belonged to the Shi’ite community.” Moreover the participant accused the pro-government media of alleging that the reasons of withdrawal from the government were sectarian in order to weaken the opposition party, and to show that the Shi’ite community was opposed to the (international) court.

This participant also warned against “the lack of trust among the Lebanese that will stand in the way of solutions,” adding that “the continuation of the crisis in the medium and long terms will have negative repercussions that can “complicate the requested solution”. This meant that, in the medium term, the condition of the state institutions was deteriorating while the country is suffering from economic collapse, massive emigration and political unrest.

### **Linking verbal support and effective commitment or “the implementation”**

One participant believed that consociational democracy was a bridge that “turned the principle of political and theoretical coexistence into reality” at a time of crisis in Lebanon, following the resignation of the Shi’ite ministers from the government. During this crisis, two different opinions emerged; one was based on the constitutional provisions that regulate the work of the government and determine cases under which it should stop working while the second opinion was based on clause “J” stipulating that “there shall be no constitutional legitimacy for any authority which contradicts the pact of communal coexistence.” The Lebanese, according to this participant, did not disagree over the coexistence principle, but over “its application”. The way to reach a solution was to adopt consociational democracy “until political sectarianism is abolished”. The participant also believed that there were common denominators between the Swiss federal system and consociational democracy which is a prerequisite for political stability in Lebanon.

### **Consociational democracy and sovereignty of the state**

One of the participants maintained that coexistence and consociational democracy did not differ in essence and that the latter did not contradict the sovereignty of the state. It was suggested reforming the electoral law to guarantee the fair representation of all Lebanese citizens, to inform them of their duties and rights, and to encourage people to hold their representatives accountable was a requirement. The major sectarian communities are called upon to reassure the Christian

community regarding its destiny through commitment to the Lebanese formula and the principle of coexistence as well as respecting and preserving their rights.

### **Consociational democracy and the federal state**

In response to participants who considered the continuation of the work of the government after the withdrawal of the opposition as contradictory to coexistence, one participant explained that what the legislator meant in the constitutional clause is that “there shall be no constitutional legitimacy for any authority which contradicts the pact of communal coexistence.” This is meant to prevent a party - the President of the Republic or the Prime Minister for instance - from monopolizing power and forming a government that violates the principles of coexistence. The Lebanese system has provided the basis for the fundamental consociational principles in order to prevent its transformation into a federation of communities. The Constitution imposed the concept of unanimous approval or voting over projects, and gave no community a veto right. Such a right establishes a federal state, when a community goes against the national consensus. The Lebanese agreed unanimously on the resistance and the liberation of the South, but following liberation, “no one has the right to wage war on their own.”

### **Neglecting to refer to the constitution**

One of the participants wondered whether the withdrawal of a community from the government violated coexistence and whether the “paralysis” of the government was due to the withdrawal of one community by virtue of consociational democracy. While some of the discussion attempted to answer this question, it still needed to be further discussed as part of the principles of the Lebanese socio-political system. The interpretation of law was part of the problems faced by the Lebanese who “neglected to refer to the Constitution”. Consequently, the “street became the arbitrator”.

### **Coexistence guarantees**

Participants differed on the issue of guarantees and threats. Some participants considered that the rule of law is the best protector of coexistence, while others believed that the Resistance would defend this formula. Other participants mentioned the role of the civil state in preserving coexistence. Overall they agreed with the view that extremism and religious fanaticism were the main obstacles to coexistence, as are doctrinal, financial and political dependency on foreign powers.

### **The Resistance as formula defender?**

One of the participants considered that Lebanon has based its existence and identity on coexistence and consensus among its different sectarian communities and that “this wording was not just an emotional issue”. In every national crisis, the Lebanese people resorted to the Resistance to get out of trouble and prevent the collapse of the state, as was the case during the July 2006 war. As a result, it was proven that the strength of Lebanon resided in its very weakness. The “strength of Lebanon was in its Resistance and the latter “was not a substitute to the formula, but its garrison.”

### **Religious extremism would undermine the formula**

Another participant called for the preservation of the coexistence formula against the religious extremism that undermines it, since the implementation of the Taif Accord was supposed to pave the way for abolition of political sectarianism. The conflict over quotas in administration jobs and electoral laws has aggravated sectarian and confessional tensions. There is anxiety towards the abolition of political confessionalism and the fears this raised, and a call for the “creation of a committee that would set abolition of sectarianism on the right path and spread a new culture contributing to its demise”. The participant also expressed the view that moderate Sunni and Shi’ite Muslims “must assume responsibility for assisting in abolishing sectarianism by restraining the extremist voices within the Muslim bloc”. This can reassure other political communities and lay the basis for establishing mutual trust

among the Lebanese, based on partnership and national solidarity.

### **Abolishment of political sectarianism, respect of the rights and recognition of minorities’ fears**

Dealing with the issue of demographic changes and their impact on the political landscape, some of the participants stressed the need to overcome sectarianism, and move on to a state based on common citizenship, they nevertheless did not underestimate the concerns of others. However, it was also emphasized that the

Keeping the significance of the demographic transformation in Lebanon in mind, a participant noted that the Lebanese formula can counter fundamentalist schemes, and suggested ways to protect minorities during the current crisis. This participant explained that some Muslims are turning towards fundamentalism and thus a formula was required to abolish political sectarianism while protecting the rights of others. Some Shi’ite and Sunni Muslims in Lebanon are said to be inclined towards fundamentalism. In Beirut, some Muslims declined to vote for Christian candidates in municipal elections, which in effect meant that the refusal of some Christians to abolish political sectarianism is legitimate. The role of the Christians is a main characteristic of Lebanon. Given the pace and extent of demographic transformations, this participant maintained that Lebanon was “about to become an Islamic state even before the abolishment of political sectarianism”. That is the reason why Christians feel marginalized. The Lebanese elite should reach a viable formula for abolishing sectarianism while avoiding introducing laws and measures that might disturb the political balance that exists in the country. For instance, reducing the voting age to 18, is a project that is strongly opposed by Christian politicians, since it gives Muslim voters a numerical advantage over the Christian voters”.

### **The inclusive civil state**

In the same context, it seemed that the concerns revolving around Lebanon’s history of conflict were very much alive in the

interventions of some participants. One participant highlighted the importance of drawing lessons from the past, explaining that all parties, without exception, have tried to undermine and overthrow coexistence and that more than one sectarian community has attempted to monopolize power in Lebanon. The Lebanese have paid a high price because of the sectarian communities' projects, including the projects of the Islamic state and the Christian nation - state. Laying the foundations of a civil, unified inclusive state is a guarantee for coexistence. This participant warned that coexistence and the Charter were indivisible at a specific political moment in time, concluding that participation in state-building, rather than establishment of protected security zones, will protect this formula.

**Means to overcome the crisis: Rejection of hegemony by a sectarian community over others, and of coercive dependency on another entity**

Based on the above points raised during the dialogue, the question remained as to how to find a way out of the dilemma, at a time of growing disparity between the Lebanese people's commitment to the principle of coexistence and the reality on the ground. Participants discussed ways to break the political impasse and put forward the idea of working on a social contract that would take into consideration the common values shared by all Lebanese. One participant combined the discussion of the social contract with Lebanese values and coexistence, maintaining that they are linked. What needs to be examined is how to develop the social contract and establish common values among different Lebanese groups. This participant did not agree with the proposal of creating a federal union in Lebanon.

A participant raised the issue of "turning the page" on two "dangerous illusions". Firstly, the "hegemony of a sectarian community over the others", and secondly, "coercive dependency on another entity". The participant maintained that Shi'ites should not use their growing demographic size to monopolize others, while Maronites should not feel superior because of their historical legacy. Sunnites

should not derive their strength from the Arab geo-strategic environment.

The participant was of the view that the correct solution was one that would preserve the formula within a just state and that the fragmentation of Lebanon and the permanent settlement of Palestinians in Lebanon violated both the Constitution and the Taif Accord. According to clause "1" of the Constitution, "the Lebanese territory is one for all Lebanese. Every Lebanese has the right to live in any part of it and to enjoy the sovereignty of law wherever he or she resides. There is no segregation of the people on the basis of any type of belonging, and no fragmentation, partition, or colonization."

Turning to the issue of national defense, the same participant added that the slogan of the "fair and sovereign state" is raised, which means understanding the legal and political meaning of sovereignty and the monopoly of the state over its weapons. But what if the state came to abandon its fundamental duties, as has been the case in Lebanese political history? Should the Lebanese support the "theoretical academic definition "no matter what it takes?" The sovereign state is the one capable of defending its people. In the past, the state was described as the "capable warden", which guarded the country's borders and provided security. Nowadays, the Lebanese state is incapable of protecting its lands and exercise its sovereignty which "may not be a cause of concern in some milieus."

**Conviviality: Partnership within a country and a state: a critical perspective**

Discussions and debates between participants over the coexistence issue were intense and even at times acrimonious due to a number of considerations; the most important of which centered on the conflict at that time about the definition, the mechanisms of implementation and the solution for the crisis. It was a debate that failed to reach a solution, despite the fact that the parties to the conflict in Lebanon had mobilized many constitutional experts to defend their ideas and legitimize their steps; especially given that within the country there were

people who considered the work of the government to be legitimate.

It was nevertheless striking that participants in the dialogue were all supportive of a consensual viewpoint, largely reflected in their adherence to the idea that coexistence should be regarded as necessary and indispensable, and their attachment to the requirements of coexistence, as well as to the definitiveness of the Lebanese entity.

For some participants, coexistence is about more than just participation. Rather, it is about participation and “acknowledgement of the other as a full-fledged partner”, which in turn required equality and overcoming “the game of numbers”. For other participants, coexistence has meant adherence to the consociational formula and to the Taif Accord as a frame to develop the political system.

Moreover, some participants considered that the issue of coexistence should exist among the groups that constitute Lebanese society. Practical implementation of the Taif Accord should be set in view of “reforming” and not “power balancing”, in addition to considering the substance of coexistence among Muslims and Christians “as axioms”.

There were also participants who described coexistence as a “scientific and non-emotional formula that the Lebanese will always need”, stressing that such a formula was a “deep-rooted conviction”. The need for such a formula (i.e. coexistence) was apparent whenever a crisis hit the country and in order to survive troubles. In effect this formula is deemed to be one of Lebanon’s “strength factors”.

Other participants indicated they had “proof” that the Lebanese were adhering to coexistence because a “tradition of common life among Lebanese has been established”.

### **The fears**

It also emerged that participants tended to glorify and overestimate the coexistence formula, considering it as symbol of the uniqueness of the country and an element of strength

and dynamism in the regional context. At the same time, the discussion on this issue highlighted the fears of each group participating in the dialogue, who tended to present a list of the nature of latent disparities and conflicts. Each participant listed his/her own beliefs and fears regarding the issue of numerical minority and majority, along with the subject of consociational democracy that should be implemented or opposed, and the issue of disparity over the implementation of the Taif Accord. In this context, participants mentioned Christians’ fears regarding decrease in their numbers and demographic increase of other sectarian communities, as well as fears surrounding guarantees to safeguard equality between Christians and Muslims as stipulated by the Taif Accord.

It was noted that, on the one hand, there was adherence to consociational democracy as “a guarantee to all”, so that no one party can “tyrannize the other”. On the other hand, there were those who supported the principle of majority rule and a minority in opposition. Consociational democracy was perceived as a “recipe” to paralyze political institutions and block any government activity.

These fears were grounded in the belief that the Taif Accord, the basis of which is the Constitution and rule since the end of the civil war in 1990, is lacking clear and evident constitutional mechanisms to solve problems and, therefore, is lacking the power of decision that exists in states and systems similar to that found in Lebanon.

Based on the above, the discussion among participants over the issue of coexistence reflected contradictory visions and few common points. Indeed, this appeared to be more or less the case from the outset when the dialogue was embarked upon. Yet, some participants were not reticent about raising a major question, namely how preservation of coexistence could be translated into action. The problem, as perceived by one participant, concerned the fact that the importance of coexistence was linked to the “organization of our life and not as a means to reach power” and how to “preserve this formula”. It was perhaps to be expected that the intense discussion

over this formula revealed key concerns among some of the Christian participants in the dialogue, regarding the question: Could the Lebanese system be fixed by adopting sectarian representation? or is a politically-based confessional diversity emerging, requiring the development of the political system accordingly; keeping in mind that the constitutional regime of the Taif Accord “did not mention the ordinary representation of communities”.

It was also to be expected that the position of these particular participants tended to be focused on questions that sought to explore the orientation of other sectarian communities regarding future representation and participation, the abolition of political sectarianism and the creation of a special committee, as well as on the ever present “issue of Christians’ fear of losing their privileges if the guarantees offered by the sectarian system regarding their positions within ministries, official administrations and parliament were to be abolished, independently of numbers.

It should also be noted that since the Muslim participants in the dialogue expressed their fears regarding the evolution of Islamic fundamentalism that raised the issue of a Muslim state, they did not object to dealing with the establishment of a modern civil state “that would not detract from the rights of Christians.”

One of the participant highlighted another point related to coexistence, listed under the topic “adhering to consociational democracy as a basis for the coexistence formula”. In this context, the participant raised the issue of the resignation of the Shi’ite ministers from President Fouad Siniora’s government as follows:

Firstly, the resignation was viewed as a reaction to the “abandonment of the other party in government of the imperatives of coexistence and the disregard of the opinions and positions of others”, as well as the abandonment of the decision-making process in spite of the objection of the opposition.

Secondly, coexistence and consociational democracy do not differ in substance; there is no contradiction between

consociational democracy and the sovereignty of the State. On the contrary, these concepts are complementary to one another.

In the context of the dialogues, participants also argued that building a civil state is an essential guarantee of coexistence. One participant chose to discuss this by hinting at the failure of all attempts to undermine the coexistence formula, such as the call for the establishment of an Islamic state or a Christian nation-state, “forgetting that these projects have made the Lebanese pay a high price”.

One participant was of the view that to build an inclusive state which preserves coexistence, each party has to refrain from invoking the constitutional principles that suit its own political stance and interests, “since the idea of coexistence and constitutionalism cannot be separated”. This participant went on to criticize the shortcomings and weaknesses of the coexistence experience in the post-Taif Accord phase, pointing out that discussing quotas in appointments, employment and elections has led to all forms of tension.

Though the same participant seemed to be reticent towards the abolition of political sectarianism, sharing the same fears of the Christians in this respect, there was nevertheless the call for all Lebanese to adopt a “new culture” that would pave the way to abolishing political sectarianism. The participant called on moderate Sunnites and Shi’ites in particular to play a leading role in this respect and to control extremist voices within the Muslim communities.

Another participant pointed out that there were other fears and other types of “conditions” and concepts that prevent the transformation of the system into a federation of confessions; specifically due to the rejection of consociational democracy and the withdrawal of the Shi’ite ministers. This meant that the government at that time was not perceived to be legitimate.

The same participant offered an interpretation of the previously mentioned clause “J” of the Constitution Preamble, admitting that the Taif Accord, which is a “national charter of coexistence”, has

regulated a compromise among the Lebanese and confirmed the understanding over a balanced distribution of powers. However, during the phase of implementation, numerous clauses were neglected. The general framework was applied in a way that differed greatly from the vision of the legislators, which was based on internal understanding, peaceful development of civil institutions, the spirit of coexistence and the rejection of the use of power and violence.

This criticism against the implementation of the Taif Accord was shared by another participant who pointed out the daily attempts to consecrate political sectarianism in the country and the absence of a comprehensive national project to ensure a balanced development of the Lebanese regions. It was also perceived to be “shameful” how the judiciary and political powers overlap.

The same participant also raised an issue related to coexistence. Though coexistence was supported in principle, the question was how to implement this concept in the political arena in Lebanon and thus “abide by it effectively”. There was also the question regarding the formula applied to the “theoretical political principle”. For this particular participant, the answer to all these questions was “consociational democracy”, since it meant applying the equation for coexistence. Specifically:

- the model of consociational democracy should be upheld, as long as abolition of political sectarianism has not been achieved;
- consociationalism is also the base for political stability in Lebanon.

For this participant, the above mentioned points constituted “the applied equation of coexistence”, since “the illusion of returning back to the logic of the privileged community” was no longer useful in Lebanon. At the same time, Shi’ites should not consider “their demographic growth” as a bridge “to practice hegemony,” and the Sunnites “should not derive power from their Arab geo-strategic environment.”

These are “two lethal illusions”, – that are “contradictory to coexistence”, and that should be completely abandoned.

Another participant made an intervention which highlighted three basic suggestions:

- Expanding the Lebanese internal framework through the promotion of the executive branch of government, constitutional references and the value of the Republic.
- Preserving civil peace, pointing out the “negative connotations of the opposition’s occupation of Downtown” which has been described as a “regional demarcation line instead of the confrontation lines of the civil war between 1975-1990”. The Downtown occupation and the regional line drawn was also perceived as a pointer of the extent of the Lebanese politicians’ autonomy and their efficiency in achieving a negotiated compromise.”
- Working on providing the minimum for achieving a limited, circumstantial, restricted and disciplined compromise without major negative repercussions for the “nature of the Lebanese entity and the rules of its parliamentary system”.

### **Coexistence: Summary and Conclusions**

The following conclusions can be gleaned from the discussions of the participants during the dialogue:

- Overall, participants upheld the idea of coexistence, regarding it as an existential formula for Lebanon and as a characteristic that distinguishes it from many other countries of the world.
- This attitude is however paralleled by historical fears, anxieties and pessimism of all Lebanese groups due to inherited internal tensions.
- The main disparity among the participants was over the issue of implementing the principles of coexistence and on the guarantees that should be given to consolidate it as a deterrent against the outbreak of conflicts and civil tensions.

Specifically, although all participants agreed on the



importance of the Taif Accord as a document that regulates coexistence, there remained disparities over the means of its implementation.

Echoing the ongoing national debate in Lebanon, a number of participants pointed out that there is an essential fear among Christians because of the growth of Islamic fundamentalism and about how to preserve “the equal shares and the non-hegemony of the Muslim majority”. This was the reason they were attached to the idea of a civil state. Among Sunnis the focus was the issue of the rule of the majority and the minority opposition and on a certain interpretation of the Constitution Preamble with regards to clause “J”. In fact, it is considered that this clause has been inserted “to put an end to any attempt” to take exclusive possession of power - the legislators did not want to enable the federalism of communities.

To sum up, the value of coexistence might have been overestimated and glorified, but the conflict remained over its application. It was clear that the political crisis in Lebanon at the time affected the dialogue and the ensuing discussions, more or less preventing any serious search for consensus and creative development of the application of the concept of coexistence.

## The Taif Accord Axis

### Taif Accord as a Constitutional Solution to the Civil War : Position of Participants

#### Points of Agreement

##### *Need for implementation of all Taif Accord clauses*

Participants agreed that, so far, there were important clauses in the Accord that were not implemented. Redressing this situation means the rehabilitation of the political structure, starting from the promulgation of an electoral law that guaranteed fair representation. It also means the formation of a national commission to study and proposing the abolition of political sectarianism.

However, a serious question remained regarding the wish of the various political factions to abolish sectarianism. This raises the question: Is it in their interest at this specific time to abolish sectarianism, particularly since some sectarian communities express reservations in respect of its abolishment and consider it to be against the interests of sectarian minorities in Lebanon?

The need to refer to the Constitution with regard to all issues of conflict was also raised. Among these issues, participants referred to conflicts and disagreements within the ruling institutions. The role of the Constitutional Council (CC) as an arbiter that contributes to the solution of these controversial problems was accentuated. Participants suggested that, to this end, the prerogatives of the CC should be expanded. It should be able to hold the President accountable, be more active in upholding the principle of separation of powers and in solving the troubled relationship among the President of the Republic, the Parliament and the Council of Ministers. Coping with this last conflict was seen as an important step because it has been the source of crises since 1993.

Some participants raised the importance of defining mechanisms to implement Article 65 of the Constitution in a clear and

precise way, in order to represent sectarian communities in a just manner.

Accountability, as stipulated by the Taif Accord, is the cornerstone for addressing the situation. However, the fundamental question is whether accountability under the troika system or the consensus among parties is achievable without the separation of powers, which constitute the bases of accountability,

### ***Need to reform the judiciary***

The judiciary was perceived to have faced great difficulties during the days of Syrian control and political interference which continued after the Syrian withdrawal from Lebanon in 2005. Thus, the autonomy of the judiciary system tended to just remain a slogan. There was a consensus among participants in the dialogue regarding the need to reform the judiciary and to find a new modern law that “frees the Public Prosecution from submission to any authority and consolidates the power of the judiciary. This fact was considered to be indisputable if the will to establish the rule of law exists.

### ***Need to implement a policy of balanced development***

The promises to achieve a balanced development were not honored since the approval of the Taif Constitution was hindered under many pretexts. The most serious promises were the implementation of decentralization in the light of regional and sectarian divisions, and the re-examination of administrative divisions as well as the development of objective mechanisms to make appropriate decisions.

What is noteworthy is that differences in opinions regarding the Taif Accord are based on various interpretations of the Taif Constitution. For instance, there was intensive debate among the participants regarding the nature of the political regime in Lebanon, i.e. whether it is majoritarian, consociational or hybrid democracy.

## **Points of Disagreement**

### ***Role of the Parliament***

Some participants consider that the Parliament did not play its due role and has failed to hold ministers accountable, because it was dominated by the majority. Others attributed the failure of the Parliament to the performance of its Speaker who took the decision to suspend parliamentary activities throughout the political crisis.

These observations can be put within the framework of political disagreements that prevailed from 2005 until 2008. Conflicts among political rivals and the closure of the House of Representatives have been the direct cause for disputes over limitations on the power and prerogatives of the Speaker versus those of the Cabinet.

### ***Role of the government***

There were two points of disagreements with regard to the role of the government, both of which were related to the general political crisis which the country went through at the time of the dialogue.

First, the function of the government: A number of participants maintained that the government should not be a place for dialogue because the Constitution does not stipulate this. Consensus and dialogue should occur within the House of Senates according to the Taif Accord, and temporarily in the House of Representatives, pending the formation of the House of Senates, in an attempt to rectify the distribution of powers.

Other participants referred to Article 65 of the Constitution which defines the prerogatives of the government and provides it with the right and even the obligation to discuss major issues and policies before coming to a final decision on the best way of implementing them.

Second, the composition of the government: A number of participants expressed the opinion that the continuity of the work of the government, after the withdrawal of representatives of a whole confessional group, deprives the government from

its legitimacy by virtue of the Taif Accord, and accordingly under these conditions the government should be re-formed.

By contrast, other participants believed that the withdrawal of the representatives of a confessional group from the government was a decision to deter achieving consensus, since it may have led the country to a system of federation of communities and this contradicts the Taif Accord.

The observations over the TA and the necessity of reform illustrate the need to agree on a common interpretation of constitutional principles and basic laws in force among all Lebanese parties and factions, in order to move forward and introduce the urgently required reforms

The government crisis in Lebanon and the problems that occur from time to time require an in-depth study of the nature and composition of the Constitution and its capacity to answer all the questions raised, as well as provide alternatives and proposals that will put an end to the problems that the country faces. The interpretation of the Taif Accord is at the top of the list of internal problems leading to conflict, particularly since it raises the question of the distribution of the communities' quotas and the limits of their respective powers. This explains the confusion and disagreement in the interpretation of the content of some articles of the Constitution, notably those pertinent to consociational democracy and its clarifications. Consociational democracy protects the country from monopoly, but at the same time, it can undermine the essence of democracy.

### **The Taif Accord: A Critical Perspective**

All the participants in the dialogue declared their commitment to the Taif Accord which put an end to a civil war of more than 15 years, and thus consider it as an indispensable "referential document". However, there were some differences among participants regarding specific points essentially reflecting four main tendencies: The first tendency was common among the majority of Christian participants; the second characterized

the attitude of the majority of Shi'ite participants; the third was expressed by the majority of Sunni participants; while the fourth represented the mainstream among the Druze community. None of these groupings was in a position to claim that they represent a certain Lebanese religious group, though they were capable of delineating and analyzing the concerns, the needs and the aspirations of various Lebanese communities.

The first tendency or grouping focused on the following points:

- The risks of reducing the prerogatives of the President of the Republic, such as his right to convene the Council of Ministers.

- The incorrect implementation of the Taif Accord under the Syrian mandate; thus, some clauses that serve the best interest of Syria and its allies were chosen, while others were neglected.

In explaining the position of this grouping, one of the participants highlighted the following points:

- Reaching a thorough and practical implementation of the Taif Accord aims at reforming rather than consecrating the existing domestic balance of power.

- Numerous clauses of the Accord were not implemented in the past, such as the decentralization process, in spite of being a fundamental reform issue.

- The importance of amendment of the President of the Republic's prerogatives, as a means of redressing the imbalance among the various branches of government and among different Lebanese communities.

Another participant widened the discussion to include the issue of the presidential prerogatives by referring to the disputes that involved the Presidency and the lack of a constitutional agency of arbitration entitled to settle these disputes. The participant indicated that in the past, solutions used to come from Damascus. After the Syrian withdrawal, Lebanon was

supposed to have a constitutional council that could have acted as arbitrator ; however, since its inception, its prerogatives were taken away and issues were dealt with through agreement and compromise. The participant referred to “the conditions of establishing the civil state”, which were included in the main articles of the Taif Accord but have been manipulated and ignored since 1992, which has prevented the promotion of the effective role of institutions.

This policy was applied to the following articles and amendments: the electoral law, specifically the clause dealing with administrative decentralization; the clause regarding abolishment of political sectarianism which stipulated arrangements that have not been applied, such as the establishment of a House of Senate and the national commission for the abolishment of sectarianism; the clauses that are pertinent to prerogatives of the Constitutional Council; laws that are pertinent to the autonomy of the judicial power; the pending issue of the Lebanese political system; laws that deal with the prerogatives of ministers, and that define and regulate the relationship between the legislative and the executive powers.

After enumerating these points, the participant also discussed a point in connection with “reviewing Taif to improve the communities’ positions,” while questioning whether the Shi’ite community was really seeking “a tripartite coalition or equal sharing” , and whether the Christians were seeking, via the interpretation and development of the Accord, to restore the prerogatives that were taken away from the Presidency.

The participant went into further details in defining the role of the Parliament and its characteristics, as well as the pertinent electoral law and the House of Senate, considering that the Parliament did not play its role in the national dialogue from the time of the Taif Accord until the present (i.e. the time when the dialogue took place).

Following a lengthy “legal” discussion, the participant concluded with the following points: How can abolishment of political

sectarianism and the creation of a pertinent commission be achieved, since political sectarianism has a “constitutional value”? What about the Christian position, i.e. their fears that their privileges would be abolished along with the abolishment of sectarianism, which implies that the establishment of the civil state should not derogate from the Christians’ rights?

Another participant maintained that “judicial reference”, was one of the convenient conditions to “a balanced and acceptable settlement, leaving no winners and no losers.” According to this participant, there are two political schemes in Lebanon after “the earthquake of the 14th of February 2005.” The first scheme is illustrated by “the political resistance to defend procedural rules related to the resignation of governments, continuity of parliamentary life, and adherence to obligations and dates that were the source of the arbitrators’ legitimacy.” The second scheme refers to boycotting the governmental activity by the President of the Republic and by the deputies in the Parliament; public threats to the existing government; generalizing theories about the “blocking third” rule while in reality the term “disabling did not exist in any judicial system in the world.”

The same participant also referred to “the psychological and cultural predisposition to compromise,” indicating that it was one of the vital political conditions to reach compromises, while pointing out “that there were no available acceptable and logical means of compromise in Lebanon at this point in time.”

The participant furthermore noted that “the Lebanese people played extreme tricks to reach compromises, to the extent of bargaining over essential matters and often at the expense of independence and sovereignty”. Moreover, “under the existing circumstances, the Lebanese are driven to compromise just like what happened during the Cairo Agreement in 1969, so that the compromise would lead to tyranny coming back on a large scale via subordinates after having ended militarily across borders”.

The second tendency or grouping focused on the need to fulfill the following reforms that were included in Taif Accord:

- Abolishing political sectarianism, which was the core idea of the Taif Accord.
- Adopting a fair electoral system.
- Implementation of socio-economic and culturally balanced development plans across the Lebanese regions.
- Drafting a final agreement over the form of government and its role, on conditions of forming national unity governments, and consequently acknowledging “the blocking third” rule which should be consecrated as part of the Accord.

One of the participants underlined the commitment of the Shi’ite community to Taif, indicating that this community was building new political alliances based upon this Accord. The participant suggested that the conflict was not sectarian but political, and that the crisis was due to the failure of the full implementation of the Accord. The same participant concluded that “our system is a consociational democratic system based on agreement among communities, but this has not yet been achieved.” Accordingly, the problem was how to implement Taif, and pointing out its misapplication in the past. Discussing the issue of the responsibility for the misapplication of the Taif Accord, the participant called upon the Lebanese to assume their responsibilities in this respect, noting that “they were accustomed to throwing the ball into the court of other parties”. However, the participant also emphasized that it was up to the government to fully apply the Taif Accord. Moreover, the full implementation of the Accord entailed bringing the policy of exclusion to an end, and forming a government in accordance with the principles of Taif.

Another participant maintained that no Lebanese or political party or faction can aspire to replace the Taif Accord with a new charter. The Shi’ite did not want to modify the political system to get a greater share.

Hence, this participant stressed that the key issue consisted of studying the weaknesses and failures of the Taif Accord to solve Lebanon’s problems in order to fully develop the political system. The clauses that were not implemented or developed were listed; such as adoption of a fair electoral system that would provide a valid representation, by which this participant revealed a preference for the proportional electoral system, while expressing willingness to study other formula. The same participant also emphasized that the national commission to abolish political sectarianism and reform the judiciary through a new modern system should be initiated. As for the sovereignty of the Lebanese state, the participant maintained “that this issue should be examined and its system should be studied at the policy level.”

Moreover, this participant pointed to the impression that the Christians were not in favour of implementing the unimplemented clauses of the Taif Accord, “as if the Christians disapproved of the creation of the committee for the abolishment of political sectarianism”. This meant that Christians were required to provide clarification over this issue.

In addition, this participant listed a number of questions about what the various communities really wanted from the Taif Accord. Specifically, how do communities evaluate the Accord? Are they satisfied with it? Is it true that the Accord did not stipulate a coalition government? Did Taif take into account the communities’ representation independently from political representation? The participant reiterated the call for the abolishment of political sectarianism and initiating the formation of the required commission. Abolishment of sectarianism was a national objective and there was a determination to achieve this. Though the participant also admitted that the subject was complex and there continued to be concern over the pertinent issues. As the participant put it, “we have a permanent demand to abolish political sectarianism and find a non-sectarian political system based on the principle of citizenship and equality among citizens.” However, discussion on the form of the political system after the abolishment of political sectarianism

was deemed premature. As the participant concluded, “until political sectarianism is abolished, we should consecrate political consensus and consociational democracy.”

The same participant went on to address the issue of “the future of the weapons held by Hizbollah, stressing their purpose of defense, though also pointing out that “these weapons should not be employed in regional projects and conflicts, but in favor of the Lebanese national interest”.

Following a discussion over constitutional texts, customary law and practices, this participant also concluded that:

Consociational democracy existed in the Constitution, in accordance with customary rules and practices.

The question was how to maintain and consolidate democracy, in the absence of the great historical decision on “the abolishment of political sectarianism”.

“The blocking third” in governments belonged to the opposition and was a consecration of consensus.

Another participant noted that four or five leaders at most have control over the Parliament, after the increase of the number of deputies in order to expand the representation of all social categories and transfer conflicts from the street to the Parliament “to defuse tension”. This reality made the deputy or deputies in blocs “blind and deaf”, and “not feeling any need to participate in developing and enacting legislation”.

This participant also stressed the need to reform the electoral law “to become permanent and stable and not to reflect the balance of political powers between the Lebanese factions at a certain time in history”. It was also stated that the proportional system “may be the most fitting”; “there was an interest in experimenting with this system, following a simulation to know its limits, though there as the risk that this may lead us to a new civil war, since proportionality might be an adventure”. In conclusion, it was maintained that “when talking about the Parliament, no one should take things personally or from a sectarian angle; we are all concerned about the Parliament and

we had no idea about what was going on within the Cabinet because it was closed and there was no transparency in the country. We need a radical reform in the administration of the Council and the institutions. So if we criticize a certain status quo, this does not mean that we are criticizing any community.”

The third tendency or grouping also indicated a particular commitment to the Taif Accord. Some participants expressed skepticism regarding the views of others towards the Accord, indicating their apprehension regarding “a latent desire to disengage from some of the Accord’s obligations”. It was also stressed that the Constitution inspired by Taif did not settle the issue of the “coalition” governments, but defined rules to maintain the proportional representation of each community in a fair manner.

A participant pointed out that the Taif Accord was not “sacred, but needed to be reviewed in the light of new developments to solve deep problems,” indicating that the two parties to the Lebanese 1943 National Pact (including the Christians who abandoned the idea of Western protection, and Muslims who gave up the demand of unity with Syria) called for the transition from consociational democracy to the majority system.

Another participant stressed the importance of promulgating a new electoral law combining the majority and proportional systems by virtue of the Taif Accord (i.e. a composite system) to be tested and “judged upon results”, mentioning the experience of the independent committee that was previously formed for the purpose of supervising the elections.

One participant again raised the issue of formation and shape of the government, and the basis for forming a national unity government, concluding that “governments are not a forum for dialogue”, and the actual national (consociational) government was “crippling the state”. This participant reiterated the view that the composite electoral law (proportional-majority) will permit ruling on the basis of results.

The issue of the link between Taif and the weapons of Hezbollah, particularly after the Israeli withdrawal from the South in 2000 was raised by one participant who concluded that “we have to decide whether Lebanon should remain a confrontation state and struggle to liberate Palestine, or choose the truce formula because the country cannot afford to pay the price on behalf of the Arabs and Muslims”.

The same participant praised the “virtues” and achievements of the Taif Accord has :

- Established a settlement system among the Lebanese.
- Confirmed the understanding among Lebanese over the issue of power-sharing.
- Introduced many reforms in the political sphere.

Based on the above, this participant indicated that the problem lay in neglecting many clauses in the Accord, in addition to misinterpretation and erroneous application of some clauses; for example, the clause pertaining to the electoral law after the assassination of President Rene Mouawad (1989). The participant affirmed that the Taif Constitution did not settle the issue of coalitions within the government, but “set rules that maintain the political representation of each community fairly within the government.”

As for the formation of the government under the Taif Accord, the same participant maintained:

- The representation of all political parties and communities was not a rule stipulated by the Accord, though it was preferable for all major political parties to be represented within the government.
- If the government does not comprise all the major groups and factions, this will not render it unconstitutional (an example being non-representation of the “National Movement” in the first Siniora Cabinet).

- The Lebanese system is based on both the majoritarian and consociational principles and is at the same time a parliamentary and coalition system.

This participant also took issue with the concerns of communities regarding the Accord, confirming that:

- The President of the Republic is not an employee under the Sunnite community, in fact not an employee at all.
- The logic of predominance of a certain community is an illusion; historical experience indicates that sometimes communities had “hidden objectives” and tried to take advantage of changing circumstances to increase their quota in government.
- Lebanon was founded on the basis of coalition and cooperation among its communities.

As for the fourth tendency or grouping: A participant raised the issue of “completing the process of the full implementation of the Taif Accord”. There is the fear that the communities would outweigh the state due to existing circumstances as a result of the relationship between sectarian communities and “some foreign forces”.

This participant also raised the following question: “Can the applications of the Taif Accord be part of political settlement?” There is also the concerns of the Druze community to be taken into account, given that they are demographically the smallest community, which raises the following questions: Are the Shi’ite today content with the quota given to them by virtue of the Taif Accord? Do the Christians and Maronites accept the role and stance granted to the President of the Republic? And are the Sunnites convinced that the Presidency is an autonomous authority or is it a Presidency annexed to them?



Another participant, revealing awareness of the concerns and the interests of proponents of this fourth grouping, focused on outlining four clauses in the Taif Accord, implementation of which has been neglected:

- Decentralization that was meant “to limit the ambitions of communities and promote the state’s role”.
- Introducing a new electoral law that can generate new powers. In contrast with this law, the current quota system has created gaps among the communities, and has strengthened large, powerful communities and further marginalized small communities.
- Dissolution of Parliament and calling the government to account, whereby that “the Parliament was not calling the Cabinet to account and has never tried to take this step”.
- The development of the decision making process.

### Findings and conclusions

The debate over the Taif Accord confirmed a consensus over one specific point: namely that all the participants were committed to the Accord; and they deny any desire to be detached from it, or overturn it, or disengage from its obligations. However, it seemed clear from the discussions that participants representing the second grouping were “bolder” in calling for the development of the Accord, while participants belonging to the third grouping seemed more reserved in discussing this issue, though on the other hand they did not express any strong opposition.

As for participants belonging to the first tendency, they openly expressed their fears that the development of the Accord or the implementation of its remaining clauses would lead to the loss of “the privileges and guarantees that the Christians in power enjoy.” Moreover, they indicated the belief that the Shi’ite community is more determined to move forward with the creation of a higher national commission for the abolishment of political sectarianism. They also referred to recurrent questions

regarding the commitment of the Lebanese Christians towards the issue.

Some participants discussed the potential for establishing the civil state and their desire to build such a state. Furthermore, participants belonging to the second grouping repeatedly underlined the importance of implementing the principles of “consociational democracy,” “coalition governments” and the right of the parliamentary minority to hold the “blocking third” for as long as political sectarianism was not abolished.

Participants belonging to the third grouping had a different opinion when it came to discussing “the rule of the majority”. At the same time they expressed their respect for sectarian balance and the fair representation of religious communities.

All participants raised the issue regarding the gaps that the Taif Accord did not address but did not suggest appropriate mechanisms to deal with this issue. In sum, there was noticeable divergence of opinions and views among participants at this stage of the dialogue.

## Consociational Democracy : Between Customary Law and Constitution

The A participant with knowledge of civil society pointed out the problem that existed between, on the one hand, those who saw the political system in Lebanon as a consociational democracy and, on the other hand, those who considered it as a majoritarian system; keeping in mind that the Constitution makes a distinction between matters that should be the focus of consensus and other matters that should be submitted to voting on a majority basis.

This participant indicated that Lebanese political leaders , from 1943 until the Taif Accord, called for a transition from consociational to majoritarian system, highlighting the fact that Taif entrusted “the national committee for the abolishment of political sectarianism” with the transition process. The point being that this transition process is in itself a consensual one, but that there has been the “mistake” of entrusting the formation of the national committee for the abolishment of sectarianism to the forces of status-quo that are committed to sectarianism

The participant then raised the issue of marginalizing the role of the House of Representatives and the weakness in the culture of governmental accountability to the Parliament, as well as the weak accountability of the elected deputies to the voters. This turned the MP in the eyes of the citizen into a “mediator between the citizen and the state”, which results in the MP functioning as a “public relations and social services” person.

The participant also drew attention to the issue of Lebanese consensus over the question of identity, which created a conflict among the proponents of Lebanese nationalism, Arab nationalism and Syrian nationalism. In current times, the conflict is between religious movements and non-religious movements.

Raising the question whether “is the Lebanese system suffering from schizophrenia?”, the participant considered the system in Lebanon to be parliamentary and democratic and not a majority one, “because it took into account sectarian plurality and factional stability”.

The same participant declared support for the creation of trans-community parties, which entails encouraging intra-communal plurality and discouraging inter-communal conflicts. Meanwhile, waiting for changes in the situation and the abolishment of sectarianism to pave the way to the emergence of dynamic social and political movements, sectarian communities will remain the “incubator of the consensual democratic solution”. The participant concluded that there was a need for a national committee to carefully move toward alternative systems that should be formed “to avoid slipping away from democracy with adverse implications for Lebanese democracy”.

Another participant pointed out that institutions in a democratic state protect the country from recurrent political crises, but in Lebanon policies affect the institutions and hinder their activity. Attention was drawn to the fact that it has become “normal” for political groups to reach agreements outside the Cabinet frame. This was being carried out in such a way the Cabinet has become a place to promulgate decisions and ratify what has been agreed upon outside its framework. In fact, the Lebanese did not engage in “institutional work” and did not apply the clauses of the Taif Accord.

This participant considered that:

- Consensus was indispensable in a religiously diverse country such as Lebanon, because it guaranteed the participation of all.
- Participation protected against the risk of sliding into sectarian divisions based on numbers.
- The Taif Accord recommends the abolishment of sectarianism through the maintenance of coexistence and the drafting of a new electoral law; therefore the debate

over parliamentary and consociational democracy should be settled.

According to another participant, the Lebanese political system has slipped into “a pattern of ruling limited to describing and setting profiles”. Consociational democracy is a necessity “even if the price would be in the form of gaps in the Constitution”. Thus, the Taif Accord recommendations were the only way to get out of the crisis, even if it would be “at a high cost”.

In presenting the perceived gaps in the Lebanese political system, this participant pointed out that the latter “is open to all political currents and ideologies, and that it was neither literally democratic nor a dictatorship”. However, this system has not prevented foreign interference and has not “immunized” Lebanon against the impact of global and Arab crises.

The same participant concluded that the crisis in Lebanon (at the time of the dialogue) was political, particularly after the “dissolution of an existing social contract”, i.e. the Quartet Coalition. The Taif Accord did not define time limits for the formation of the government and therefore should do so, considering that the power vacuum prior to the installation of a government was a major gap left unaddressed by the Accord.

This participant also considered that the crisis was “structural”; the only way to solve it and ensure the survival of Lebanon was through an initiative to launch institutional and structural reform. In this respect, “four rules” have been elaborated in respect of consociational democracy that exist in the Lebanese constitutional system and have paved the way for the fair representation of political bodies. These rules assumed that Lebanon consisted of sectarian communities and a group of citizens, while Articles 9 and 10 of the Constitution, as well as other articles, have resulted in consecrating a “private entity for these communities”. There are many aspects to the parliamentary crisis, including an “ill-fitting” electoral law, an “unsuitable” mechanism to form the government, and the absence of an effective role of the House of Representatives. The participant stressed that the development of the electoral

system is indispensable to rebuilding the required institutions, abolishing political sectarianism, establishing a House of Senate that would preserve the rights of the Christian communities, and clarifying the mechanisms of decision-making and not the right of veto. This participant also requested that political groups stop viewing the right of veto as if it were “anti-democratic”, or a cause to suspend democratic action. In fact, the veto exercised mutually by the President of the Republic and the Prime Minister is a “constitutional, democratic, and consensual tool of democracy”.

Another participant wondered why the Parliament was considered to be a “permanent national dialogue committee”. Increasing the number of deputies to expand representation aimed at transferring conflicts from the street to the Parliament should be considered, but this goal has not yet been achieved. All parties are called upon to overcome the current political impasse where sectarianism abounds and to work towards improving representation within the Parliament, in order to develop it into a non-sectarian national institution. Proportionality in elections may be the best option, though “it has not yet been experienced in Lebanon”.

The same participant also considered that one of the aspects of the crisis was illustrated by the absence of rules of procedure in the Cabinet and its presidency. The government (at the time of the dialogue) “was the one body that most clearly violated the Constitution”, which meant that there should be a call for “setting rules of procedure for the Cabinet”, and to “separate the work of the Parliament and that of the Cabinet”, all of which would contribute to consolidating national unity.

Another participant recommended that the following be requested of all parties:

- Commitment to the institutional reforms included in the Taif Accord, which guarantees the good work of the three powers.
- Drafting an electoral law that would respect the representation of communities.

- Working on the implementation of extended administrative decentralization.
- Creating a committee to abolish political sectarianism in order to elevate the state to the level of a civil state, based on direct relations with the individual citizen without any sectarian mediator.
- Addressing the technical gaps that may arise from any conflict between the President of the Republic and the Prime Minister over the formation of the government, to include deadlines to be fixed to solve outstanding problems.

This participant considered that giving the opposition one-third of the seats in the government was a sure way to topple the government. "The Lebanese system aims to be parliamentary and democratic, and should therefore be referred to since the legislator aimed to weaken political sectarianism through supporting the commitment to the majority system".

Another participant considered that the Lebanese crisis (at the time of the dialogue) was "political and not constitutional or institutional." The country was facing dissent as far as the interpretation of the law was concerned; therefore "we are letting the street decide over the Constitution, turning the people into arbitrators". The idea of the "resistance state" should be rejected since it was not a requirement for the state to exist. Furthermore, "the veto that disabled the government has nothing to do with democracy." This participant also warned that "isolating Lebanon from its environment was unacceptable," insisting on the need "to take into account our Lebanese interest in any decision, protecting these decisions and each other's right to partake in decision-making". There is also the need to respect plurality "as it existed in the Christian society", perceived as "the most diversified on the Lebanese political scene". The hope is that the next government would try to form a permanent national dialogue committee to represent the political leaders, the heads of movements, coalitions, and political parties.

Another participant admitted that the political system in Lebanon was suffering from a "chronic crisis" and that this system was incapable of absorbing "internal and external contradictions". This reality reconfirmed the necessity of reforming the political system. Therefore the Lebanese should refer to the National Unity Charter and implement it correctly. There is however the problem of interpreting the Constitution and in settling the constitutionality of the elections; therefore an arbitrating committee capable of explaining and judging was required.

On highlighting the gaps in the institutions, the same participant "contested" the constitutionality of granting the opposition or the President of the Republic a "blocking third" in the Cabinet; pointing out that the Constitution - when it comes to the formation of governments on a fair basis - did not mean to guarantee the same political representation of each sectarian communities or to grant the President of the Republic the right to use the "blocking third" to compensate for the loss of his prerogatives. It was maintained that the national unity government "was an emergency case formed under critical circumstances and was therefore not permanent", indicating that the Taif Accord did call for a national unity government.

Another participant reaffirmed the call to adopt the system of consensus in the Lebanese political system, considering it as the "platform best suited to political independence in the government". The development of mechanisms for the constitutional system should follow the same path as that for the abolishment of political sectarianism, by virtue of the Constitution. The definition of the concept of consociational democracy based on "its Lebanese specificity" needs to be addressed, though there are some reservations regarding views on the presence of opposition in the government. Parliament is the "normal and exclusive place for the opposition", while the government is an executive body and not a suitable setting for national dialogue. The participant went on to point out that Article 95 of the Constitution did not determine the way communities were represented within the government. This aspect needed to be dealt with. The Lebanese "were relying on the Arabs and

on some widespread post-Taif practices” to form governments. According to customary law, the three major presidencies were attributed to the three major sectarian communities and this attribution was a form of consociational democracy which, however, was customary and not constitutional. Consociational democracy is anchored in the Constitution and customary law, and “this kind of democracy is an essence of the Lebanese entity”; thus, the sustainability of this entity was dependent on consensus among all the communities of the state, as well as its administrative, political, and constitutional institutions.

### Observations and Conclusions

Based on the interventions of the participants presented above, it may be concluded that there appears to be some disparity over the issue of consociational democracy, as well as over other clauses in the Taif Accord discussed around the dialogue table. While participants admitted that implementation of the Taif Accord had in the past been selective, the quasi-consensus over the absence of any obstacle hindering the re-examination of the TA in the light of the developments was striking.

Moreover, the participants more or less tacitly admitted that there were problems and paradoxes in rulings that emerged after the Syrian withdrawal and the end of Syrian hegemony over Lebanon, specifically after the beginning of the Taif implementation.

In response to the doubts expressed by some participants concerning consociational democracy and its constitutional or unconstitutional aspect, it may be concluded that participants linked to Hezbollah were committed to the consociational democracy system and regarded it as the essence of the Lebanese entity, since this was anchored in the Constitution and customary law.

A further disparity emerged over the issue of the national unity government and whether it should be permanent and constitutional or an emergency case. There was also the apparent contradiction over the issue of the role of the opposition

and whether it should be exercised within the government or in the Parliament.

### Foreign Interventions and Local Positions

Discussions during the dialogue meetings were particularly devoted to the section on “external interventions and internal positions”, and the issue of “sovereignty”. This was more or less to be expected, given the ongoing debates at this period in time regarding the “Syrian interference” and the “Iranian intervention” in the Lebanese internal affairs, issues which were at the center of debates between both parties to the conflict. Some participants considered these issues to be a major cause of the “permanent state of crisis” in Lebanon.

During the session on foreign interventions and local positions, one of the participants presented a historical briefing about the “roots” of the Lebanese internal debate regarding the issue of external interferences and their repercussions; stating that Lebanon was not a “unique model”; it is an open society but where the Lebanese “have on purpose kept the state with limited capacities”. It may be relatively easy to reach agreement between strong international foreign actors and local parties in order to defy national authority, and thereby weaken the authority of the state. At times, alliances have been formed by “force of arms”.

The same participant went on to elaborate the state of Syrian-Lebanese relations, pointing out that Syria’s attempt to consecrate its influence in Lebanon was an “old issue” and part of various historical phases “whereby some Syrian political leaders and interests were trying to impose a kind of hegemony over Lebanon.” It was also noted that historically there were other international forces which had attempted to impose their authority over Lebanon; such as Britain through the Baghdad Alliance, the United States at the time of Eisenhower, and more recently during the Bush administration with the ensuing political fiasco in Iraq. The latter meant searching for a way out, and “Lebanon became a convenient arena to achieve some political

victory". In discussing "the role of Lebanon and its international relations", the distinction was made between Syrian hegemony that largely existed in the past and was rejected by all the Lebanese, and the issue regarding relations with Syria on the basis of International Law, and "sound Arab fraternity", as an overwhelming majority in Lebanon wished for.

Lebanon has been "a victim of injustice during the 1970s, when the slogans such as "Lebanon is the Arabs' Vietnam" and "Beirut is the Arabs' Hanoi" were raised. This meant that Lebanon ended up bearing a burden which exceeded its capacity and "brought about severe catastrophes". The participant went on to mention that in respect of Lebanon's commitment to the Truce Treaty with Israel, it is possible to exert pressure on the latter through various means, in order to ensure respect for the relevant United Nations resolutions and stop Israel's "expansionist projects". A pertinent example is the calls made by alliances, organizations, and committees of civil society in Britain to boycott Israel.

The same participant also indicated that the issue in Lebanon was not only related to the weapons of Hezbollah; rather the issue is defining which country the Lebanese aspire to, which should be a democratic, strong, capable, sovereign, and corruption-free state where freedom is respected. This requires striving for internal consensus.

Considering that it was in the interest of Lebanon to normalize its relations with Syria on the basis of Lebanon's sovereignty and the safeguarding of its demographic, economic and vital interests, the participant presented two main pertinent formulas: The first is the one which was in place between 1990 and 2005 and which is the system preferred by Syria; the second one being the Russian-Norwegian, Russian-Finnish and the kind of relations that the Swiss built with European neighbouring countries which were rejected by Syria.

In respect of the means that may lead to striking a deal with the existing Syrian regime, this implies stipulating that Lebanon would be dealt with "in a way that would preserve

its interests." In turn this would mean that in order to achieve this objective, the Lebanese should work on convincing the ruling elite in Syria that its interest consists in promoting sound relations, so that Lebanon would not be a "source of danger or threat to the security of any state". This would require that Lebanon be neutral regarding conflicts among Arab countries.

The participant also considered that Lebanon could build special relations with Syria within an Arab regional framework defined by both parties. If the Lebanese were to reach such a commitment in respect of relations between Lebanon and Syria, they would find a common ground of understanding at the economic level. It is deemed unacceptable that the Syrian- or any other Arab or foreign- State establishes relations with politicians in Lebanon leading to "an illegitimate interference in the internal political affairs of Lebanon".

Another participant raised the following two points: Firstly, the need to define what the Lebanese wanted from the Syrians; and secondly, for the Lebanese to agree on what these demands should be "after determining the role of Lebanon and approaching it from a sovereign national perspective, in conformity with and according to Lebanese priorities while not overlooking Syrian interests." In this respect, Hezbollah should define its alliance with the Syrians in a way that would not contradict the Lebanese interest.

The point was also raised regarding the status of Hezbollah and Syria's allies if the current relations between Syria and Iran came to change; specifically if one of these countries "became open to Washington" and the implications this would have for the relationship between these two states. It was important to perceive this relationship in different terms, "particularly since Syria had ambitions and interests in Lebanon". In order to prevent any "Syrian comeback", confidence-building among all Lebanese movements and parties should be aimed for, which was an essential factor "in the face of any foreign interference". Moreover, the point was made that the Lebanon's Arab policy is based on "not being isolated in the Arab world in the name

of cooperation with Syria, because Lebanon has relations with many countries and cannot prefer one country over another, but has chosen neutrality". When peace negotiations with Israel take place, Lebanon should be present.

The participant also discussed the issue of the Special International Court for Lebanon, pointing out that after it has been approved under Chapter Seven of the UN Charter, "the problem of Syria became the problem with the International Court". This indicates that the work of the government may take a long time, which meant that the Lebanese should work on restoring internal consensus and building the institutions "to enable them to absorb the repercussions of the court investigations without wreaking havoc on the internal Lebanese scene".

Another participant highlighted the following points:

- There are foreign issues intersecting with the crisis, including the international and regional situation in the Middle East, particularly the war in Iraq and relations with Syria and the International Court.
- Lebanon was greatly influenced by these changes and by international and regional conflicts.
- Relations with Syria were complicated, and Lebanon's ambition is to establish "natural diplomatic relations".
- This raises the question: What is Lebanon's link with the Arab conflict (especially the Arab-Israeli conflict) and which agreement was it based on?

The participant went on to stress the necessity that Lebanon abandon its current policy towards military conflicts in the region.. There is also the necessity to seriously work on not allowing Lebanon to be "a bargaining tool between Syria and the USA", particularly since Syria "was still following the same method in bargaining which constituted an imminent risk to Lebanon and threatened its stability."

The participant also mentioned the future of relations between

Lebanon and Syria in the light of the "chronic problems between both countries", which meant the need to:

- Define the specificity of relations between both countries by virtue of the Taif Accord.
- Analyzing the Syrian conditions for establishing such relations, particularly since the Taif Accord stipulates respect for Lebanon's sovereignty, security, and foreign policies.
- The Lebanese should find common denominators for an agreement with the Syrians in order to define the chronic problems between the two states, including the issue of security.
- As for the relations with Syria, the Lebanese should define norms to settle the question of national security, policy, and economy, "because the norms of the Syrian regime are undefined".

Another participant highlighted the issue "of immunizing ourselves against the negative influences of foreign interventions that affect us because of our geographic location," pointing to "the strong challenges which face Lebanon such as external interference..

In the view of this participant, Lebanese neutrality meant that Lebanon should remain engaged in the basic Arab issues, especially the Arab-Israeli conflict, but keep away from the clash between international and regional actors in the Middle East. The only way to defend the independence and sovereignty of Lebanon was by promoting internal stability through establishing constitutional institutions and improving their performance. A vision for "organizing Lebanese-Syrian relations would be based first on re-examining many of the conventions previously signed between Lebanon and Syria, since they were in the interest of the latter. These conventions include the Friendship, Cooperation and Coordination agreements, the Demarcation of Borders Convention, the Sharing of Al Assi Waters Convention, and the Convention on Building Syrian-Lebanese Relations on the Basis of Syria's Respect of International Law. There is also



the question of strengthening Lebanese-Syrian relations and conventions over security issues.

Given the above, a number of points may be cited that would reassure Syria, particularly the point that Lebanon would not emerge as a threat to its security. This includes the development of a Lebanese defensive strategy “that in effect would protect Syria from threats”, and of a Lebanese foreign policy that would work on assisting Syria in regaining its lost territories occupied by Israel.

Another participant raised the issue of “special relations and dependency,” clarifying that there was disagreement over the concept of the specificity of the relationship between Syria and Lebanon. Previously there were “signs of submission,” but nothing should be imposed by force”. In respect of the Arab-Israeli conflict, Lebanon’s stance needs to take into account the changes in the Arab Region. This raised the question “whether we should rebuild the army and the military forces to be on a par with Israel to dissuade it from aggression against Lebanon and Syria, and whether this should be through our military strength or international policy.”

The participant pointed out that after the establishment of the International Tribunal, the issue of the investigating the assassination of Prime Minister Hariri and the other Lebanese public figures became the responsibility of the IT itself and the international community. Henceforward, this issue should not continue to be a source of threatening tension between the Lebanese, and should not prevent maintaining relations with the Syrian government.

Another participant raised the following issues to be kept in mind:

- Freedom of establishing relations between the parties concerned should not be without restrictions.
- The role of ambassadors should be limited.
- Reference to mutual distrust in public speeches should be avoided.

- Agreeing on the refusal of using Lebanon as “a scene for confrontations”.

Another participant pointed out that the 1949 Truce and the Taif Accord were influencing the issue of the Israeli occupation. According to the Accord, if the Lebanese territories are to be liberated, there was a truce agreement in place that regulated relations between Israel and Lebanon. “Reconciliation with Israel was not requested, just as war between Lebanon and Syria was not on the agenda”. As for the Shebaa Farms, it was illogical to link this to the Golan issue, since there is no question of “submitting ourselves to any temptations or threats”. Moreover, “preserving our effective independence should not prevent us from maintaining our close relations with the Arab and foreign world”.

The same participant also pointed out:

- It was necessary to “stay away from any form of tutelage in order to achieve the principles of sovereignty and independence”; freedom cannot be achieved except through rejection of both Eastern and Western trusteeship.

- One of the main conditions of agreement consisted in “real equality among Lebanese citizens and communities”, and in the participation of all in managing the affairs of state.

Another participant focused particularly on the “relationship of the opposition with Syria”, and “the fact that Lebanon was not opposing the Syrian danger that threatened the majority.” It was pointed out that the Lebanese recognized Israel as their only enemy, but “they did not agree on a united position toward the ruling Syrian regimes that did not recognize the independence of Lebanon”. There is a need for the opposition to “stand by the majority to solve the issue”. A suggestion for a “settlement” consisting of labeling Israel as an enemy, while agreeing on putting an end to “the pressures of the Syrian regime, whoever the Syrian president is.”

Following a concise presentation of the experience of Syria in dealing with Lebanon and what the Taif Accord has to say about

Lebanese-Syrian relations, the same participant maintained that “we supported a common defensive strategy between Syria and Lebanon, but Syria should implement it. Lebanon waged war against Israel in July 2006, but Syria did not assist, so how should we take Syria’s interests into consideration while Syria is not doing the same?” The question was also raised regarding how the Lebanese parties would deal with Syria if the International Court were to prove Syria’s involvement in Rafic Hariri’s assassination, and whether Syria will respect the results and outcomes of the investigation.

Another participant raised the issue of Hizbollah’s support - in principle - of the Palestinian people’s struggle, considering it as “a national and patriotic duty,” indicating that the Palestinian people should liberate their territory by themselves and that all the Arabs should support them. This participant also presented a vision of the 1701 International Resolution (promulgated following the ceasefire in South of Lebanon, after the July War in 2006), pointing out that the Resolution stipulated that the mission of the UNIFIL was to support the Lebanese Armed Forces, which “cannot act directly or establish a demilitarized zone.” As regards Syrian-Lebanese relations, while insisting once again that it was a matter of relations between two sovereign states and all points of contention should be agreed upon, such as diplomatic relations and demarcating borders after building trust measures, the participant went on to point out that “good and friendly relations with Syria does not automatically mean this should turn into trusteeship. We do not agree that any party, whether Arab, foreign, Iranian or Syrian, exercises trusteeship over Lebanon.” It was denied that Hezbollah and the Shi’ites rejected the Taif Accord. There needs to be a discussion of the current equal shares system and its exchange with the one-third of the shares system, given that Hezbollah was not aiming to “improve its community-based balance of power”.

The same participant also called for approaching the issue of relations with Syria “calmly and to elaborate a strategy on how to serve the Lebanese national interests and stability,” while ensuring that there is “no desire to go back to the Syrian

dominance epoch though the Lebanese cannot neglect Syria”. The “breakdown” of the international isolation policy towards Syria, after reopening the diplomatic channels with France, should take into account that “threatening the Syrian regime and the call by America to occupy Damascus is provocative, and politically explosive”.

One participant called for a formula for relations with Syria based on the refusal to return to the “Syrian trusteeship period”, though also admitting that it was “impossible to neglect Syria” and “security and stability in Lebanon could not be established without an understanding with Syria”. The participant also pointed out that just as there was an ‘obsession with the fear of Syrian trusteeship and hegemony”, there was also the “obsession with adopting policies that contradict the Arab identity of Lebanon including its special relations with Syrian as well as its obligations stance pertaining to the Israeli-Arab conflict”. It was pointed out that in order to find a solution, Syria should give Lebanon guarantees that it respects Lebanese independence and sovereignty. In return, the Lebanese should ally themselves with Syria in facing conflicts with Israel and should establish special relations reflected in the foreign policies being pursued.

Regarding discussions over the clause of foreign interventions, the following observation may be raised:

- Discussions on this point were lengthy, lasting longer than discussion on other issues raised during the dialogue. At the time, there were controversial issues being debated between the two major political poles in Lebanon, in particular with regard to past, present and future relations with Syria.
- Various participants based their interventions on the relationship between Lebanon and Syria, stressing their complete rejection, refusal and criticism of past experiences, and constant fears “of the ambitions and dreams of Syria” to again impose its hegemony over Lebanon.
- These representatives accused the opposition of lacking solidarity in “confronting the ambitions and dreams of Syria”

and considered that there was a need for this group to be open to a “settlement” regarding this issue. The post-International Court period and “ways to absorb the effects of the sentences issued by the Court and particularly the eventual condemnation of Syria in Hariri’s assassination” were an issue for some participants.

- The points raised by some participants covered the incapacity of Lebanon to confront Israel alone and the need to commit to the Truce Convention and adopt the slogan of “Lebanon’s interest first.”

- It was also striking that some participants criticized the Syrian performance in Lebanon in the past, but approached future relations and the future of Lebanon’s stance towards the Arab-Israeli conflict on the basis of working “seriously to save Lebanon from being a bargaining project between Syria and the US,” while providing reasons for “immunizing” the internal political scene against external interventions.

- It was also striking how some participants viewed the issue of Lebanon’s relations with Syria in terms of promoting the slogan that peace with Israel was not requested, since it is not about turning the “war” between Lebanon and Israel into a “real one”.

- The interventions by some participants may be perceived in terms of defensive measures in respect of two points: the past and future relations with Syria, and keeping the Taif formula alive, particularly the equal sharing formula, and refuting “the rumor” about the Shi’ite request to get the “one-third of shares.”

## External Viewpoints on the Dialogue

### Candide in the Lebanon

**Yves Besson, Former Swiss diplomat and founding member of ASDEAM**

The Swiss often feel drawn towards small countries, particularly if they are mountainous and inhabited by an ancient people whose life has always been rugged and difficult. Lebanon was my first contact with the Middle East, some forty years ago. Since then, my life and professional interests have been linked to the region and its populations with their cultures, worldview and their persistent nostalgia for a lost enchantment, sometimes briefly recovered but always in their dreams. It seemed only natural therefore to join the ASDEAM project and work towards and hopefully contribute to encouraging joint reflection between the various actors and representatives of a Lebanese identity which in 2007, even as they proclaimed its reality, seemed to be slipping out of reach faster than ever. The group of personalities that Hassan Ghaziri, our President, had succeeded in rallying to that aim seemed sufficiently representative of the concept of a Lebanese identity and its very composition emphasized this reality. Its seemingly fragmented nature, reuniting 'enemies' of past and present, could demonstrate that its members shared, in spite of history, a feeling of belonging and a certain sense of the "spirit of the place" that also characterizes Switzerland. These similarities with my country, so difficult to explain rationally and so unlikely when you consider the totally different contexts that at first glance exclude any analogy, encouraged me to support the project. My viewpoint would be from distant Sirius, my attitude would be like Voltaire's Candide and my action would be as a long-time observer and actor in Middle East affairs.

Bringing this group of representatives from all Lebanese religious and political horizons to Switzerland was a great success and a feat in itself. Then inviting members up to such a discreet

and beautiful setting, with few distractions and thus conducive to reflection, paved the way for studious conviviality far from political and media turmoil. (Perhaps mobile phones should even have been forbidden!). Our approach was to see whether it was possible to establish an initial dialogue based on the definitions of concepts of "Lebaneseness" and "living together", independently from institutions that later on would enable these two notions to gain shape and to exist in their own right, outside community-based models. Very soon a certain taste of freedom of thought and expression emerged in discussions, against a background of members' typical infatuation for the magic of language and poetry and that humorous, ironic rhetoric that swings constantly between self-satisfaction, self-sufficiency and declamation and characterizes the Lebanese people. The same dialectal expressions and the same profound cultural and social references gradually painted an image, a whole anthropology of a "Lebanese identity" that participants slowly accepted to acknowledge and which helped us to distract their immediate attention from the antagonisms and serious risks inherent in the situation in the Lebanon at the time.

Based on these initial observations, and for the duration of this first meeting, it was important to determine the deep causes of the crisis; not to tackle the most pressing nor the most immediate issues, because these were merely pointers to more profound and durable problems, but to pinpoint and outline the shortcomings and the lack of efficient institutional means to manage or resolve the crisis. There are times in peoples' history when the awareness of a common identity, however deeply shared, is still not enough to stop free-fall into a profound crisis because, when it intensifies and reaches a climax, it is in fact more a divisive than a unifying element: shattering all in its path into parties, each claiming the exclusivity of an identity considered as betrayed by the other. This happens all the more easily when external forces set out to foment divisions on the pretext of supporting or maintaining national unity or, on the contrary, of increasing disagreements. In this respect, we felt the spectres of several heavyweight neighbours, near or far, hovering in the background at this first meeting. Paradoxically,

the real or intentionally conceived threats, combined in the dialogue, were in fact averted by acknowledging a project to re-build a Lebanese identity and work towards 'living together in harmony' to be restored institutionally. The result was a kind of inventory, albeit still in draft format, of issues and proposals to be solved and examined by the Lebanese. This clearly required an agreement on the necessity of restoring State independence and sovereignty which are the only means of developing national solutions and concepts. For the State not to belong to someone in particular, it should belong to all. This was the outcome of the first meeting. To some, this may have seemed a meagre result, but it provided the minimal foundation on which a dialogue could build up through ordered examination of the inventory established. The Swiss Federal Ministry for Foreign Affairs (DFAE), who had been informed of our initiative and had given us its support, took part in the meeting on the last day of this first stage. This gesture boosted participants' confidence that progress was possible and that our dialogue could also pave the way towards much greater media and public visibility, both in Lebanon and Switzerland. We had succeeded in setting up the inter-Lebanese framework we had aimed for. Proof of this was sudden renewed interest shown by France, both in our action and in the basic issue itself, on the part of their Minister for Foreign Affairs, a great brain-stormer of simple ideas and an adept of whirlwind diplomacy.

A second meeting became a necessity, not to examine the immediate effects of the crisis, but to study the conditions of an institutional restoration of the State in the medium term. This was based on the idea that by outlining longer-term guidelines for the State and its action, it would be easier for the protagonists to find compromises regarding the urgent threats looming in the country at the time. By preparing the future, we aimed to effectively calm the present situation. We had thus laid our methodological foundations.

Once we had established the inventory of all the issues and proposals, and once the working project was plotted out, it was crucial to determine the points of agreement and

disagreement. It soon emerged that the Taef Agreements and their interpretation, as well as relations with neighbouring countries constituted the central factors for the future of the Lebanese State and its functioning. One of these questions was precisely related to the functioning, re-assessment and renewal of institutions, while another was related to Lebanon's position in the region. In order to consolidate unity within our group, focussing on relations with Lebanon's neighbours seemed the most decisive factor. Indeed, if we could manage to establish a solid agreement basis between participants on a common conceptualization of relations between the Lebanon and Syria, as well as on the concept of resistance to Israel defended by one of the major parties on the Lebanese scene, we would stand a better chance of isolating the internal issues we had to address..

In fact, observers and analysts dealing with the problems of Lebanon had long been split between those who saw the source in the state's internal weaknesses and those who, on the contrary, blamed its near neighbours. Our approach was determined to rise above experts' rhetoric, which was ultimately never very fruitful and always the object of permanent, sterile debate, by first erecting a kind of mental barrier regarding the exterior, in order to be in a better position to address internal questions later on. If we succeeded in doing so, a first major step would have been taken in many respects : Lebanese identity would be reaffirmed, the independence and sovereignty of the State would thus seem much more necessary and, hence, somehow neutralized, external influences would take a back seat in discussions, freeing the conference table from the old partisan disputes that have for so long confused the national dialogue. This second meeting helped in organizing and prioritizing the inventory set up during the first meeting.

It was during the third meeting that discussions addressed relations between Lebanon and Syria and Israel. Following all the preparation that had been necessary for the smooth running of the first two meetings, our methodology was now going to have to stand the test because Lebanese political parties had

been split for decades over these issues. We would have to defuse a situation which had become the Lebanese parties' daily bread and upon which they had based their ideological argumentation. Thus participants were asked to concretize their initial consensus, adopted during the first two meetings, on matters related to foreign policy, in order to better isolate internal issues. The joint document drafted on relations with Syria, as it conditions the regional relations of Lebanon as a whole and indirectly its broader international relations, was the cornerstone of our whole methodological structure, patiently constructed brick by brick since the beginning.

Adopted during our third meeting, it was to come as the concept of a specific Lebanese foreign policy, within the Arab and regional framework, to support the examination and definition of a corresponding defence policy that was tabled for discussion during a fourth meeting. That last reunion, which was to have closed our first round of meetings, had to be cancelled for reasons explained elsewhere in this booklet. In fact, the concept of resistance fiercely defended by one of the existing parties, must find its reality in the limits of a foreign policy that bears in mind Lebanese specificities as recognized by the Arab League decades ago. In this sense, it certainly constitutes an integral part of the national dialogue, and we regret not having been able to complete the methodological cycle we started with the meetings in Mont-Pèlerin.

The preliminary proposal of a foreign policy as mentioned in the joint document on relations with Syria cannot be separated from the section related to the defence of the State and its monopoly of the use of force and restraint.

## Conclusions

Under the circumstances in 2007, with no political platform whatsoever for meetings and exchange between all Lebanese parties, ASDEAM's initiative with the support of the Swiss Ministry for Foreign Affairs somehow permitted an easing of the internal situation, which could have triggered serious civil unrest at any moment, and made some methodical progress in

sorting out the multiple problems that were raised then and still hinder efforts to restore the State.

First of all, we had to define and outline the internal Lebanese terrain by reaffirming the national identity and then isolate it from the exterior by determining and deepening a concept of national and international foreign policy. This last goal was only partially achieved.

The main success of our efforts was to pave a methodological path which, if followed, would subsequently assist in dealing with internal institutional and economic issues. This is what we suggest working towards if the Lebanese authorities so wish.

## Didier Pfirter View Point

When I was contacted by ASDEAM to participate in its Lebanese dialogue project, I knew little about a country, which has always fascinated me by its millenary culture, its joy of living, its beauty, complexity, and pluralism. The ASDEAM initiative came at one of the most delicate moments of the history of that country, when almost all channels of communication among different political parties were cut off.

In my conversations with the leaders of the different parties in Lebanon, I was struck by the wide convergence of views, but also by the total distrust regarding the intentions of the other parties. All my interlocutors seemed aware of the fact the Lebanese are bound to find a compromise and that no community can dominate over the country. What's more is that any community that has tried in the past to dominate over the country has paid a high price and therefore, no community is interested in trying to impose itself on the others. At the same time, all my interlocutors were convinced that other political parties were trying to monopolize power by secluding them. In such a situation, the meetings in Mt. Pèlerin allowed me to establish a minimum of trust among senior representatives of different political parties. Not surprisingly, that trust was limited to the individuals who were present but it was an important start, a way of breaking the ice. Without overestimating this experience, I suppose that it helped in preventing any worsening of the situation that the country was already witnessing and maybe aided in laying the basis of the progress to be achieved later with the help of other facilitators.

Mistrust among the Lebanese was aggravated by an even greater suspicion against regional and international actors. Indeed, most of my interviewees were convinced that even if their Lebanese opponents desire to reach an agreement with them, the regional or international allies, whether real or presumed, would not allow it, while assuring me that they themselves were perfectly independent from international

pressure and are working only for the interest of Lebanon and their community. Once again, it is the distrust towards the intentions of internal opponents that remained the biggest obstacle to overcome. Of course, confidence can't be decreed; it is built by deeds more than words. However, I am firmly convinced that dialogue and human relations are a crucial part of this construction and that lack of dialogue and human contact creates a fertile ground for suspicion and for the creation of myths that parody or even demonize opponents, hence the importance of the dialogue initiated by ASDEAM at a moment of great danger for Lebanon.

What I witnessed in Lebanon reminded me of episodes of my own country's history: Before the establishment of the Federal Constitution in 1848, the European powers used to frequently intervene in the internal matters of Switzerland and for that matter, supported different cantons or political parties in the internal struggle of the country. Fortunately, the Swiss had generally managed to avoid the use of their country as a battleground for others' conflicts, or at least, they put a quick end to the rare internal armed rivalries in our history to save our overall independence and peace. However, in the majority of times, it was a rather cold peace and distrust reigned among confederates. The thirty-year religious war (between Protestants and Catholics) which ravaged the Holy Roman Germanic Empire (to which Switzerland belonged at that time) in the first half of the 17th Century, that killed two-thirds of its population, has fostered the importance of avoiding others' conflicts, but also of finding mechanisms for internal compromises that allowed a country divided equally between Catholic and Protestant citizens to maintain its unity and prevent the flames that devour its neighbors from blazing it up.

We have learned that for the common interest and in the long term, we should avoid at any price a situation where part of the population feels distressed, discriminated against or threatened and might seek to ally with foreign powers against its countrymen. However, it took another two centuries to put an end to foreign interference in our country. Since then, the Swiss



people is vaccinated against that evil and even the shadow of suspicion that a certain political party is working for the benefit of a foreign power, will definitely mean its end. This attitude has been proven during the long period in which our country was at the center of conflicts between the main European nations, including our closest neighbors and that lasted until the mid 20th Century.

Based on my time in different countries that have experienced conflicts, I could often note a big surprise from all when they realize that the compensation was ultimately much more reasonable than they thought and that if they try to be in the shoes of the others, what they had previously perceived as an aggression and a will to dominate, would seem rather an emanation of understandable fears. This exercise which consists of putting oneself in the shoes of others and trying to see the world through their eyes is essential for solving any conflict. Any solution must start from there and must leave no winner or loser. Another lesson, with the experience of my country in the background, is that solutions that seem “fair” and “just” from a mathematical point of view, are not necessarily so. Minorities, or weak or threatened groups, (though sometimes numerically a majority) should be reassured and need therefore, a disproportionate weight. A majority that is confident in itself might reassure the minority and has interest in doing so.

I believe that the Lebanese have widely understood this and have proved it in various agreements they have reached in Taif and other meetings. But of course, the devil is in the details and mutual trust is a prerequisite to reach a balance accepted by all. The greater the trust, the less detailed rules are needed to reassure this or that and vice versa. This is a conclusion I could draw by comparing our situation, where little is written and a lot comes from good customs and from a wisdom rooted in experience, to that of countries emerging from a conflict, such as Cyprus, where I worked for the UN.

In Lebanon, as in Switzerland, there is no majority in the strict sense of the word. Of course, the Swiss speak of their vast majority of German Swiss and the Lebanese are largely Muslim.

But a closer look reveals other divisions and identities that make one feel a minority in a way or another, therefore potentially threatening an individual's identity. This can constitute a time bomb ready to explode at any moment, if only because of mutual distrust and apprehension, as experienced by Lebanon. But once everyone realizes that and is ready to reassure the others and reduce their fears, this can be an element of stability much deeper than in a situation of a clear-cut majority and minority.

In the history of our country, the fact that religious, linguistic and political differences as well as differences between mountain and city dwellers overlapped, created multiple identities. In the political choice, it was not always the same identity that prevailed. Thus, almost all Swiss experienced from time to time the status of the minority, but also that of belonging to a majority. It taught them moderation when they are winners and serenity when they came out as losers. Federalism also contributed to that. One could belong to a minority in one's canton, but part of the majority on the national level and vice versa. Having that said, there is nothing to idealize. The political struggle is ongoing and constantly brings frustration. Balance and the good compromise should be found every day. Trust is difficult to build but easy to destroy. The reality of a pluralist country of multiple identities is complicated and is not amenable to clear, sharp and easy solutions, but is very rewarding and challenging. If proof were needed, I think that Lebanon and Switzerland are the privileged witnesses.

Today, the situation in Lebanon is fortunately less tense than during the meetings of Mont-Pèlerin. The major issues that were raised, however, remain to be solved. Such is the case of the implementation (or not) of the Taif Accord and the electoral system by all parties. The progress achieved by a group representing Lebanon at a moment of supreme tension in a spirit of mutual respect and accommodation while discussing these questions, and that is reflected in this publication, can serve as an inspiration to the Lebanese to move forward in their resolution, as and when a growing confidence among different parties permits.

## François Barras View Point

### Ambassador of Switzerland to Lebanon 2006-2010.

Lebanon and Switzerland have long standing, close and friendly relations. Due to its mountainous geography, the culture of coexistence among different linguistic and religious groups, its humanitarian tradition, its service-oriented economy, and its role as a crossroad in the heart of Europe, Switzerland has a special place in the heart of the Lebanese people. The Swiss, too, have a natural sympathy for the country of the cedar. These affinities are fertile ground for all kinds of exchanges and served as a background for the meetings that took place in 2007 in Switzerland and in Lebanon, under the auspices of the Federal Department of Foreign Affairs of the Helvetic Confederation, bringing together Lebanese personalities representing the main political parties of the country. These meetings were known under the name of “Mont-Pèlerin Dialogue” after the hotel overlooking Lake Léman, where the group met for the first time.

At the end of 2006, just after the July War, Lebanon was going through a serious and deep internal crisis. Almost all the bridges were cut between the majority and the opposition, each camp accusing the other of betrayal and a desire to exclude the others. The country was at impasse and daily life was marked by violence and resignation. It was in these dark, anguished moments that ASDEAM (Swiss Association for the Euro-Arab-Muslim Dialogue), an NGO based in Geneva, asked the Swiss authorities to jointly organize a meeting allowing the parties to resume dialogue by reflecting together, not about the crisis that shook the country, but about the root causes of the failure of the Lebanese to concretize their desire to live together within a stable institutional framework. This idea, which meshes with the Swiss policy of peace that aims at helping the parties to a conflict reconcile their conflicting interests by peaceful means, has found a favorable response from the Swiss Department of Foreign Affairs, with the active involvement of the special representative for the Middle East and the embassy, the group

consisting of a dozen of personalities - MPs, policy advisors, magistrates and professors - representing all political parties though not officially, met in 2007 in Switzerland and several times in Beirut. Together, they focused on the foundations of the country. What blocks the functioning of the Lebanese State? Why is Lebanon regularly witnessing shocks? How can one establish stable and flexible structures to avoid such shocks in the future? In discussing the roots of cyclical crises in Lebanon, they have tackled fundamental issues such as the interpretation of the Constitution, the meaning of the Taif Accord, particularly in light of the Syrian withdrawal, and consensual democracy and relationships with neighboring states. Each of these meetings enabled the participants to progress in areas of agreement, to identify differences, to clarify their importance, and especially to build a spirit of dialogue.

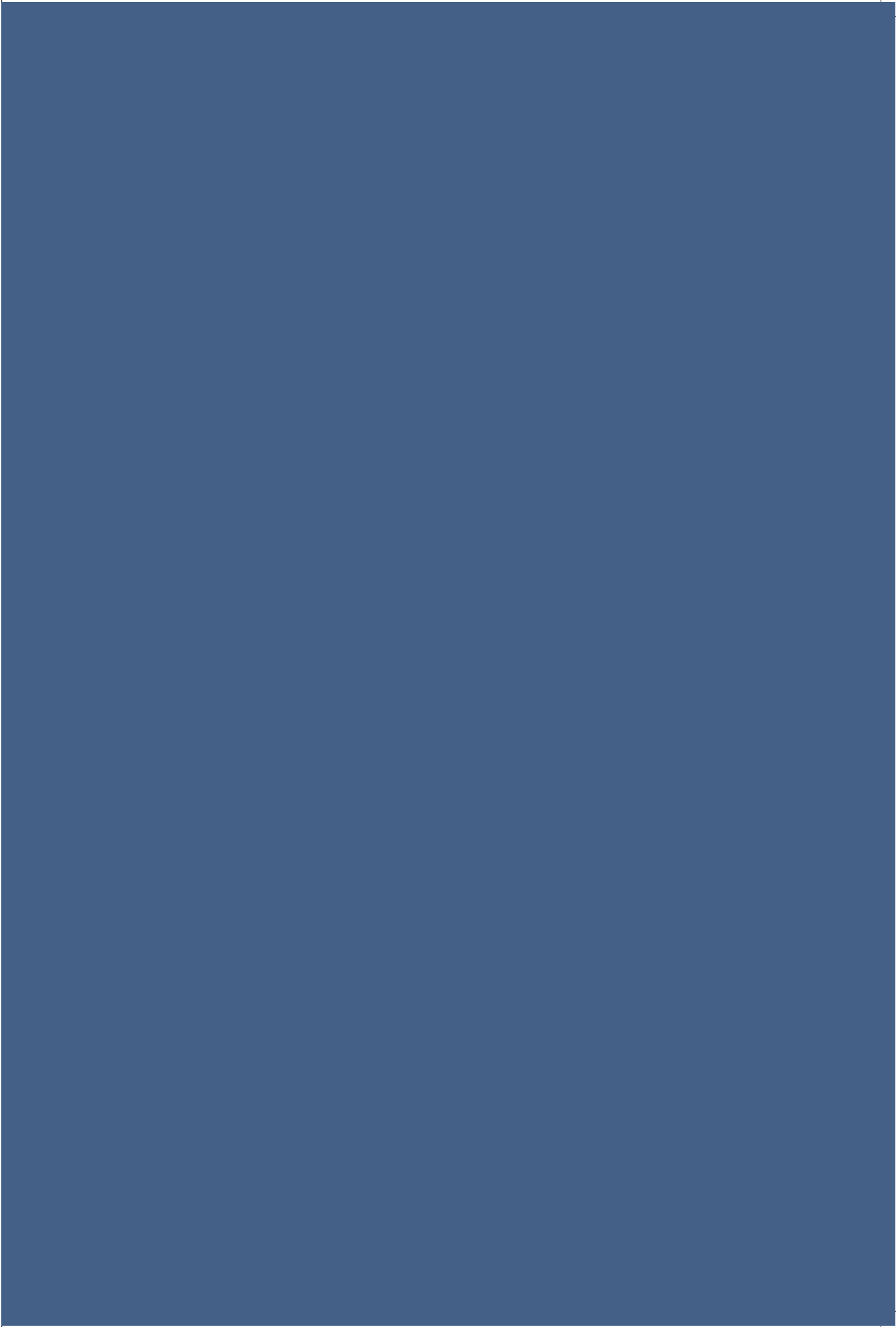
Three elements distinguish the ASDEAM meetings from many other inter-Lebanese dialogues :

- The distance: the majority of meetings took place in Switzerland, in a privileged setting away from everyday life and passions, and under the auspices of the Swiss government. The fact that Switzerland has never intervened in Lebanese matters, along with its long and unique experience and specific political culture, was, according to the participants, very useful. Its role was that of a facilitator: it has supported and encouraged contacts among parties without interfering itself in the content. It has helped them to meet in neutral territory and to launch a dialogue to search for solutions in the long run.
- The duration: The official Swiss support has allowed the long duration of the dialogue, over a year, with six meetings, which makes this initiative different from all others led punctually and that consequently lost their impact in a region of the world where the time factor is ever urgent.
- The spirit: The fact that the participants were not officially mandated gave them a larger margin of maneuver in debates and granted them a freedom of tone that couldn't have been possible in a more formal framework. This freedom along with

the relaxed atmosphere of the sessions, the free time given for bilateral contacts, and the relatively isolated locations for meetings, have created a real “spirit at Mont-Pèlerin,” of confidence and friendship.

I am pleased that the participants in the ASDEAM meetings have agreed to make the key elements of their discussions available to the public, and I thank them. Their discussions actually remain highly relevant and constitute the basis of the work that Lebanon should tackle sooner or later to search the terms of a concerted political settlement that would set the basis of a new national pact offering a community of free life to all Lebanese within a framework based around respect of citizenship and a renewal of public institutions. My thanks also go to the members of ASDEAM, and particularly, to its president, Professor Hassan Ghaziri, for their commitment and for the opportunity they have offered to Switzerland to be closely associated with a mission that has helped in supporting Lebanon at a delicate time and in establishing relations of trust with all Lebanese parties without exception.





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## About the Swiss Association for Euro-Arabo-Muslim Dialogue (ASDEAM)

ASDEAM was founded in 2006; it includes Swiss, Arab, and Islamic figures active in political, diplomatic, and academic domains.

The Association seeks to achieve the following goals:

- Strengthening the links between the Islamic and Western worlds
- Spreading the culture of cross-fertilization of civilizations

It aims at:

- Contributing to the revival and renovation of the human and open Islamic intellectual heritage through the promotion of interaction among contemporary thinkers
- Providing an appropriate environment to promote freedom of expression and thinking

Its efforts are thus focused on the following:

- Proposing practical initiatives to resolve conflicts and potential crises, and to spread peace
- Organizing conferences, seminars, forums, etc. that address related issues

ASDEAM has focused, since the summer of 2006, on studying the situation in Lebanon. It held, during the fall of 2006, a conference on the Israeli war on Lebanon, and discussed it from the perspective of International Law. This conference was held at the Geneva Graduate Institute of International Studies with the participation of prominent international lawyers. The conference had wide resonance among the international institutions of Geneva. After the conference, the Association decided to energize its efforts toward the Lebanese crisis, especially as internal conflict flared up in Lebanon in the autumn of 2006, when a number of ministers withdrew from the Cabinet and a group of Lebanese demanded the fall of the government, claiming it no longer abided by the Pact of Coexistence. Moreover, a large number of Lebanese sat in protest in Riad El Solh Square and communication among many Lebanese politicians was severed. Under these circumstances, the Association set out to invite representatives of both political parties and civil society, from various intellectual fields and political affiliations, to participate in a dialogue on core issues affecting the Lebanese entity as well as on key issues causing political instability and impeding Lebanon's growth and prosperity.